The Bombay University (Temporary Postponement of Election of University Representatives) Act, 1989

Act 40 of 1989

Keyword(s):
University, Postponement, Elections

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title and commencement.

2. Temporary Postponement of election of University representatives of the students' council of University of Bombay.

3. Consequences of temporary postponement of election of University representatives.

MAHARASHPTRA ACT No. XL OF 1989

[THE BOMBAY UNIVERSITY (TEMPORARY POSTPONEMENT OF ELECTION OF UNIVERSITY REPRESENTATIVES) ACT 1989.]

[This Act received the assent of the Governor on the 31st October 1989; assent first published in the Maharashatra Government Gazette Part IV, Extraordinary, on the 2nd November 1989.]

An Act to provide for temporary postponement of election of the university representatives on the students' council of the University of Bombay.

WHEREAS section 34 of the Bombay University Act, 1974 provides for the constitution of the students' council consisting, inter alia of the University representatives who are elected by the class representatives;

AND WHEREAS the process of election to elect university representatives had started and the class representatives were to elect them on the 7th October 1989;

AND WHEREAS unfortunately the election fever had led to violent incidents leading to gruesome murder of a student and the atmosphere was no longer congenial to hold these elections;

AND WHEREAS the University of Bombay had reported that the situation was dangerous and it was not therefore advisable to hold these elections;

AND WHEREAS the Government, therefore, considered it expedient to temporarily postpone the elections of the university representatives;

AND WHEREAS both Houses of the State Legislature were not in session;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make a law to provide for the temporary postponement of the election of the university representatives on the students' council of the University of Bombay; and, therefore, promulgated the Bombay University (Temporary Postponement of Election of University Representatives) Ordinance, 1989, on the 6th October 1989;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Fortyith Year of the Republic of India as follows:

1. (1) This Act may be called the Bombay University (Temporary Postponement of election of University Representatives) Act, 1989.

(2) It shall be deemed to have come into force on the 6th October, 1989.

Temporary 2. Notwithstanding anything contained in the Bombay University Act, 1974 (hereinafter referred to as "the Bombay University Act"), or any statutes made thereunder, during the period from the date of commencement of this Act upto, and inclusive of, 31st day of December 1989 or such earlier date as the State Government may, on the recommendation of the University, by notification in the Official Gazette, specify (hereinafter in this Act referred to as "the said period"), no election of university representatives on the students' council of the University of Bombay shall be held.

Consequent 3. Notwithstanding anything contained in the Bombay University Act or in the statutes made thereunder, no act or proceeding of the Senate during the said period shall be invalid merely on the ground that any or all members referred to in sub-clause (vi) of clause (b) of sub-section (1) of section 20 are not on the Senate.

Repeal of 4. (1) The Bombay University (Temporary Postponement of Election of University Representatives) Ordinance, 1989, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.