

Twelfth Kerala Legislative Assembly

Bill No. 81

THE UNIVERSITY LAWS (AMENDMENT) BILL, 2007

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further to amend the Kerala University Act, 1974, the Calicut University Act, 1975, the Sree Sankaracharya University of Sanskrit Act, 1994 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 Sree Sankaracharya University of Sanskrit Act, 1994 and the Kannur University Act, 1996 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 University Laws (Amendment) Act, 2007.

(2) It shall be deemed to have come into force on the 5th day of February, 2005.

2. *Amendment of Act 17 of 1974.*—In the Kerala University Act, 1974 (17 of 1974), in section 21, under the heading “Other Members”, after items (c), the following item shall be inserted, namely :—

“(d) the member nominated by the Executive Council of the Kerala State Higher Education Council”.

3. *Amendment of Act 5 of 1975.*—In the Calicut University Act, 1975 (5 of 1975), in section 21, under the heading “Other Members”, after items (c), the following item shall be inserted, namely :—

“(d) the member nominated by the Executive Council of the Kerala State Higher Education Council”.

4. *Amendment of Act 5 of 1994.*—In the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), in section 12, under the heading “Nominated Members”, after items (iv), the following item shall be inserted, namely :—

“(v) the member nominated by the Executive Council of the Kerala State Higher Education Council”.

5. *Amendment of Act 22 of 1996.*—In the Kannur University Act, 1996 (22 of 1996), in section 23, under the heading “Other Members”, after items (e), the following item shall be inserted, namely :—

“(f) the member nominated by the Executive Council of the Kerala State Higher Education Council”.

6. *Repeal and Saving.*—(1) The University Laws (Amendment) Ordinance, 2007 (16 of 2007) except section 5 thereof is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Acts as amended by the said Ordinance shall be deemed to have been done or taken under Kerala University Act, 1974, the Calicut University Act, 1975, the Sree Sankaracharya University of Sanskrit Act, 1994 and the Kannur University Act, 1996 as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 3 of the Kerala State Higher Education Council Ordinance, 2007 (2 of 2007) empowers the State Government to constitute the Kerala State Higher Education Council. Section 17 of the said Ordinance mandates the Executive Council of the Kerala State Higher Education Council to nominate one of its members to the Syndicate of each University in the State. Consequential amendments to the Kerala University Act, 1974, the Calicut University Act, 1975, the Sree Sankaracharya University of Sanskrit Act, 1994 and the Kannur University Act, 1996 became necessary.

As the Legislative Assembly of the State of Kerala was not in session and the above proposals had to be given effect to immediately, the University Laws (Amendment) Ordinance, 2007 was promulgated by the Governor on the

4th day of February, 2007 and the same was published as Ordinance No. 16 of 2007 in the Kerala Gazette Extraordinary No. 219 dated the 5th day of February, 2007.

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 KERALA UNIVERSITY ACT, 1974
(Act 17 of 1974)

** ** **

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) ** ** **

(c) The members referred to in item (4) under the heading “Other Members” in section 17, nominated by Government.

** ** **

EXTRACT FROM THE CALICUT UNIVERSITY ACT, 1975
(Act 5 of 1975)

** ** **

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) ** ** **

(c) The members referred to in item (5) under the heading “Other Members” in section 17, nominated by Government.

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