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Reg. No. രജി. നമ്പർ KL/TV(N)/12/12-14

KERALA GAZETTE കേരള ഗസററ് EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

*	Thiruvananthapuram,		31st January 2012		
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GOVERNMENT OF KERALA

Law (Legislation-G) Department

NOTIFICATION

No. 15470/Leg. G2/2011/Law. Dated, Thiruvananthapuram, 31st January, 2012 11th Magha, 1933.

The following Ordinance promulgated by the Governor of Kerala on the 30th day of January, 2012 is hereby published for general information.

By order of the Governor,

C. P. RAMARAJA PREMA PRASAD,

Law Secretary.

ORDINANCE No. 15 OF 2012

THE KERALA UNIVERSITY (AMENDMENT) ORDINANCE, 2012

Promulgated by the Governor of Kerala in the Sixty-third Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala University Act, 1974.

Preamble.—Whereas, the Kerala University (Amendment) Ordinance, 2011 (46 of 2011) was promulgated by the Governor of Kerala on the 14th day of August, 2011;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly in its session which commenced on the 26th day of September, 2011 and ended on the 4th day of November, 2011,

AND WHEREAS, under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the Kerala University (Amendment) Ordinance, 2011 (46 of 2011) ceased to operate on the 7th day of November, 2011;

AND WHEREAS, in order to validate the actions taken and to keep alive the provisions of the said Ordinance, the Kerala University (Amendment) Ordinance, 2011 (50 of 2011) was promulgated by the Governor of Kerala on the 18th day of November, 2011;

AND WHEREAS, a Bill to repalce the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly in its session which commenced on the 9th day of December, 2011 and ended on the same day;

AND WHEREAS, under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the Kerala University (Amendment) Ordinance, 2011 (50 of 2011) ceased to operate on the 20th day of January, 2012;

AND WHEREAS, difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

- 1. Short title and commencement.—(1) This Ordinance may be called the Kerala University (Amendment) Ordinance, 2012.
- (2) It shall be deemed to have come into force on the 16th day of August, 2011.
- 2. Act 17 of 1974 to be temporarily amended.—During the period of operation of this Ordinance, the Kerala University Act, 1974 (17 of 1974) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3, 4 and 5.
- 3. Amendment of section 17.—In section 17 of the principal Act, under the heading "Other Members", for item (4), the following item shall be substituted, namely:—
- "(4) Not more than five members nominated by the Government from the field of Higher Education of which one shall be a woman and one shall be from Scheduled Castes/Scheduled Tribes.".
- 4. Amendment of section 18.—In section 18 of the principal Act, in sub-section (3), after the third proviso, the following proviso shall be added, namely:—

"Provided also that the members in the Senate nominated by the Chancellor or the Government under the heading "Other Members" shall hold their office during the pleasure of the Chancellor or the Government, as the case may be."

- 5. Special provision.—Notwithstanding anything contained in the principal Act, on the date of commencement of this Ordinance, the existing members in office nominated under item (4) under the heading "Other Members" in section 17 of the principal Act, shall cease to hold their office by virtue of the provisions of this Ordinance.
- 6. Validation.—Notwithstanding the cesser of operation of the Kerala University (Amendment) Ordinance, 2011 (50 of 2011) (hereinafter referred to as the said Ordinance),—
- (a) 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 provisions of the principal Act as amended by this Ordinance;

(b) anything done or any action taken after the cesser of operation of the said Ordinance and before the date of publication of this Ordinance in the Gazette, which could have been done or taken under the principal Act as amended by the said Ordinance, if the said Ordinance had not ceased to operate, shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

H. R. BHARDWAJ,

GOVERNOR.