

THE UNIVERSITY LAW (AMENDMENT) (No. 2) ACT, 2019

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Act 15 of 2019

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ACT 15 OF 2019 THE UNIVERSITY LAW (AMENDMENT) (No. 2) ACT, 2019 An Act further to amend the Cochin University of Science and Technology Act, 1986, the Thunchath Ezhuthachan Malayala University Act, 2013 and the A. P. J. Abdul Kalam Technological University Act, 2015. WHEREAS, it is expedient further to amend the Cochin University of Science and Technology Act, 1986 (31 of 1986) the Thunchath Ezhuthachan Malayala University Act, 2013. (24 of 2013) and the A. P. J. Abdul Kalm Technological University Act, 2015 (17 of 2015) for the purposes hereinafter appearing; BE it enacted in the Seventieth Year of the Republic of India as Follows:—

1. Short title and commencement.—

(1) This Act may be called the University Laws (Amendment) (No. 2) Act, 2019. (2) It shall be deemed to have come into force on the 6th day of March, 2019.

2. Amendment of Act 31 of 1986.—

In the Cochin University of Science and Technology Act, 1986 (31 of 1986),—(a) in section 10, after item (iii), the following item shall be inserted, namely:—“(iii a) the Controller of Examinations;”; (b) in section 13, for sub-section (1), the following sub-sections shall be substituted, namely:—“(1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of two persons furnished by the Syndicate to the Government, as the Registrar of the University for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

10.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”; (c) after section 13, the following section shall be

inserted, namely:—“13A. The Controller of Examinations.—(1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of two persons furnished by the Syndicate to the Government, as the Controller of examinations of the University for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.(2)The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).(3)The Controller of Examinations shall be a whole-time salaried officer of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.”;(d)in section 14, for sub-section (1), the following sub-sections shall be substituted, namely:—“(1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of two persons furnished by the Syndicate to the Government, as the Finance Officer of the University for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.(1A)The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

3. Amendment of Act 24 of 2013.—

In the Thunchath Ezhuthachan Malayala University Act, 2013 (24 of 2013),—(a)in section 32, for sub-section (6), the following sub-sections shall be substituted, namely:—“(6) The Registrar shall be appointed for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and he shall be entitled for the emoluments and other service conditions as may be prescribed.(7)The person appointed as Registrar shall be eligible for reappointment for one more period subject to the provisions in sub-section (6).”;(b)in section 33, for sub-section (5), the following sub-sections shall be substituted, namely:—“(5) The Controller of Examinations shall be appointed for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and he shall be entitled for the emoluments and other service conditions as may be prescribed.(6)The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (5).”;(c)in section 34, for sub-section (1), the following sub-sections shall be substituted, namely:—“(1) The Finance Officer shall be a full time officer of the University and shall be appointed for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed.(1A)The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

4. Amendment of Act 17 of 2015.—

In the A. P. J. Abdul Kalam Technological University Act, 2015 (17 of 2015),—(a)in section 16, for sub-section (3), the following sub-sections shall be substituted, namely:—“(3) The Registrar shall be appointed for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier. The qualifications and experience for the purpose of selection of the Registrar shall be as approved by the Government.(3A)The person

appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (3).”;(b)in section 17,—(i)for the third sentence in sub-section (1), the following sentence shall be substituted, namely:—“The Finance Officer shall be appointed for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier.”;(ii)after sub-section (1), the following sub-section shall be inserted, namely:—“(1A) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;(c)in section 18, for sub-section (2), the following sub-sections shall be substituted, namely:—“(2) The Controller of Examinations shall be appointed for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier. The qualifications and experience for the purpose of selection of the Controller of Examinations shall be as approved by the Government.(2A)The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (2).”;

5. Special provision regarding the existing Registrars, Controllers of Examinations and Finance Officers.—

Notwithstanding anything contained in the Cochin University of Science and Technology Act, 1986 (31 of 1986), Thunchath Ezhuthachan Malayala University Act, 2013. (24 of 2013) or the A. P. J. Abdul Kalam Technological University Act, 2015 (17 of 2015) or the statutes, ordinances, regulations, orders or rules made thereunder, on and from the date of commencement of this Act, the existing Registrars or Controllers of Examinations or Finance officers, as the case may be, of the Universities constituted as per the above said Acts shall be deemed to have vacated their offices where they have completed a period of four years in their offices or have completed the age of six years whichever is earlier. In the case of the Registrars or Controllers of Examinations or Finance Officers who have not completed a period of four years in office or fifty-six years of age shall continue to hold office up to a period of four years or fifty-six years of age whichever is earlier. In the case of the Registrars or Controllers of Examinations or Finance Officers appointed from other Departments and who have completed a period of four years in their offices or have completed the age of fifty-six years and have vacated their offices by virtue of the provisions of this Act, the law relating to the service conditions applicable to their parent departments shall be made applicable.

6. Repeal and saving.—

(1)The University Laws (Amendment) (No. 2) Ordinance, 2019 (35 of 2019) 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 Cochin University of Science and Technology Act, 1986 (31 of 1986), the Thunchath Ezhuthachan Malayala University Act, 2013. (24 of 2013) and the A. P. J. Abdul Kalam Technological University Act, 2015 (17 of 2015) as amended by the said Ordinance shall be deemed to have been done or taken under the Cochin University of Science and Technology Act, 1986 (31 of 1986), the Thunchath Ezhuthachan Malayala University Act, 2013 (24 of 2013) and the A. P. J. Abdul Kalam Technological University Act, 2015 (17 of 2015) respectively as amended by this Act.

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