

## **University Laws (Amendment) Act, 1977**

**23 of 1977**

### CONTENTS

1. Short Title And Commencement
2. Amendment Of Act 30 Of 1971
3. Amendment Of Act 17 Of 1974
4. Amendment Of Act 5 Of 1975
5. Restoration Of Membership

## **University Laws (Amendment) Act, 1977**

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An Act further to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975 WHEREAS it is expedient further to amend the Cochin University Act, 1971, the Kerala University Act, 1974, and the Calicut University Act, 1975, for the purposes hereinafter appearing: BE it enacted in the Twenty-eight Year of the Republic of India as follows:-

### **1. Short Title And Commencement :-**

(1) This Act may be called the University Laws (Amendment) Act, 1977.

(2) The provisions of this Act (except section 5 which shall come into force at once) shall be deemed to have come into force on the 1 st day of February, 1976.

### **2. Amendment Of Act 30 Of 1971 :-**

In section 16 of the Cochin University Act, 1971 (30 of 1971), after subsection (3), the following subsection shall be inserted, namely:-

(3A) Notwithstanding anything contained in the first proviso to subsection (2), a principal elected under item (1), or a member of the teaching staff of a constituent college or a recognised institution elected under item (6), or a member of the non-teaching staff of a constituent college elected under item (12), under the heading ELECTED MEMBERS in section 15 shall not cease to be a

member of the Senate merely on the ground-

- (a) that he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or
- (b) that the college or recognised institution of which he is the principal or in which he is a member of the teaching staff or non-teaching staff has been transferred to another University; or
- (c) in the case of a member of the teaching staff, that he has been promoted as principal.

### **3. Amendment Of Act 17 Of 1974 :-**

In the Kerala University Act, 1974 (17 of 1974),-

(a) in section 18, after sub-section (3), the following sub-section shall be inserted, namely:-

(3A) Notwithstanding anything contained in the first proviso to subsection (3), a principal elected under item (1), or a teacher of a Government college elected under item(5), or a teacher of a private college elected under item (6), or a member of the non-teaching staff of an affiliated college elected under item (10), under the heading Elected Members in section 17 shall not cease to be a member of the Senate merely on the ground-

- (a) that he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or
- (b) that the college of which he is the principal or in which he is a teacher or a member of the non-teaching staff has been transferred to another University; or
- (c) in the case of a teacher, that he has been promoted as principal;

(b) section 22 shall be renumbered as subsection (1) of that section and after sub-section (1) as so renumbered, the following subsection shall be inserted, namely:-

(2) Notwithstanding anything contained in the first proviso to subsection (1), a member of the Syndicate referred to in sub-item (ii) of item (a) under the heading Other Members in section 21, or referred to in sub-item (iii) of that item who is a teacher of a private college or a Government college, shall not cease to be such member merely on the ground that-

- (a) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or
- (b) the college of which he is the principal or in which he is a teacher or a member of the non-teaching staff has been transferred to another University; or

(c) in the case of a teacher, he has been promoted as principal.

#### **4. Amendment Of Act 5 Of 1975 :-**

In the Calicut University Act, 1975 (5 of 1975),-

(a) in section 18, after sub-section (3), the following subsection shall be inserted, namely:-

(3A) Notwithstanding anything contained in the first proviso to sub section (3), a principal elected under item (1), or a teacher of a Government college elected under item (5), or a teacher of a private college elected under item (6), or a member of the non-teaching staff of an affiliated college elected under item (10), under the heading Elected Members in section 17 shall not cease to be a member of the Senate merely on the ground that-

(a) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or

(b) the college of which he is the principal or in which he is a teacher or a member of the non-teaching staff has been transferred to another University; or

(c) in the case of a teacher, he has been promoted as principal.;

(b) Section 22 shall be renumbered as sub-section (1) of that section and, after subsection (1) as so renumbered, the following subsection shall be inserted, namely:-

(2) Notwithstanding anything contained in the first proviso to subsection (1), a member of the Syndicate referred to in sub-item (ii) of item (a) under the heading Other Members in section 21, or referred to in sub-item (iii) of that item who is a teacher of a private college or a Government college, shall not cease to be such member merely on the ground that-

(a) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or

(b) the college of which he is the principal or in which he is a teacher or a member of the non-teaching staff has been transferred to another University; or

(c) in the case of a teacher, he has been promoted as principal,

#### **5. Restoration Of Membership :-**

Notwithstanding anything contained in any law for the time being in force,-

(a) a member of the Senate of the University of Cochin or the University of Kerala or the University of Calicut who has been elected under item (1) or item (6) or item (12) under the heading

Elected Members in section 15 of the Cochin University Act, 1971, or under item (1) or item (5) or item (6) or item(10) under the heading Elected Members in section 17 of the Kerala University Act, 1974,or under item (1) or item (5) or item (6) or item(10) under the heading Elected Members in section 17 of the Calicut University Act, 1975, as the case may be, and who has ceased to be such member before the date of publication of this Act, in the Gazette, merely on the ground-

(i) that he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or

(ii) that the educational institution of which he is the principal or in which he is a teacher or a member of the non-teaching staff has been transferred to another University; or

(iii) in the case of a teacher other than a principal, that he has been promoted as principal, shall be restored to such membership;

(b) a member of the Syndicate of the University of Cochin who has ceased to be such member before the date of publication of this Act in the Gazette on the ground that he has ceased to be a member of the Senate on any of the grounds specified in clause (a), shall be restored to the membership of such Syndicate, and

(c) a member of the Syndicate of the University of Kerala or the University of Calicut, referred to in sub-item (ii) of item (a) under the heading Other Members in section 21 of the Kerala University Act, 1974, or in sub-item (iii) of that item (being a teacher of a private college or a Government college) or, as the case may be, in sub-item (ii) of item (a) under the heading Other Members in section 21 of the Calicut University Act 1975, or in sub-item (iii) of that item (being a teacher of a private college or a Government College), who has ceased to be such member on any of the grounds specified in clause (a), shall be restored to such membership.