

THE COCHIN UNIVERSITY ACT, 1971  
(Act 30 of 1971)

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**THE COCHIN UNIVERSITY ACT, 1971 \***

(Act 30 of 1971)

**An Act to establish and incorporate a University at Cochin**

**Preamble.**—WHEREAS it is expedient to establish a University of a federal type at Cochin for the development of higher education with particular emphasis on post-graduate studies and research in applied science, technology, industry and commerce ;

BE it enacted in the Twenty-second Year of the Republic of India as follows :—

**CHAPTER I****Preliminary**

1. **Short title and commencement.**—(1) This Act may be called the Cochin University Act, 1971.

\* Published in the Gazette Extra ordinary No. 367, dated 24th August, 1971.

(2) It shall come into force at once.

2 **Definitions.**—In this Act, unless the context otherwise requires,—

(1) "Academic Council" means the Academic Council of the University,

(2) "annual meeting" means one of the ordinary meetings of the Senate held every year under sub-section (1) of section 18 and declared by the Statutes to be the annual meeting of the Senate,

(3) "Board of Studies" means a Board of Studies of the University;

(4) "Chancellor" means the Chancellor of the University;

(5) "Constituent College" means a college admitted to the University as a constituent college under sub-section (1) of section 48 of the Act, and in which instruction is provided in accordance with the provisions of this Act and the Statutes, Ordinances, and the Regulations made thereunder from time to time.

(6) "Department" means a department designated as such by the Ordinances or Regulations with reference to a subject or group of subjects;

(7) "Educational Agency" means any person or body of persons who or which establishes and maintains a college or colleges,

(8) "Faculty" means a Faculty of the University;

(9) "Hostel" means a unit of residence for the students of the University, the constituent colleges or the recognised institutions,

(10) "Prescribed" means prescribed by this Act or the Statutes, Ordinances, Regulations or Rules made thereunder,

(11) "Principal" means the head of a college;

(12) "Private College" means a college maintained by an educational agency other than the Government or the University;

(13) "Pro-Chancellor" means the Pro-Chancellor of the University;

(14) "Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University;

(15) "Recognised Institution" means an institution other than a constituent college, for research and or special studies, recognised as such by the University in accordance with the provisions of this Act and the Statutes, and Ordinances ;

(15) "Recognised Institution" means an institution other than the provisions of this Act and Statutes and includes graduates deemed to be registered graduates under this Act

**Explanation.**—All registered graduates of any other University in the State who on the date of commencement of this Act are employed in or are resident within the territorial limits of the University of Cochin may apply to the University of Cochin to get their names registered as registered graduates of the University of Cochin Upon such registration being granted, they shall cease to be registered graduates of the other University and shall be deemed to be registered graduates of the University of Cochin

(17) "Senate means" the Senate of the University ;

(18) "State" means the State of Kerala ,

(19) "Statutes", "Ordinances", "Regulations", and "Rules" mean respectively the "Statutes", "Ordinances", "Regulations", and "Rules" of the University ;

(20) "Student" means a part-time or full-time student receiving instruction or carrying on research in any of the institutions of the University or the constituent colleges or recognised institutions ;

(21) "Syndicate" means the Syndicate of the University ;

(22) "Teacher" means a Principal, Professor, Associate Professor, Assistant Professor, Reader, Lecturer, Instructor or such other person imparting instruction or supervising research in any of the constituent colleges or recognised institutions and whose appointment has been approved by the University ;

(23) "Teachers of the University" mean persons employed as teachers in institutions maintained by the University ;

(24) "University" means the University of Cochin constituted under this Act ;

(25) "University area" means the area to which this Act extends :

(26) "University Appellate Tribunal" means the University appellate tribunal constituted under section 63 of this Act,

(27) "University Fund" means the Cochin University Fund established under sub-section (1) of section 36;

(28) "Vice-Chancellor" means the Vice-Chancellor of the University.

## CHAPTER II

### THE UNIVERSITY

**3 The University.**—(1) The Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-vice-Chancellor, if any; and the members of the Senate, the Syndicate and the Academic Council for the time being, shall constitute a body corporate by the name of the University of Cochin

(2) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name

**4 Territorial Limits.**—Notwithstanding anything contained in any other law for the time being in force, on the coming into force of this Act;

(1) The territorial jurisdiction of the University shall extend to the area comprised for the time being within the jurisdiction of—

- (a) The Corporation of Cochin.
- (b) The Municipality of Alwaye.
- (c) The Municipality of Parur
- (d) The Panchayats of—

- (i) Maradu, (ii) Cheranellur, (iii) Mulavukad, (iv) Elamkunnappuzha, (v) Thrikkakara, (vi) Kalamassery, (vii) Eloor, (viii) Kadungallur, (ix) Keezhmadu, (x) Choornikara, (xi) Edathala, (xii) Vadavukode-Puthencruz, (xiii) Tripunithura, (xiv) Thiruvankulam, (xv) Alengad, (xvi) Kottuvally, (xvii) Ezhikara.

(2) Subject to the provisions in sub-section (1) of section 57 of this Act, the jurisdiction of the University of Kerala over the territorial limits of the University of Cochin shall cease;

(3) No educational institution situated beyond the territorial limits of the University, shall, save with the sanction of the Chancellor and the Government, be under the administrative control of the University.

5. **Powers of the University.**—The University shall have the following powers, namely:—

(1) to establish and maintain institutes for higher technological research, studies in applied science and business management;

(2) to provide for instruction and training in such branches of learning, as the University may deem fit, and to make provision for research and for the advancement and dissemination of knowledge;

(3) to institute degrees, titles, diplomas and other academic distinctions;

(4) to hold examinations and to confer degrees and other academic distinctions on persons who—

(a) shall have pursued a prescribed course of study in an institution under the University, unless exempted therefrom in the manner prescribed, and shall have passed the prescribed examination; or

(b) shall have under prescribed conditions carried on research which has been duly evaluated;

(5) to confer honorary degrees or other distinctions on distinguished persons in accordance with the conditions to be prescribed on the Statutes;

(6) to grant diplomas, certificates or other distinctions to persons who shall have pursued a prescribed course of study under prescribed conditions;

(7) to withdraw or cancel degrees, titles, diplomas, certificates or other distinctions under conditions that may be prescribed by the statutes, after giving the person affected a reasonable opportunity to present his case;

(8) to supervise and control the residence and discipline of students of the University, constituent colleges and recognised institutions and to make arrangements for promoting their health and general welfare;

(9) to recognise hostels which are maintained by bodies other than the University and to withdraw such recognition;



(10) to exercise such control over the students as will ensure their physical and normal well-being;

(11) to constitute a Board to entertain and if it thinks fit to adjudicate and to redress any grievances of the students of colleges who may for any reason be aggrieved otherwise than by an act of the Court;

(12) to fix the fees payable to the University and to demand and receive such fees;

(13) to fix and regulate with the prior sanction of the Government the fees payable in constituent colleges;

(14) as far as may be, to regulate by Statutes and Ordinances the conditions of service of teachers and other employees in constituent colleges and recognised institutions;

(15) to hold and manage endowments and bursaries and to institute and award fellowships, scholarships, studentships, medals and prizes and to organize exhibitions;

(16) to institute and provide funds wherever necessary for the maintenance of—

(a) a Students' Advisory Bureau;

(b) an Employment Bureau;

(c) University Union for Students;

(d) University Athletic Clubs,

(e) the National Cadet Corps;

(f) the National Service Corps;

(g) University Extension Boards;

(h) Students' Cultural and Debating Societies;

(i) a Translation and Publication Bureau;

(j) Co-operative Societies and other institutions for promoting the welfare of students and employees of the University;

(k) a University Library.

(17) to co-operate with other Universities or authorities or associations in such manner and for such purposes as the University may determine;

(18) to do all such other acts and things, whether incidental to the powers aforesaid or not as may be requisite in order to further the object of the University as a teaching and examining body, and to cultivate and promote arts, science, technology and other branches of learning;

(19) to take and hold any property, movable or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary disposition or otherwise and to grant demise, alienate or otherwise dispose of all or any of the properties belonging to the University and also to do all other acts incidental or appertaining to a body corporate ;

(20) to direct, manage and control all immovable and movable properties transferred to the University by the Government ;

(21) to co-ordinate, supervise, regulate and control the conduct of teaching and research work in the constituent colleges and the recognised institutions as far as possible ;

(22) to define the powers and duties of the Officers of the University other than the Vice-Chancellor ;

(23) to provide for the inspection of constituent colleges and recognised institutions and issue directions to the students working in them ;

(24) to admit educational institutions as constituent colleges and to withdraw such privileges in accordance with the provisions of the Statutes, Ordinances and Regulations ;

(25) to institute professorships, readerships, lectureships and any other teaching and research posts required by the University and to appoint persons to such professorships, readerships, lectureships and other teaching and research posts ;

(26) to establish, maintain and manage hostels ; and

(27) in general to do such other acts as may be required to further the aims and purposes of this Act,

**6. University open to all classes and creeds.**—(1) No person shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence, language, political opinion or any of them, be ineligible for, or discriminated against, in respect of any employment or office under the University or membership of any of the authorities or bodies of the University or admission to any degree or course of study in the University.

(2) In making appointments to posts in any service, class or category under the University, the University shall *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of

rule 14 and the provisions of rules, 15, 16 and 17 of the Kerala State and Subordinate Service Rules as amended from time to time.

### CHAPTER III

#### THE CHANCELLOR, PRO-CHANCELLOR AND OFFICERS OF THE UNIVERSITY

7. **The Chancellor.**—(1) The Governor of Kerala shall, by virtue of his office, be the Chancellor of the University.

(2) The Chancellor shall be the Head of the University and shall, when present, preside at the meetings of the Senate and any convocation of the University.

(3) The Chancellor may, by order in writing, annul any proceedings of any of the authorities of the University (not being a matter in which an appeal may lie to the Tribunal) and which is not in conformity with this Act and the Statutes, the Ordinances, the Regulations, the Rules or any other law for the time being in force :

Provided that, before making any such order, the Chancellor shall call upon such authority to show cause why such an order should not be made and consider the cause, if any, shown by such authority within a reasonable time.

(4) The Chancellor shall have the right to suspend or dismiss any of the authorities of the University and to take measures for the interim administration of the University.

Provided that before taking any such action the Chancellor shall give an opportunity to such authority to show cause why such an action should not be taken.

(5) Every proposal for the conferment of an honorary degree shall be subject to confirmation by the Chancellor.

(6) The Chancellor shall have power to remove the Vice-Chancellor from office by an order in writing on charges of mismanagement of funds or misconduct or for any other good and sufficient reasons.

Provided that such charges are proved by an enquiry conducted by a person who is or has been a Judge of the High Court or the Supreme Court and appointed by the Chancellor for the purpose.

Provided further that the Vice-Chancellor shall not be removed under this section unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

8. **The Pro-Chancellor.**—(1) The Minister for the time being administering the subject of education in the State shall be the Pro-Chancellor of the University.

(2) In the absence of the Chancellor or during his inability to act, the Pro-Chancellor shall exercise all the powers and perform all the functions of the Chancellor.

9. **Officers of the University.**—The following shall be the Officers of the University, namely:—

(i) The Vice-Chancellor;

(ii) The Pro-Vice-Chancellor;

(iii) The Registrar; and

(iv) Such other Officers in the service of the University as may be declared by the Statutes to be Officers of the University.

10. **The Vice-Chancellor.**—(1) The Vice-Chancellor shall be appointed by the Chancellor on the unanimous recommendation of a Committee appointed by him consisting of three members, one elected by the Senate, one elected by the Syndicate and the third nominated by the Government. The Committee shall make its recommendation within a period of three months of its appointment.

(2) In case the Committee appointed under sub-section (1) is unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from among the panel of three names submitted to him by the Committee within the period specified in the preceding sub-section.

(3) If the Committee fails to make a unanimous recommendation or submit a panel of names as aforesaid, another Committee consisting of three new members, one elected by the Senate, one elected by the Syndicate and the third nominated by the Government shall within three months of its constitution make a unanimous recommendation or submit a panel of three names to the Chancellor who shall thereupon appoint a Vice-Chancellor accordingly: