

THE UNIVERSITY LAWS (AMENDMENT) BILL, 2014
(As passed by the Assembly)

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BILL

further to amend the Kerala University Act, 1974, the Calicut University Act, 1975, the Mahatma Gandhi University Act, 1985, the Sree Sankaracharya University of Sanskrit Act, 1994 and the National University of Advanced Legal Studies Act, 2005.

Preamble.—WHEREAS, it is expedient further to amend the Kerala University Act, 1974, the Calicut University Act, 1975, the Mahatma Gandhi University Act, 1985, the Sree Sankaracharya University of Sanskrit Act, 1994 and the National University of Advanced Legal Studies Act, 2005 for the purposes 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 University Laws (Second Amendment) Act, 2014.

(2) Clause (a) of section 4 shall be deemed to have come into force on the 9th day of September, 2013, section 2, section 3, clause (b) of section 4 and sections 5 to 7 shall be deemed to have come into force on the 19th day of September, 2013 and the remaining sections shall come into force at once.

2. *Amendment of Act 17 of 1974.*—In the Kerala University Act, 1974 (17 of 1974), in section 6, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In making appointments to the teaching and non-teaching posts, the University shall, *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category-wise treating all the departments as one unit.”.

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

(a) in section 6, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In making appointments to the teaching and non-teaching posts, the University shall, *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category-wise treating all the departments as one unit.”;

(b) in section 17, under the heading “Other Members”, for item (5), the following item shall be substituted, namely:—

“(5) Not more than six members nominated by the Government from the field of Higher Education, of which one shall be a woman and one shall be from the Scheduled Castes or Scheduled Tribes.”;

(c) in section 18, to sub-section (3), after the third proviso, the following proviso shall be added, namely:—

“Provided also that the members in the Senate nominated by the Chancellor or the Government under the heading “Other Members” shall hold their office during the pleasure of the Chancellor or the Government, as the case may be.”.

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

(a) in section 11, for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The Pro-Vice-Chancellor shall hold office for a term of four years from the date on which he enters upon his office and shall be eligible for re-appointment.”;

(b) for section 78, the following section shall be substituted, namely:—

“78. *Reservation of appointments.*—In making appointments to the teaching and non-teaching posts, the University shall, *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category-wise treating all the departments as one unit.”.

5. *Amendment of Act 5 of 1994.*—In the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), for section 32, the following section shall be substituted, namely:—

“32. *Reservation of appointments.*—In making appointments to the teaching and non-teaching posts, the University shall, *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category-wise treating all the departments as one unit.”.

6. *Amendment of Act 27 of 2005.*—In the National University of Advanced Legal Studies Act, 2005 (27 of 2005), in section 4, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) In making appointments to the teaching and non-teaching posts, the University shall, *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category-wise treating all the departments as one unit.”.

7. *Special provision.*—Notwithstanding anything contained in the Calicut University Act, 1975, on the date of commencement of the Calicut University (Amendment) Ordinance, 2013 (48 of 2013), the existing members in office nominated under item (5) under the heading “Other Members” in section 17 of the Calicut University Act, 1975, shall be deemed to have vacated their office by virtue of the provisions of the said Ordinance.

8. *Repeal and saving.*—(1) The University Laws (Amendment) Ordinance, 2014 (2 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 Mahatma Gandhi University Act, 1985 and the Calicut University Act, 1975 and anything done or taken under the Kerala University Act, 1974, the Sree Sankaracharya University of Sanskrit Act, 1994 and the National University of Advanced Legal Studies Act, 2005 as amended by the said Ordinance shall be deemed to have been done or taken under the said Acts respectively as amended by this Act.
