

Thirteenth Kerala Legislative Assembly

Bill No. 311

**THE KERALA AGRICULTURAL UNIVERSITY
(AMENDMENT) BILL, 2014**

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further to amend the Kerala Agricultural University Act, 1971.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Agricultural University Act, 1971 for the purpose hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Kerala Agricultural University (Amendment) Act, 2014.

(2) It shall be deemed to have come into force on the 26th day of March, 2012.

2. *Amendment of section 42.*—In the Kerala Agricultural University Act, 1971 (33 of 1971), in sub-section (5) of section 42, for the words, “fifty five years”, the words “fifty six years” shall be substituted.

3. *Repeal and Saving.*—(1) The Kerala Agricultural University (Amendment) Ordinance, 2014 (12 of 2014) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been 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.

STATEMENT OF OBJECTS AND REASONS

As per G. O. (P) No. 183/12/Fin. dated 26th March, 2012 published as S.R.O. No. 193/2012 in the Kerala Gazette Extraordinary No. 601 dated, the 26th day of March, 2012, the Government have amended the Kerala Service Rules enhancing the retirement age of Government employees from 55 to 56 years.

As per sub-section (5) of section 42 of the Kerala Agricultural University Act, 1971 (33 of 1971), the normal retirement age of the officers of the University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor and those specified in sub-section (4) shall be fifty five years. As the Government have already amended the Kerala Service Rules with effect from 26th March, 2012 enhancing the retirement age of Government employees from 55 years to 56 years, it is decided to amend sub-section (5) of section 42 of the Kerala Agricultural University Act, 1971 to extend the benefit to officers of the University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor and those specified in sub-section (4) of the said section.

As the Legislative Assembly was not in session and the above proposal had to be given effect to immediately, the Kerala Agricultural University (Amendment) Ordinance, 2013 was promulgated by the Governor of Kerala on the 25th day of July, 2013 and it was published as Ordinance No. 46 of 2013, in the Kerala Gazette Extraordinary No. 2203 dated the 26th day of July, 2013.

A Bill to replace Ordinance No. 46 of 2013 by an Act of the State Legislature was published as Bill No. 259, but the same could not be introduced in, and passed by the Kerala Legislative Assembly during its session which commenced on the 3rd day of January, 2014 and ended on the 6th day of February, 2014. Therefore, in order to keep alive the provisions of the said Ordinance, the Kerala Agricultural University (Amendment) Ordinance, 2014 was promulgated by the Governor on the 10th day of February, 2014 and the same was published as Ordinance No. 8 of 2014 in the Kerala Gazette Extraordinary No. 480 dated the 12th day of February, 2014.

A Bill to replace Ordinance No. 8 of 2014 by an Act of the State Legislature was published as Bill No. 290, but the same could not be introduced in, and passed by the Kerala Legislative Assembly during its session which commenced on the 9th day of June, 2014 and ended on 17th day of July, 2014. Therefore, in order to keep alive the provisions of the said Ordinance, the Kerala Agricultural University (Amendment) Ordinance, 2014 was promulgated by the Governor on the 20th day of July, 2014 and the same was published as Ordinance No. 12 of 2014 in the Kerala Gazette Extraordinary No. 1862 dated the 20th day of July, 2014.

The Bill seeks to replace Ordinance No. 12 of 2014 by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any additional expenditure from the Consolidated Fund of the State. But in enhancement of the retirement age to fifty six years, an amount of rupees twenty lakhs approximately is expected to be incurred additionally in each year. This additional expenditure will be met from Head of Account 2415-01-277-91-31 Non Plan Grant-in-aid General Salary.

K. P. MOHANAN.

EXTRACT OF THE RELEVANT PORTIONS FROM THE KERALA
AGRICULTURAL UNIVERSITY ACT, 1971
(33 OF 1971)

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42. *Appointment of teachers, officers and staff.*—(1) Subject to the provisions of this Act and the Statutes, the members of the staff of the University shall be appointed by the Executive Committee.

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(4) The normal retirement age of the Deans of Faculties, the Director of Research, the Director of Extension, the Director of Veterinary Research and Education, the Director of Postgraduate Studies, the Professors and other categories of teachers of the University shall be sixty years.

(5) The normal retirement age of officers of the University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor and those specified in sub-section (4) shall be fifty-five years.

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