

Bill No. 101 of 2009

THE CENTRAL UNIVERSITIES (AMENDMENT) BILL, 2009

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BILL

to amend the Central Universities Act, 2009

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Central Universities (Amendment) Act, 2009.

Short title and commencement.

(2) It shall be deemed to have come into force on the 20th day of October, 2009.

25 of 2009.

2. (1) After section 3 of the Central Universities Act, 2009 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

Insertion of section 3A.

“3A. (1) The Central University of Jammu and Kashmir established under subsection (4) of section 3 shall be known as the Central University of Kashmir and its territorial jurisdiction shall be limited to the Kashmir Division of the State of Jammu and Kashmir.

Special provision with respect to the State of Jammu and Kashmir.

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(2) There shall be established a university, which shall be a body corporate, to be known as the Central University of Jammu having its territorial jurisdiction extending to the Jammu Division of the State of Jammu and Kashmir.

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(3) All assets and liabilities of the Central University of Jammu and Kashmir in respect of the territory of Jammu Division of the State of Jammu and Kashmir shall stand transferred to be the assets and liabilities of the Central University of Jammu.

(4) Anything done or any action taken by the University of Jammu and Kashmir in respect of the territory of Jammu Division of the State of Jammu and Kashmir shall be deemed to have been done or taken by the Central University of Jammu.

(5) Any suit or legal proceedings instituted or continued by or against the Central University of Jammu and Kashmir in respect of the territory of Jammu Division of the State of Jammu and Kashmir shall be deemed to have been instituted or continued by or against the Central University of Jammu.” 5

Amendment
of the First
Schedule to
the principal
Act.

3. In the First Schedule to the principal Act, for serial number 5 and the corresponding entries against it, the following serial numbers and entries shall be substituted, namely:—

“5.	Jammu and Kashmir	Central University of Kashmir	Kashmir Division of the State of Jammu and Kashmir	10
5A.	Jammu and Kashmir	Central University of Jammu	Jammu Division of the State of Jammu and Kashmir”.	15

Repeal and
saving.

4. (1) The Central Universities (Amendment) Ordinance, 2009, is hereby repealed.

Ord. 8 of
2009.

(2) Notwithstanding the repeal of the Central Universities (Amendment) Ordinance, 2009, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Ord. 8 of
2009.

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STATEMENT OF OBJECTS AND REASONS

The Central Universities Act, 2009 was enacted by Parliament to establish and incorporate universities for teaching and research in the various States and to provide for matters connected therewith or incidental thereto. The Act provided, *inter alia*, for establishment of a Central University in the State of Jammu and Kashmir by the name of Central University of Jammu and Kashmir.

2. The Government of Jammu and Kashmir had informed in July, 2008 that it had identified three sites in and around Jammu for the setting up of the Central University but the exact locations were not decided. Hence, to start with its activities, a temporary office of the University was set up in the State Capital, Srinagar as was done for the Central Universities in other such States where the exact locations had not been decided. However, there was an upsurge of sentiments for its location in Kashmir Valley.

3. In view of the equally pressing demand for establishment of a Central University in Jammu region also, it was felt necessary to establish two separate Central Universities, one each in Jammu region and in the Kashmir Valley, for maintaining regional harmony in the State. Accordingly, it was decided to rename the then existing Central University of Jammu and Kashmir as the Central University of Kashmir and to establish a new Central University by the name of Central University of Jammu by appropriate amendments to the Central Universities Act, 2009.

4. As a number of preparatory steps were required to be taken for operationlising the new Central University of Jammu, well in time, for the next academic session and as the Parliament was not in session, the Central Government considered it necessary to take immediate action to amend the Central Universities Act, 2009. The Central Universities (Amendment) Ordinance, 2009 (Ord. 8 of 2009) was, therefore, promulgated by the President on the 20th October, 2009.

5. The Bill seeks to replace the Central Universities (Amendment) Ordinance, 2009.

KAPIL SIBAL.

NEW DELHI;

The 17th November, 2009.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to insert a new section 3A in the Central Universities Act, 2009, so as to establish a university as a body corporate to be known as the Central University of Jammu having its territorial jurisdiction extending to the Jammu Division of the State of Jammu and Kashmir and to limit the territorial jurisdiction of the then existing Central University of Jammu and Kashmir to the territory of the Kashmir Division to be known as the Central University of Kashmir. The financial requirement of each of these Universities is estimated at Rs. 240 crore to meet the non-recurring as well as the recurring expenditure during the financial years 2009-2010 to 2011-2012. The expenditure would be met from the Consolidated Fund of India through the budgetary provisions under the Department of Higher Education, Ministry of Human Resource Development.

ANNEXURE

EXTRACT FROM THE CENTRAL UNIVERSITIES ACT, 2009

(25 OF 2009)

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THE FIRST SCHEDULE

[See section 3(4)]

Serial No.	Name of the State	Name of the University	Territorial jurisdiction
*	*	*	*
5.	Jammu and Kashmir	Central University of Jammu and Kashmir	Whole of the State of Jammu and Kashmir
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LOK SABHA

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BILL
to amend the Central Universities Act, 2009

(Shri Kapil Sibal, Minister of Human Resource Development)