

**Fifteenth Kerala Legislative Assembly**

**Bill No. 132**

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**THE UNIVERSITY LAWS (AMENDMENT) BILL, 2022**

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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 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

EXTRACT FROM THE KERALA UNIVERSITY ACT, 1974 (17 OF 1974)

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2. *Definitions.*—In this Act, unless the context otherwise requires,—

\*\* \*\* \*\* \*\*

(1) “Government College” means a college maintained by the Government and affiliated to the University;

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10. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be appointed by the Chancellor on the unanimous recommendation of a Committee appointed by him consisting of three members, one elected by the Senate, one nominated by the Chairman of the University Grants Commission and the third nominated by the Chancellor. The Chancellor shall appoint one of the members of the Committee to be its Convener. The Committee shall make its recommendation within a period of three months of its appointment.

(2) In case the Committee appointed under sub-section (1) is unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from among the panel of three names submitted to him by the Committee within the period specified in the preceding sub-section.

(3) In case the Committee fails to make a unanimous recommendation as provided in sub-section (1) or to submit a panel as provided in sub-section (2) each member of the Committee may submit a panel of three names to the Chancellor and the Vice-Chancellor shall be appointed from among the person mentioned in the panels.

(4) Non-submission of the panel under sub-section (3) by any member of the Committee shall not invalidate the appointment of the Vice-Chancellor.

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

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## EXTRACT FROM THE CALICUT UNIVERSITY ACT, 1975

(5 OF 1975)

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2. *Definitions.*—In this Act, unless the context otherwise requires,—

\*\* \*\* \*\* \*\*

(1) “Government College” means a college maintained by the Government and affiliated to the University;

\*\* \*\* \*\* \*\*

10. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be appointed by the Chancellor on the unanimous recommendation of a Committee appointed by him consisting of three members, one elected by the Senate, one nominated by the Chairman of the University Grants Commission and the third nominated by the Chancellor. The Chancellor shall appoint one of the members of the Committee to be its convener. The Committee shall make its recommendation within a period of three months of its appointment or within such further period, not exceeding one month, as the Chancellor may specify in this behalf.

(2) In case the Committee appointed under sub-section (1) is unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from among the panel of three names submitted to him by the Committee within the period specified in or under the said sub-section.

(3) In case the Committee fails to make a unanimous recommendation as provided in sub-section (1) or to submit a panel as provided in sub-section (2), each member of the Committee may submit a panel of three names to the Chancellor, and the Vice-Chancellor shall be appointed from among the persons mentioned in the panels.

(4) Non-submission of the panel under sub-section (3) by any member of the Committee shall not invalidate the appointment of the Vice-Chancellor.

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

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## EXTRACT FROM THE MAHATMA GANDHI UNIVERSITY ACT, 1985

(12 OF 1985)

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2. *Definitions.*—In this Act, unless the context otherwise requires,—

\*\* \*\* \*\* \*\*

(11) “Government College” means a college maintained by the Government and affiliated to the University;

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10. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation as hereinafter provided of a Committee appointed by him for the purpose (hereinafter referred to as the Committee).

(2) The Committee shall consist of three members, one elected by the Senate, one nominated by the Chairman of the University Grants Commission and the third nominated by the Chancellor:

Provided that no person holding any office under the University shall be nominated as a member of the Committee.

(3) The Chancellor shall appoint one of the members of the Committee to be its convener.

(4) The Committee shall make its recommendation within a period of five months of its appointment or within such further period not exceeding one month, as the Chancellor may specify in this behalf.

(5) In case the Committee unanimously recommends the name of only one person, the Chancellor shall appoint that person to be the Vice-Chancellor.

(6) In case the Committee is unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from among a panel of three names submitted to him by the Committee within the period specified in or under sub-section (4).

(7) In case the Committee fails to make a unanimous recommendation as provided in sub-section (5) or to submit a panel as provided in sub-section (6), the Vice-Chancellor shall be appointed by the Chancellor from among a panel of three names submitted to him by a majority of members of the Committee within the period specified in or under sub-section (4).

(8) Non-submission of a name under sub-section (7) by any member of the Committee shall not invalidate the appointment of the Vice-Chancellor.

(9) No person shall hold office of the Vice-Chancellor beyond the age of sixty-five years.

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EXTRACT FROM THE SREE SANKARACHARYA UNIVERSITY OF  
SANSKRIT ACT, 1994

(5 OF 1994)

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24. *The Vice-Chancellor.*—(1)

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(2) The Vice-Chancellor shall not have completed sixty-five years of age at the time of his appointment.

(3)(a) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation of a selection committee (hereinafter called the committee) appointed by the Chancellor consisting of a nominee of the Government, a representative of the University Grants Commission and a nominee of the Syndicate. The Chancellor shall appoint one of the members of the committee to be its Convener;

(b) If the committee unanimously recommends the name of a person, the Chancellor shall, subject to the provisions of sub-section (2), accept the recommendation and appoint him to be the Vice-Chancellor;

(c) If the committee is not able to recommend the name of a person unanimously, the committee may unanimously recommend a panel of three names of eligible persons to the Chancellor and the Chancellor shall subject to the provisions of sub-section (2), appoint one among them to be the Vice-Chancellor;

(d) If the committee is not able to recommend the name of a person or a panel of three names unanimously, each member of the committee may recommend the name of one eligible person and the Chancellor shall subject to sub-section (2) appoint one among them to be the Vice-Chancellor;

(e) If the committee or the members of the committee individually fails to make its or his recommendation within sixty days of its appointment the committee shall cease to exist and the Chancellor shall appoint a suitable person to be the Vice-Chancellor on the advice of the Government.

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## EXTRACT FROM THE KANNUR UNIVERSITY ACT, 1996

(22 OF 1996)

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2. *Definitions.*—In this Act, unless the context otherwise requires,—

\*\* \*\* \*\* \*\*

(1) “Government College” means a college maintained by the Government and affiliated to the University;

\*\* \*\* \*\* \*\*

10. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation of a committee appointed by him for the purpose (hereinafter referred to as the committee).

(2) The committee shall consist of three members, one elected by the Senate, one nominated by the Chairman of the University Grants Commission and the third nominated by the Chancellor.

(3) The Chancellor shall appoint one of the members of the committee to be its convener.

(4) The committee shall make its recommendation within a period of three months of its appointment or within such further period, not exceeding one month, as the Chancellor may specify in this behalf.

(5) In case the committee unanimously recommends the name of only one person, the Chancellor shall appoint that person to be the Vice-Chancellor.

(6) In case the committee is unable to recommend a name unanimously, it may submit a panel of three names to the Chancellor within the period specified in or under sub-section (4) and the Chancellor shall appoint one of the persons in the panel to be the Vice-Chancellor.

(7) In case the committee fails to make a unanimous recommendation as provided in sub-section (5) or to submit a panel as provided in sub-section (6),

each member of the committee may submit a panel of three names to the Chancellor and the Vice-Chancellor shall be appointed from among the persons mentioned in the panels.

(8) Non-submission of a panel under sub-section (7) by any member of the committee shall not invalidate the appointment of the Vice-Chancellor.

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

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