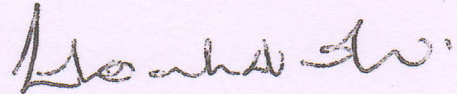


## ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

1. ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ : 1007
2. ಸದಸ್ಯರ ಹೆಸರು : ಶ್ರೀ ಅರುಣ ಶಹಾಪುರ (ಶಿಕ್ಷಕರ ಕ್ಷೇತ್ರ)
3. ಉತ್ತರಿಸುವ ಸಚಿವರು : ಮಾನ್ಯ ಕಾನೂನು, ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು, ಶಾಸನ ರಚನೆ ಹಾಗೂ ಸಣ್ಣ ನೀರಾವರಿ ಸಚಿವರು
4. ಉತ್ತರಿಸುವ ದಿನಾಂಕ : 12.03.2020.

ಕ್ರ. ಸಂ.	ಪ್ರಶ್ನೆ	ಉತ್ತರ
(ಅ)	ರಾಜ್ಯದಲ್ಲಿ ಅನುದಾನ ರಹಿತ ಕಾನೂನು ಕಾಲೇಜುಗಳನ್ನು ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸಲು ಇರುವ ನಿಯಮಾವಳಿಗಳೇನು: (ಸಂಪೂರ್ಣ ವಿವರವನ್ನು ಒದಗಿಸುವುದು)	ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ:ಇಡಿ/551/ಯುಪಿಸಿ/99 ದಿ:07.08.2003 ರಲ್ಲಿ ಹೊರಡಿಸಿರುವ ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು (ಕಾಲೇಜು ಶಿಕ್ಷಣ) ನಿಯಮಗಳು-8(1)ರ ಪ್ರಕಾರ 1987-88ರ ನಂತರ ಪ್ರಾರಂಭವಾದ ಅನುದಾನ ರಹಿತ ಕಾನೂನು ಕಾಲೇಜುಗಳನ್ನು ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ವಿವರವನ್ನು <u>ಅನುಬಂಧದಲ್ಲಿ</u> ಒದಗಿಸಿದೆ.
(ಆ)	1985ರ ನಂತರ ಆರಂಭವಾದ ಅನುದಾನ ರಹಿತ ಕಾನೂನು ಕಾಲೇಜುಗಳನ್ನು ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸುವ ಕುರಿತು ಬೇಡಿಕೆ ಇರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ:	ಹೌದು
(ಇ)	1985ರ ನಂತರ ಆರಂಭವಾದ ಕಾನೂನು ಕಾಲೇಜುಗಳ ಸಂಖ್ಯೆ ಎಷ್ಟು: ಈ ಕಾಲೇಜುಗಳನ್ನು ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸಿದ್ದಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ತಗಲಬಹುದಾದ ಆರ್ಥಿಕ ವೆಚ್ಚ ಎಷ್ಟು:	1985ರ ನಂತರ ರಾಜ್ಯದಲ್ಲಿ ಒಟ್ಟು 74 ಅನುದಾನ ರಹಿತ ಕಾನೂನು ಕಾಲೇಜುಗಳು ಆರಂಭವಾಗಿರುತ್ತವೆ. ಈ ಕಾಲೇಜುಗಳನ್ನು ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸಿದ್ದಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ತಗಲಬಹುದಾದ ವಾರ್ಷಿಕ ಅಂದಾಜು ವೆಚ್ಚ ಒಟ್ಟು ರೂ.70 ಕೋಟಿಗಳಾಗುತ್ತದೆ.
(ಈ)	ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸಲು ಸರ್ಕಾರ ಇಚ್ಛಿಸಿದ್ದಲ್ಲಿ, ಯಾವ ವರ್ಷದಿಂದ ಯಾವ ವರ್ಷದವರೆಗೆ ಆರಂಭವಾದ ಕಾನೂನು ಕಾಲೇಜುಗಳನ್ನು ಅನುದಾನಕ್ಕೆ ಒಳಪಡಿಸಲು ಚಿಂತಿಸಲಾಗಿದೆ:	ಸದ್ಯಕ್ಕೆ ಯಾವುದೇ ಪ್ರಸ್ತಾವನೆ ಇರುವುದಿಲ್ಲ.

ಸಂಖ್ಯೆ: ಲಾ-ಹೆಚ್‌ಆರ್‌ಎಮ್/33/2020



(ಜೆ.ಸಿ. ಮಾಧುಸ್ವಾಮಿ)  
ಕಾನೂನು, ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು, ಶಾಸನ ರಚನೆ  
ಹಾಗೂ ಸಣ್ಣ ನೀರಾವರಿ ಸಚಿವರು

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಕ್ರಮಾಂಕ : ಇಡಿ 495 ಯುಪಿಸಿ 2000

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ

ವಿಧಾನಸೌಧ, ಬೆಂಗಳೂರು

ದಿನಾಂಕ : 22-11-2000

ಇಂದ,

ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ,

ಶಿಕ್ಷಣ ಇಲಾಖೆ,

ಕರ್ನಾಟಕ ಸರ್ಕಾರ, ಬೆಂಗಳೂರು-560 001

ಇವರಿಗೆ,

ಕಾಲೇಜು ಶಿಕ್ಷಣ ಆಯುಕ್ತರು

ಬೆಂಗಳೂರು

ಮಾನ್ಯರೆ,

ವಿಷಯ : ಅನುದಾನಿತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ನೇರ ನೇಮಕಾತಿಗಳನ್ನು ಮಾಡುವ ಪೂರ್ವದಲ್ಲಿ ಸರ್ಕಾರದ ಅನುಮೋದನೆ ಪಡೆಯುವ ಬಗೆಗೆ.

- ಉಲ್ಲೇಖ : 1. ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 31 ಎಸ್‌ಆರ್‌ಆರ್ 98 (ಬಿ) ದಿ 17-4-2000  
2. ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 56 ಸೆನೆನಿ 2000 ದಿನಾಂಕ 14-8-2000.

ಅನುದಾನಿತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಲ್ಲಿಯೂ ಸಹ ಸಿಬ್ಬಂದಿ ವೇತನ ಭತ್ಯೆಗಳಿಗೆ ಸರ್ಕಾರದಿಂದ ಅನುದಾನ ಪಡೆಯುತ್ತಿರುವುದರಿಂದ, ಉಲ್ಲೇಖಿಸಿರುವ ಆದೇಶಗಳನ್ವಯ ನೇರ ನೇಮಕಾತಿಯ ನಿಷೇಧವು ಅನುದಾನಿತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಿಗೂ ಅನ್ವಯಿಸುತ್ತದೆ. ವಿದ್ಯಾರ್ಥಿಗಳ ಶೈಕ್ಷಣಿಕ ಹಿತದೃಷ್ಟಿಯಿಂದ ಬೋಧಕ ಹುದ್ದೆಗಳನ್ನು ತುಂಬುವುದು ಅವಶ್ಯಕವೆಂದು ಕಂಡುಬಂದಲ್ಲಿ ಅಂತಹ ಹುದ್ದೆಗಳನ್ನು ನೇರ ನೇಮಕಾತಿಯಿಂದ ಭರ್ತಿ ಮಾಡುವ ಸಂಬಂಧ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸರ್ಕಾರದ ಪೂರ್ವಾನುಮೋದನೆ ಪಡೆಯಲು ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸುವಂತೆ ತಮ್ಮನ್ನು ಕೋರಲು ನಾನು ನಿರ್ದೇಶಿತನಾಗಿದ್ದೇನೆ. ಸರ್ಕಾರದ ಅನುಮತಿ ಇಲ್ಲದೆ ಯಾವುದೇ ಖಾಸಗಿ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳಲ್ಲಿ ನೇರ ನೇಮಕಾತಿಗೆ ಅನುಮೋದನೆ ನೀಡಬಾರದು.

ಈ ವಿಷಯವನ್ನು ಆದ್ಯತೆ ಮೇರೆಗೆ ಪರಿಗಣಿಸುವಂತೆ ಸಹ ಕೋರಿದೆ.

ತಮ್ಮ ನಂಬುಗೆಯ,

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಶಿಕ್ಷಣ ಇಲಾಖೆ.

Education Secretariat

Notification

No. ED 551 UPC 99, Bangalore, dated 7th August, 2003

Whereas the draft of the Karnataka Education Institutions (Collegiate Education) Rules, 2003 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No.ED 551 UPC 99, dated: 18.3.2003 in Part-IVA No.280 of the Karnataka Gazette Extraordinary dated: 18.3.2003 inviting objections and suggestions from the persons likely to be affected thereby.

Whereas said Gazette was made available to the public on 18.3.2003.

And whereas no objections and suggestions have been received in this regard by the Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act, 1 of 1995) the Government of Karnataka hereby makes the following rules, namely.-

## Rules

## Karnataka Educational Institutions (Collegiate Education) Rules, 2003

## Chapter - I

## General

1. Title, application and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Collegiate Education) Rules, 2003.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) Notwithstanding anything contained in the rules made under the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) these rules shall apply to all Government, Local authority, Private Aided affiliated colleges under the control of the Department of Collegiate Education in Karnataka. Where the provision of these rules are silent on any aspect of regulation, the provisions contained in other rules made under the Act may with the previous approval of the Government be applied to private aided institutions under the Department of Collegiate Education, with the modification that the Commissioner of Collegiate Education or the Director of Collegiate Education as the case may be shall be the Head of the Department of Collegiate Education.

2. Definitions: (1) In these rules, unless the context otherwise requires,-

- [a] "Act " means, the Karnataka Education Act, 1983. {Karnataka Act 1 of 1995};
- [b] 'Additional Director ' means the Additional Director of Collegiate Education in Karnataka;
- [c] 'Assistant Director ' means the Assistant Director of Collegiate Education in Karnataka;
- [d] 'College ' means a Government, Local authority or a Private Aided Arts, Science, Commerce or Law College affiliated to the University under section 59 of the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) imparting sound and secular instruction;
- [e] 'Commissioner ' means the Commissioner of Collegiate Education in Karnataka;
- [f] 'Department ' means the Department of Collegiate Education in Karnataka;
- [g] 'Deputy Director ' means the Deputy Director of Collegiate Education in Karnataka;
- [h] 'Director ' means the Director of Collegiate Education in Karnataka;
- [i] 'Form ' means a Form appended to these rules;
- [j] 'Government ' means the Government of Karnataka;
- [k] 'Institution ' means a College with or without hostel, as the case may be;
- [l] 'Joint Director ' means the Joint Director of Collegiate Education in Karnataka;
- [m] Lecturer - Selection Grade, Senior Scale or Lecturer means, Selection Grade, Senior Scale or lecturer in the Department of Collegiate Education;
- [n] 'Management ' means a Governing Council or a Managing Committee by whatever name called of a educational institution to which the affairs of the said institutions are entrusted;
- [o] Principal Grade - II; means Principal Grade-II of the Department of Collegiate Education in Karnataka;
- [p] Principal Grade - I; means Principal Grade-I of the Department of Collegiate Education in Karnataka;
- [q] 'Section ' means a section of the Act;
- [r] 'University ' means a University established under section 3of the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001);
- [s] 'Year ' means academic year or financial year as the context may imply.

(2) Words and expressions used in these rules but not defined shall have the meaning assigned to them under the Act.

## Chapter - II

## Officers of the Department of Collegiate Education in Karnataka

3. The powers and functions of the Officers of the Department shall be as follows.-

(1) **Commissioner.-** The Commissioner shall have over all responsibility for the efficient and smooth functioning of the department. He shall review the functioning of the department keeping in view the administrative problems and introduce scientific measures for improving administration in the department. He shall exercise such powers as are necessary to implement the policies and programmes of the Government. He shall issue such general or special directions from time to time to the officers in charge of administration to attend the matters relating to their sections in accordance with the administrative orders. The Commissioner may call any papers/file relating to any section and pass such orders, as he deems fit. The Commissioner may delegate such administrative powers to such officers as he considers necessary.

(2) **Director.-** The Director shall have such powers and shall perform such functions as entrusted by the Commissioner for efficient and smooth functioning of the department. He shall assist the Commissioner in all administrative and academic matters.

(3) **Additional Director.-** Additional Director shall have such powers and shall perform such functions as entrusted by the Commissioner. He will assist the Commissioner/Director in administrative and academic matters.

(4) **Joint Director.-** Joint Director shall discharge such duties as may be entrusted to him by the Commissioner or Director. He is responsible for strict compliance of the rules and procedures in the transaction of Government Business. He shall place all relevant facts relating to the case and send necessary suggestions either in writing or orally before or at the time of passing final orders by the Commissioner or Director. He will invite the attention of the Commissioner or Director to rule or law or the declared policies of the Government and suggest course of action to be taken. He shall exercise such powers as are necessary to execute the directions/instructions of the Commissioner or Director.

(5) **Deputy Director.-** The Deputy Director is subject to the general control and supervision of such Officers as may be determined by the Commissioner or Director or Joint Director will be in charge of a particular section. He shall take such decisions as are necessary for disposal of all cases as per rules. He shall be responsible for the efficient and smooth functioning of the section assigned to him. He is authorised to issue orders in the name of the Commissioner or Director after proper processing of cases and approval of the Commissioner or Director. He shall exercise such powers as are entrusted to him by the Commissioner or Director.

(6) **Accounts Officer.-** The Accounts Officer shall exercise such administrative powers as are assigned under relevant rules, regulations, notifications and Government orders. The Account Officer shall also exercise such administrative powers, as are entrusted to him by the Commissioner/Director. He shall be responsible for maintenance of proper accounts in the Regional Offices. He shall also issue instructions, guidelines etc., to the colleges for proper maintenance of accounts.

(7) **Assistant Director.-** He shall exercise control over the section or sections under in his charge both in regard to the transaction of business and in regard to discipline and control. It is his duty to avoid superfluous noting and verbosity of language whether in notes or draft in observance of all rules pertaining to office notes, drafting, referencing, indexing, recording etc., and to ensure that the careless and dilatory subordinates are admonished by the Director. He may pass orders approving a proposal, which is statistical in nature. In other cases, he shall refer the file for orders duly expressing his views on the issue involved in the case.

(8) **Gazetted Manager.-** Is primarily responsible for the efficiency of his section and for the efficient and expeditious dispatch of business at all stages. He shall be well acquainted with Government Orders, Rules and Procedures and shall guide the section and advise his superior Officers in accordance with rules. He shall perform any action as may be assigned by the supervisory Officer/Government.

(9) The Commissioner/ Director may issue such work allocation specifying the powers and functions of all Officers and staff of the Department.

### Chapter - III

## Management of Aided Private Educational Institutions and Local Authority Institutions

4. **The Management of Aided Private Educational Institution.-** (1) The Governing Council shall have the power to appoint the head of the institution with prior approval of the competent authority in the Department.

(2) The Governing Council shall have the power to take disciplinary action against the head of the institution.

(3) The Managing Committee shall consist of at least two representatives of parents selected in the manner specified below:-

- (a) if the nomination exceeds two the parents shall be invited to elect the Representatives on a specified date and time;
  - (b) on the date and time scheduled for election the nomination may be read out to the parents present at the meeting ;
  - (c) the voting shall be by raising of hands;
- the two persons securing more number of votes shall be declared as elected and will be the Representatives of parents in the Managing Committee.

**5. President and Secretary:-** (1) There shall be a president and a secretary for every Managing Committee appointed from among its members. The powers, duties and functions of the president and secretary shall be as follows:-

(a) The President shall be the chief controlling authority. He shall preside over all meetings of the Managing Committee.

(b) He shall supervise the work of the secretary and shall from time to time issue such instructions as may be necessary for the due performance of the duties of the secretary and for convening and holding the meetings.

(c) The secretary shall, subject to the general superintendence and control of the Managing Committee be the Chief Executive of the institution in all matters pertaining to the institution and all acts done by the secretary in connection with the affairs of the educational Institution shall be binding on the Governing Council Provided that the Governing Council may within a period of fifteen days from the date of the aforesaid acts of the secretary, modify or cancel such act.

(d) Besides the duties as may be entrusted to him/her by the managing committee the following shall be the duties of the Secretary, namely:-

- (i) he shall be responsible for the orderly working of the office of the managing committee; and
- (ii) he shall be responsible for due implementation of all resolutions passed by the managing committee.

(e) The Secretary shall be the custodian of all the property and records of the institution and shall be responsible for their proper custody, maintenance and safety. He shall exercise such other powers and perform such other duties as may be entrusted by the President from time to time.

**6. Meeting of the Managing Committee.-** (1) The managing committee shall meet at least once in three months. In the cases of emergency it may meet any number of times as the circumstances demand.

(2) The quorum at the meeting shall be one-third of the number of members or five whichever is higher.

(3) The member secretary in consultation with the president shall give at least fifteen days notice to all the members of the Managing Committee clearly stating the date, time, venue and the agenda of the meeting. In the case of emergent meeting the members shall be given at least five days notice.

(4) Every point on the agenda shall be thoroughly discussed at the meeting and decisions shall be arrived at by a simple majority of votes of the members present and voting and in the case of equality of votes, the person presiding shall have the right to exercise a second or casting vote.

#### Chapter - IV

#### Grant-in-Aid

**7. Definitions.-** For the purpose of this chapter,-

(a) 'Bank' means a commercial or a Co-operative bank designated by the Director.

(b) 'Employee' means an employee, Teacher or otherwise, appointed by the management to a post in the institution and approved by the Director subject to such conditions as he may specify consistent with rules approved by Government from time to time relating to appointment of Employees in private aided institutions.

(c) 'Institution' means a private aided college which has an average daily attendance of not less than 80 students in a term in one discipline.

(d) 'Principal' means the teacher of the institution appointed as such by the management and he is the head of the institution.

**8. Grant -in- Aid.-** (1) All private educational institutions established or permitted to be established prior to the first day of June, 1987, and started functioning from the academic Year 1987-88 and onwards and also subjects/colleges established or permitted to be established with effect from first day of June 1987 shall be permanently ineligible for grant-in-aid.

(2) Vacant and unapproved posts of non-teaching staff as on 1.3.2001 shall be permanently unaided. Any vacancies in the non-teaching posts which as arisen after 1.3.2001 on account of retirement, resignation, removal, dismissal and death etc., are to remain permanently unaided. Such vacancies which are unaided shall be filled by the management and salary and other allowances shall be paid from its own resources.

(3) Grant-in-aid cannot be claimed as a matter of right.

**9. General Conditions of Grant-In-Aid.-** Every Institution on behalf of which grant-in-aid is sought shall be under the control of a 'Management' which shall undertake to be answerable for the maintenance of the Institution and for the due fulfillment of infrastructure etc., as per appendix-II to these rules or production of minimum B grade status accreditation certificate issued by the National Assessment and Accreditation Council.

**10. Vesting of Management.-** The Management shall vest, in the Principal of the institution, the power to transact on its behalf with the department the current business of the Institution.

**11. Responsibility of Management.-** Every management shall be responsible,-

(a) to strictly fulfill in the case of College, the conditions of affiliation as laid down in the statutes and ordinance etc., of the concerned University.

(b) to report to the Commissioner of Collegiate Education without delay all changes in its constitution.

(c) to subject the colleges to the inspection by the officers of the Department designated for the purpose;

(d) to afford all convenience to the officers of the State Government and of the Indian Audit Department deputed to audit the initial and other accounts of the institutions and of the management;

(e) to strictly abide by the instructions or verdict of the inspecting or auditing agencies referred to at clause (c) and (d);

(f) to keep such accounts and render to the Department such returns and reports as required under these Rules.

(g) to appoint the Principal on the basis of Government orders issued from time to time;

(h) to give effect to any policy decisions of Government from time to time.

**12. Government to withhold, withdraw or reduce grants.-** (1) Annual Grants payable to existing private aided colleges may be withdrawn, withheld or reduced by the State Government under these rules having regard to the funds at the disposal of the state government and conduct and efficiency and the financial condition of such institutions under the following circumstances, namely:-

(a) has been disaffiliated by the concerned University.

(b) in respect of a Department or course which has not been affiliated by the concerned university;

(c) denies admission to any pupil merely on grounds of creed, class, caste, gender or all of them or because the pupils have secured a low percentage of marks despite having vacancies.

(d) Allows any employee of the institution to take part in any agitation intended to bring or attempt to bring into hatred or contempt or intended to excite or attempt to excite disaffection towards the Government established by law in India;

(e) which takes part in political agitation directed against the authority of the Government, or inculcates opinions intending to excite feelings of political disloyalty or disaffection among the pupils;