

Twelfth Kerala Legislative Assembly

Bill No. 132

**THE MAHATMA GANDHI UNIVERSITY
(AMENDMENT) BILL, 2007**

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BILL

further to amend the Mahatma Gandhi University Act, 1985.

Preamble.—WHEREAS, it is expedient further to amend the Mahatma Gandhi University Act, 1985 for the purposes hereinafter appearing :

BE it enacted in the Fifty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Mahatma Gandhi University (Amendment) Act, 2007.

(2) It shall be deemed to have come into force on the 5th day of February, 2007.

2. *Amendment of section 21.*—In the Mahatma Gandhi University Act, 1985 (12 of 1985) (hereinafter referred to as the principal Act), in section 21, under the heading “*Other Members*”, after item (e), the following items shall be inserted, namely:—

“(f) One member of the Legislative Assembly, representing any of the Constituencies within the territorial jurisdiction of the University, nominated by the Government ;

(g) An eminent jurist who is conversant with University Laws, nominated by the Government ;

(h) An author or journalist of eminence, nominated by the Government ;

(i) A research scholar or a post-graduate student of the University, nominated by the Government ;

(j) The member nominated by the Executive Council of the Kerala State Higher Education Council.”.

3. *Repeal and saving.*—(1) The Mahatma Gandhi University (Amendment) Ordinance, 2007 (48 of 2007) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have done or any action taken or deemed to have been taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

KNPP. 888/2007.

STATEMENT OF OBJECTS AND REASONS

Section 17 of the Kerala State Higher Education Council Ordinance, 2007 (2 of 2007) empowers the Executive Council to nominate one of its members to the Syndicate of each University in the State. So consequential amendment to the Mahatma Gandhi University Act, 1985 (12 of 1985) is necessary. Government have also decided to include four more representatives of various stakeholders in the society to the Syndicate of the Mahatma Gandhi University so that decision could be taken after proper deliberations.

2. As the Legislative Assembly of the State was not in session and the above proposal had to be given effect to immediately, the Mahatma Gandhi University (Amendment) Ordinance, 2007 (17 of 2007) was promulgated by the Governor on the 4th day of February, 2007 and was published in the Kerala Gazette Extraordinary No. 220 dated the 5th February, 2007.

3. A Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in and passed by the XII Kerala Legislative Assembly during its fourth session which commenced on the 2nd day of March, 2007 and ended on the 29th day of March, 2007.

4. In order to keep alive the provisions of Ordinance No. 17 of 2007 the Mahatma Gandhi University (Amendment) Ordinance, 2007 (27 of 2007) was promulgated by the Governor on the 30th day of March, 2007 and was published in the Kerala Gazette Extraordinary No. 632 dated the 2nd April, 2007.

5. Though a Bill to replace the said Ordinance was published as Bill No. 101 of the XII Kerala Legislative Assembly, the same could not be introduced in, and passed by the XII Legislative Assembly in its fifth session which commenced on the 19th day of June, 2007 and ended on the 26th day of July, 2007.

6. As the Legislative Assembly of the State was not in session and it was necessary to keep alive the provisions of Ordinance No. 27 of 2007, the Mahatma Gandhi University (Amendment) Ordinance, 2007 was promulgated by the Governor on the 30th day of July, 2007 and the same was published as Ordinance No. 48 of 2007 in the Kerala Gazette Extraordinary No. 1408 dated the 30th day of July, 2007.

7. The Bill seeks to replace the said Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

M. A. BABY

EXTRACT FROM THE MAHATMA GANDHI
UNIVERSITY ACT, 1985
(12 OF 1985)

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21. *The Syndicate.*—The Syndicate shall be the chief executive body of the University and shall consist of the following members, namely:—

** ** ** **

Other Members

- (a) ** ** ** **
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(e) The Members referred to item (4) under the heading “other members” in section 17, nominated by the Government.

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