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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 14824/Legn.2/2022/Leg.

Dated, Thiruvananthapuram, 17th August, 2022

The University Laws (Amendment) Bill, 2022 together with the Statement of Objects and Reasons and the Financial Memorandum is published under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

A. M Basheer,
Secretary.



THE UNIVERSITY LAWS (AMENDMENT) BILL, 2022

A

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 Kannur University Act, 1996.

Preamble.- WHEREAS, it is expedient further to amend the Kerala University Act, 1974 (17 of 1974), the Calicut University Act, 1975 (5 of 1975), the Mahatma Gandhi University Act, 1985 (12 of 1985), the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994) and the Kannur University Act, 1996 (22 of 1996) for the purposes hereinafter appearing ;

BE it enacted in the Seventy-third Year of the Republic of India as follows:-

1. *Short title and commencement.-* (1) This Act may be called the University Laws (Amendment) Act, 2022.

(2) It shall come into force at once.

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

(a) in section 2, after clause (11), the following clause shall be inserted, namely:-

“(11A) “Government” means the Government of Kerala;”;

(b) in section 10, -

(i) for sub-sections (1) to (3), the following sub-sections shall be substituted, namely:-

“(1) The Chancellor shall appoint one person as the Vice-Chancellor from a panel consisting of three names recommended by a majority of members of the Search-cum-Selection Committee appointed by the Chancellor, consisting of the following members, namely:-



- (i) The Vice-Chairman, Kerala State Higher Education Council- Convenor;
- (ii) One person nominated by the Chancellor;
- (iii) One person nominated by the Government;
- (iv) One person nominated by the Chairman, University Grants Commission;
- (v) One person nominated by the Syndicate :

Provided that, the members of the Search-cum-Selection Committee shall be persons of eminence in the field of higher education and shall not be connected in any manner with the University or its colleges.

(2) The Search-cum-Selection Committee shall submit the panel to the Chancellor within a period of three months from the date of its appointment or within such further period not exceeding one month, as the Chancellor may specify in this behalf.

(3) The Chancellor shall appoint the Vice-Chancellor within thirty days from the date of receipt of the panel submitted by the Search-cum-Selection Committee under sub-section (2).”;

(ii) sub-section (4) shall be omitted ;

(iii) in sub-section (5), for the word “sixty” the words “sixty five” shall be substituted.

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

(a) in section 2, after clause (11), the following clause shall be inserted, namely:-

“(11A) “Government” means the Government of Kerala;”;

(b) in section 10,-

(i) for sub-sections (1) to (3), the following sub-sections shall be substituted, namely:-

“(1) The Chancellor shall appoint one person as the Vice-Chancellor from a panel consisting of three names recommended by a majority of members of the Search-cum-Selection Committee appointed by the Chancellor, consisting of the following members, namely:-

- (i) The Vice-Chairman, Kerala State Higher Education Council- Convenor;



- (ii) One person nominated by the Chancellor;
- (iii) One person nominated by the Government;
- (iv) One person nominated by the Chairman, University Grants Commission;
- (v) One person nominated by the Syndicate :

Provided that, the members of the Search-cum-Selection Committee shall be persons of eminence in the field of higher education and shall not be connected in any manner with the University or its colleges.

(2) The Search-cum-Selection Committee shall submit the panel to the Chancellor within a period of three months from the date of its appointment or within such further period not exceeding one month, as the Chancellor may specify in this behalf.

(3) The Chancellor shall appoint the Vice-Chancellor within thirty days from the date of receipt of the panel submitted by the Search-cum-Selection Committee under sub-section (2).”;

(ii) sub-section (4) shall be omitted;

(iii) in sub-section (5), for the word “sixty” the words “sixty five” shall be substituted.

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

- (a) in section 2, after clause (11), the following clause shall be inserted, namely:-

“(11A) “Government” means the Government of Kerala;”;

(b) in section 10,-

(i) for sub-sections (1) to (3), the following sub-sections shall be substituted, namely:-

“(1) The Chancellor shall appoint one person as the Vice-Chancellor from a panel consisting of three names recommended by a majority of members of the Search-cum-Selection Committee appointed by the Chancellor, consisting of the following members, namely:-

- (i) The Vice-Chairman, Kerala State Higher Education Council- Convenor;
- (ii) One person nominated by the Chancellor;
- (iii) One person nominated by the Government;
- (iv) One person nominated by the Chairman, University Grants Commission;



(v) One person nominated by the Syndicate :

Provided that, the members of the Search-cum-Selection Committee shall be persons of eminence in the field of higher education and shall not be connected in any manner with the University or its colleges.

(2) The Search-cum-Selection Committee shall submit the panel to the Chancellor within a period of three months from the date of its appointment or within such further period not exceeding one month, as the Chancellor may specify in this behalf.

(3) The Chancellor shall appoint the Vice-Chancellor within thirty days from the date of receipt of the panel submitted by the Search-cum-Selection Committee under sub-section (2).”;

(ii) sub-sections (4) to (8) shall be omitted;

(iii) for sub-section (9), the following sub-section shall be substituted, namely:-

“(9) No person who is more than sixty five years of age shall be appointed as Vice-Chancellor.”.

5. *Amendment of Act 5 of 1994.*- In the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), in section 24, for sub-section (3), the following sub-section shall be substituted, namely:-

“(3) (a) The Chancellor shall appoint one person as the Vice-Chancellor from a panel consisting of three names recommended by a majority of members of the Search-cum-Selection Committee appointed by the Chancellor, consisting of the following members, namely:-

(i) The Vice-Chairman, Kerala State Higher Education Council- Convenor;

(ii) One person nominated by the Chancellor;

(iii) One person nominated by the Government;

(iv) One person nominated by the Chairman, University Grants Commission;

(v) One person nominated by the Syndicate :

Provided that, the members of the Search-cum-Selection Committee shall be persons of eminence in the field of higher education and shall not be connected in any manner with the University or its colleges.



(b) The Search-cum-Selection Committee shall submit the panel to the Chancellor within a period of three months from the date of its appointment or within such further period not exceeding one month, as the Chancellor may specify in this behalf.

(c) The Chancellor shall appoint the Vice-Chancellor within thirty days from the date of receipt of the panel submitted by the Search-cum-Selection Committee under sub-section (2).”.

6. *Amendment of Act 22 of 1996.*- In the Kannur University Act, 1996 (22 of 1996),-

(a) in section 2, after clause (xi), the following clause shall be inserted, namely:-

“(xiA) “Government” means the Government of Kerala;”;

(b) in section 10,-

(i) for sub-sections (1) to (3), the following sub-sections shall be substituted, namely:-

“(1) The Chancellor shall appoint one person as the Vice-Chancellor from a panel consisting of three names recommended by a majority of members of the Search-cum-Selection Committee appointed by the Chancellor, consisting of the following members, namely:-

(i) The Vice-Chairman, Kerala State Higher Education Council- Convenor;

(ii) One person nominated by the Chancellor;

(iii) One person nominated by the Government;

(iv) One person nominated by the Chairman, University Grants Commission;

(v) One person nominated by the Syndicate :

Provided that, the members of the Search-cum-Selection Committee shall be persons of eminence in the field of higher education and shall not be connected in any manner with the University or its colleges.

(2) The Search-cum-Selection Committee shall submit the panel to the Chancellor within a period of three months from the date of its appointment or within such further period not exceeding one month, as the Chancellor may specify in this behalf.

(3) The Chancellor shall appoint the Vice-Chancellor within thirty days from the date of receipt of the panel submitted by the Search-cum-Selection Committee under sub-section (2).”;

(iii) sub-sections (4) to (8) shall be omitted;



(iv) in sub-section (9), for the word “sixty” the words “sixty five” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The University Grants Commission (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018 provides that the Chancellor shall appoint the Vice-Chancellor from a panel submitted by the Search-cum-Selection Committee. The Kerala State Higher Education Council has submitted a proposal to include three members in the Search-cum-Selection Committee to be constituted for the appointment of Vice-Chancellor. The Government have examined the said proposal and decided to include two more members in the Search-cum-Selection Committee. The Government have decided to amend the provision regarding the age limit for the appointment of the Vice-Chancellor also. Hence the Government have decided to amend the Kerala University Act, 1974 (17 of 1974), the Calicut University Act, 1975 (5 of 1975), the Mahatma Gandhi University Act, 1985 (12 of 1985), the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994) and the Kannur University Act, 1996 (22 of 1996) for the said purpose.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

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

DR. R. BINDU

