

Passed on 20-06-18

THE KERALA STATE HIGHER EDUCATION COUNCIL

(AMENDMENT) BILL, 2018

(As passed by the Assembly)

A

*BILL*

*to amend the Kerala State Higher Education Council Act, 2007.*

*Preamble.*—WHEREAS, it is expedient to amend the Kerala State Higher Education Council Act, 2007, for the purposes hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Kerala State Higher Education Council (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 5th day of July, 2017.

2. *Amendment of the preamble.*—In the Kerala State Higher Education Council Act, 2007 (22 of 2007) (hereinafter referred to as the principal Act), in the preamble, in the first paragraph, for the word “experts”, the words and symbol “experts, teachers, students” shall be substituted.

3. *Substitution of certain expressions by certain other expressions.*—In the principal Act, for the words “Advisory Council”, “Executive Council” and “Governing Council”, wherever they occur, the words “Advisory Body”, “Executive Body” and “Governing Body” shall, respectively, be substituted.

4. *Amendment of section 2.*—In section 2 of the principal Act, after clause (s), the following clause shall be inserted, namely:—

“(sa) “RUSA” means the Rashtriya Uchcharat Shiksha Abhiyan, a centrally sponsored scheme for higher education;”.

5. *Amendment of section 4.*—In section 4 of the principal Act,—

(i) in sub-section (1), for clause (a), the following clause shall be substituted, namely:—

“(a) to render advice to the Government, Universities, colleges and other institutions of higher education in the State in matters of access, equity and excellence in higher education;”;

(ii) in sub-section (2), after clause (y), the following clauses shall be inserted, namely:—

“(z) conduct longitudinal studies to understand the impact of student learning;

(za) promote and integrate scientifically proven indigenous knowledge systems in the State higher education system;

(zb) evolve programmes to improve access to higher education for differently abled students;

(zc) collaborate with the Government in the implementation of RUSA and other similar centrally sponsored schemes and other central sector schemes within the State;

(zd) evolve common academic guidelines for Universities in the State for mutual recognition, approval or equalization of academic programmes or areas of studies and nomenclature thereof;

(ze) evolve common academic guidelines for Universities in the State for recognition, approval or equalization of academic programmes or areas of studies and nomenclature thereof of various programmes conducted or co-ordinated by Universities or higher education institutions outside the State and outside the country;

(zf) facilitate the dissemination of knowledge of higher education to target audience through electronic and print media.”.

6. *Amendment of section 5.*—In section 5 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) The Patron may refer any matter relating to higher education and higher education institutions as he deems fit, for the expert opinion of the Council.”.

7. *Amendment of section 6.*—In section 6 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) The Visitor may refer any matter relating to higher education and higher education institutions, as he deems fit, for the expert opinion of the Council.”.

8. *Amendment of section 9.*—In section 9 of the principal Act, in sub-section (3), after the words “as may be prescribed”, the words “or delegated by the Vice-Chairman from time to time” shall be inserted.

9. *Amendment of section 10.*—In section 10 of the principal Act, in sub-section (4), after the words “as may be prescribed”, the words “or delegated by the Vice-Chairman from time to time” shall be inserted.

10. *Amendment of section 11.*—In section 11 of the principal Act, in sub-section (2),—

(i) after the words “shall be reconstituted”, the word “simultaneously” shall be inserted;

(ii) in the proviso, for the words “shall continue to be in office for a further period of six months or till their reconstitution, whichever is earlier”, the words “shall continue to hold office till their reconstitution” shall be substituted.

11. *Amendment of section 12.*— In section 12 of the principal Act,—

(i) for item (k), the following item shall be substituted, namely:—

“(k) one Vice-Chancellor of a University outside the State of Kerala established by an Act of another State, nominated by the Government;”;

(ii) after item (ab), the following items shall be inserted, namely:—

“(ac) one Chairman or Vice-Chairman of a State Higher Education Council outside the State of Kerala, nominated by the Government;

(ad) one Vice-Chancellor of a Central University outside the State, nominated by the Government.”.

12. *Amendment of section 14.*—In section 14 of the principal Act, after item (r), the following items shall be inserted, namely:—

“(s) one nominee of the Ministry of Human Resources Development, Government of India, not below the rank of a Joint Secretary;

(t) State Project Director, RUSA;

(u) one Principal of an affiliated college, nominated by the Government;

(v) one non-teaching staff member of a University or College, nominated by the Government.”

13. *Amendment of section 15.*—In section 15 of the principal Act, in clause (k),—

(i) after the words “it shall meet”, the words “at least twice a year and” shall be inserted;

(ii) the words “provided that it shall meet at least twice a year” shall be omitted.

14. *Amendment of section 17.*— In section 17 of the principal Act, for clause (c), the following clause shall be substituted, namely:—

“(c) it shall nominate one of its members to the Academic Council of each University.”

15. *Amendment of section 20.*—In section 20 of the principal Act, in sub-section (1), in the first proviso, the words “for a further period of six months or” and the words “whichever is earlier” shall be omitted.

16. *Amendment of section 25.*—In section 25 of the principal Act, in sub-section (1), after the words “the University Grants Commission”, the symbol and word “RUSA” shall be inserted.

17. *Special provision relating to existing Governing Council.*— Notwithstanding anything contained in the principal Act, on and from the date of commencement of the Kerala State Higher Education Council (Amendment) Ordinance, 2017 (13 of 2017), the existing Governing Council shall stand dissolved and all the members of the said Governing Council shall be deemed to have vacated their offices as such on such dissolution.

18. *Repeal and saving.*—(1) The Kerala State Higher Education Council (Amendment) Ordinance, 2018 (26 of 2018) 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.