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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*.
The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A
of the Gujarat Legislative Assembly Rules:-

THE GUJARAT UNIVERSITIES LAWS (AMENDMENT) BILL, 2015.

GUJARAT BILL NO. 27 OF 2015.

A BILL

*further to amend the Gujarat University Act, 1949 and the Sardar Patel
University Act, 1955.*

It is hereby enacted in the Sixty-sixth Year of the Republic of India as
follows:-

- (1) This Act may be called the Gujarat Universities Laws (Amendment) Act, 2015.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and
commencement.

Amendment of Schedule I to Bom. L of 1949. 2. In the Gujarat University Act, 1949, in Schedule I, entry 2 shall be deleted. **Bom. L of 1949.**

Insertion of new section 5A in Bom. XL of 1955. 3. In the Sardar Patel University Act, 1955 (hereinafter referred to as "the principal Act"), after section 5, the following section shall be inserted, namely:-

Jurisdiction and admission to privileges.

"5A. (1) No educational institution situate within the University area specified in the entries (2) and (3) of Schedule I shall, save with the consent of the University and the sanction of the State Government, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(2) Any such privileges enjoyed from the Gujarat University before the date on which the Gujarat Universities Laws (Amendment) Act, 2015, comes into force, by any educational institution situate within the University area as specified in sub-section (1), shall be deemed to be withdrawn with effect from such date.

Guj.of 2015.

(3) With effect on and from such date, all educational institutions admitted to the privileges of the Gujarat University, and situated within the University area as specified in sub-section (1), shall be deemed to be admitted to the privileges of the University, and such institutions shall, on and from such date cease to be associated with and to enjoy the privileges of the Gujarat University and the Gujarat University Act, 1949 shall thereupon cease to apply to them. The University shall, as far as may be possible and consistent with this Act, admit such institutions to all such privileges as they had from the Gujarat University immediately before such date."

Bom. L of 1949.

Amendment of section 61 of Bom. XL of 1955. 4. In the principal Act, the existing section 61 shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely :-

“(2) Notwithstanding anything contained in this Act or the Statutes and Ordinances made thereunder, any student of a college situate within the University area specified in the entries (2) and (3) of Schedule I and affiliated to the Gujarat University, who immediately before the date on which section 5A comes into force, was studying or was eligible for any examination of the Gujarat University shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the Gujarat University.”.

5. In the principal Act, after section 61, the following section shall be inserted, namely:-

Insertion of
new section
61A in Bom.
XL of 1955.

Terms and
conditions of
employees of
colleges who
were holding the
posts in affiliated
colleges of
Gujarat
University.

Guj.of
2015.

“61A. Notwithstanding anything contained in this Act, every employee of a college affiliated to the University who is holding office (whether teaching or non-teaching) of the Gujarat University immediately before the commencement of the Gujarat Universities Laws (Amendment) Act, 2015, shall continue to hold such office on the same terms and conditions as were applicable to him immediately before such date and exercise such powers and perform such duties as are conferred on him by or under this Act.”.

6. In the principal Act, in Schedule I,-

(i) the existing entry shall be numbered as entry (1) of that Schedule ;

(ii) after entry (1), the following entries shall be added, namely :-

“(2) Anand Dsitric (excluding the area as specified in entry (1)).

(3) Kheda District.”.

Amendment
of Schedule I
to Bom. LX
of 1955.

STATEMENT OF OBJECTS AND REASONS

The University area of the Sardar Patel University established under the Sardar Patel University Act, 1955, comprises the area within the limits of Vallabh Vidyanagar, in the Anand Taluka of Anand District. Representations have been made to the State Government for affiliating the colleges situate in the areas of districts of Anand and Kheda, which are at present affiliated to the Gujarat University, with the Sardar Patel University. The State Government, after due consideration, has thought it fit to affiliate the colleges of the Anand and Kheda Districts with the Sardar Patel University so that the students of the said districts will have a University at their doorstep. This will serve the local needs of the students as also cater the needs of the region.

It is, therefore, proposed to amend Schedule I to the aforesaid Act so as to include the areas of Anand and Kheda districts in the University area. It is also proposed to insert certain other consequential provisions on account of addition of such area.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

BHUPENDRASINH CHUDASAMA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in the following respect:-

Clause 4.- New sub-section (2) proposed to be inserted in section 61 by this clause, empowers the Senate to prescribe by the Statutes, the period for which and the manner in which the University shall provide for completion of courses, instruction, teaching, training and examination of the students of the colleges situate within the University area as specified in the entries (2) and (3) of the Schedule I, and affiliated to the Gujarat University, before the date on which section 5A comes in to force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 20th August, 2015.

BHUPENDRASINH CHUDASAMA.

By order and in the name of the Governor of Gujarat,

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Gandhinagar,
Dated the 20th August, 2015.