

Twelfth Kerala Legislative Assembly  
Bill No. 332

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**THE UNIVERSITY LAWS (SECOND AMENDMENT) BILL, 2010**

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**THE UNIVERSITY LAWS (SECOND AMENDMENT) BILL, 2010**

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*further to amend the Kerala University Act, 1974, the Calicut University Act, 1975, the Mahatma Gandhi University Act, 1985 and the Kannur University Act, 1996.*

*Preamble.*—WHEREAS it is expedient further to amend the Kerala University Act, 1974, the Calicut University Act, 1975, the Mahatma Gandhi University Act, 1985 and the Kannur University Act, 1996 for the purposes hereinafter appearing ;

BE it enacted in the Sixty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the University Laws (Second Amendment) Act, 2010.

(2) It shall come into force at once.

2. *Amendment of Act 17 of 1974.*—In the Kerala University Act, 1974 (17 of 1974),—

(i) in section 48,—

(a) in sub-section (2), the words and figure “on or before the 1st day of March of the succeeding year” shall be inserted at the end ;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) On receipt of the annual accounts under sub-section (2), the Government shall immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

(ii) in section 49,—

(a) in sub-section (3), the words and figures “on or before the 15th day of September of the succeeding year.” shall be inserted at the end:

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) On receipt of the annual report under sub-section (3), the Government shall, immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

3. *Amendment of Act 5 of 1975.*— In the Calicut University Act, 1975 (5 of 1975),—

(i) in section 48,—

(a) in sub-section (2), the words and figure “on or before the 1st day of March of the succeeding year.” shall be added at the end ;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) On receipt of the annual accounts under sub-section (2), the Government shall immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

(ii) in section 49,—

(a) in sub-section (3), the words and figures “on or before the 15th day of September of the succeeding year.” shall be inserted at the end ;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) On receipt of the annual report under sub-section (3), the Government shall, immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

4. *Amendment of Act 12 of 1985.*—In the Mahatma Gandhi University Act, 1985 (12 of 1985),—

(i) in section 50,—

(a) in sub-section (2), for the words “and the Chancellor”, the words and figure “on or before the 1st day of March of the succeeding year and to the Chancellor.” shall be inserted at the end ;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) On receipt of the annual accounts under sub-section (2), the Government shall immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

(ii) in section 51,—

(a) in sub-section (3), for the words “and the Chancellor”, the words and figures “on or before the 15th day of September of the succeeding year and to the Chancellor” shall be substituted ;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) On receipt of the annual report under sub-section (3), the Government shall, immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

5. *Amendment of Act 22 of 1996.*—In the Kannur University Act, 1996 (22 of 1996),—

(i) in section 53,—

(a) in sub-section (2), for the words “and the Chancellor”, the words and figure “on or before the 1st day of March of the succeeding year and to the Chancellor.” shall be inserted at the end ;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) On receipt of the annual accounts under sub-section (2), the Government shall immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

(ii) in section 54,—

(a) in sub-section (3), for the words “and the Chancellor”, the words and figures “on or before the 15th day of September of the succeeding year and to the Chancellor” shall be substituted ;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) On receipt of the annual report under sub-section (3), the Government shall, immediately, cause the same to be laid on the table of the Legislative Assembly, if it is in session, and if it is not in session, in the next session immediately following such receipt.”.

#### STATEMENT OF OBJECTS AND REASONS

The Committee on Papers Laid on the Table (1998-2001) of the Kerala Legislative Assembly in its 14th Report has recommend to prescribe time limit for laying the annual accounts and annual reports of the Universities in the State on the Table of the Legislative Assembly.

Accordingly, Government have considered the recommendation of the Committee in detail and in order to achieve the above object a Bill namely the University Laws (Amendment) Bill, 2000 has been published as Bill No. 232 of the 10th Kerala Legislative Assembly but the Bill has lapsed due to dissolution of the then Assembly. Later the proposed amendment in the said Bill has been incorporated in the Sree Sankaracharya University of Sanskrit Act, 1994 by the Sree Sankaracharya University of Sanskrit (Amendment) Act, 2005 (1 of 2005) .

Now the Government have decided to make necessary amendments in the Kerala University Act, 1974, the Calicut University Act, 1975, the Mahatma Gandhi University Act, 1985 and the Kannur University Act, 1996 to the effect that the University shall submit the annual accounts and annual reports on or before the 1st day of March and 15th day of September, respectively of the succeeding year to the Government so as to enable the Government to lay the annual accounts and annual reports within the stipulated time.

The Bill is intended to achieve the above object.

#### 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 KERALA UNIVERSITY ACT, 1974  
(17 OF 1974)

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48. *Annual Accounts.*—(1) \*\*    \*\*    \*\*

(2) The annual accounts together with the audit report thereon shall be published by the Syndicate and copies of such accounts and audit report shall be placed before the Senate and submitted to the Government.

\*\*    \*\*    \*\*    \*\*

49. *Annual Report.*— (1) \*\*    \*\*    \*\*

(2)                          \*\*                          \*\*                          \*\*

(3) The Syndicate shall inform the Senate of the action taken by it on the resolutions passed by the Senate under sub-section (2) and shall submit a copy of the annual report together with a copy of the resolutions, if any, of the Senate under sub-section (2) to the Government.

(4) The Government shall, as soon as the annual accounts and annual report are received, cause the same to be laid on the table of the State Legislative Assembly.

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EXTRACT FROM THE CALICUT UNIVERSITY ACT, 1973  
(5 OF 1975)

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48. *Annual Accounts.*—(1) \*\*    \*\*    \*\*

(2) The annual accounts together with the audit report thereon shall be published by the Syndicate and copies of such accounts and audit report shall be placed before the Senate and submitted to the Government.

\*\*    \*\*    \*\*    \*\*

49. *Annual Report.*—(1) \*\*    \*\*    \*\*

(2) \*\*                          \*\*                          \*\*

(3) The Syndicate shall inform the Senate of the action taken by it on the resolutions passed by the Senate under sub-section (2) and shall submit a copy of the annual report together with a copy of the resolutions, if any, of the Senate under sub-section (2) to the Government.

(4) The Government shall, as soon as the annual accounts and annual report are received, cause the same to be laid on the table of the State Legislative Assembly.

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

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50. *Annual Accounts.*—(1) \*\* \*\* \*

(2) The annual accounts together with the audit report thereon shall be published by the Syndicate and copies of such accounts and audit report shall be placed before the Senate and submitted to the Government and the Chancellor.

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51. *Annual Report.*—(1) \*\* \*\* \*

(2) \*\* \*\* \*

(3) The Syndicate shall inform the Senate of the action taken by it on the resolutions passed by the Senate under sub-section (2) and shall submit a copy of the annual report together with a copy of the resolutions, if any, of the Senate under sub-section (2) to the Government and the Chancellor.

(4) The Government shall, as soon as the annual accounts and annual report are received, cause the same to be laid on the Table of the State Legislative Assembly.

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EXTRACT FROM THE KANNUR UNIVERSITY ACT, 1996  
(22 OF 1996)

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53. *Annual Accounts.*—(1) \*\* \*\* \*

(2) The annual accounts together with the audit report thereon shall be published by the Syndicate and copies of such accounts and audit report shall be placed before the Senate and submitted to the Government and the Chancellor.

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54. *Annual Report.*—(1)   \*\*       \*\*       \*\*

(2)       \*\*       \*\*       \*\*

(3) The Syndicate shall inform the Senate of the action taken by it on the resolution passed by the Senate under sub-section (2) and shall submit a copy of the annual report together with a copy of the resolution of the Senate under sub-section (2) to the Government and the Chancellor.

(4) The Government shall, as soon as the annual accounts and annual report are received, cause the same to be laid on the Table of the State Legislative Assembly.

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