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The Gujarat Government Gazette

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 31st March, 1983 is hereby published for general information.

K. M. SATWANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 9 OF 1983.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 31st March, 1983)

An Act further to amend Acts relating to certain Universities in the State.

It is hereby enacted in the Thirty-fourth Year of the Republic of India, as follows:—

<p>1. (1) This Act may be called the Gujarat Universities Laws (Amendment) Act, 1983.</p> <p>(2) It shall be deemed to have come into force on the 25th January, 1983.</p>	<p>Short title and commencement.</p>
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<p>2. Each of the Acts specified in the second column of the Schedule shall be amended in the manner and to the extent specified against it in the third column thereof.</p>	<p>Amendment of Acts relating to certain Universities in the State.</p>
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Transitory provision.

3. Where before the commencement of this Act, any reference is made by the Vice-Chancellor to the Chancellor under the relevant provision and such reference is pending before the Chancellor at the commencement of this Act the same shall be disposed of by the Chancellor as if this Act had not been passed.

Explanation.—For the purposes of this section relevant provision means the provision relating to disputes as to constitution of university authority or body in any of the Acts specified in the second column of the Schedule.

Repeal and savings.

4. (1) The Gujarat Universities Laws (Amendment) Ordinance, 1983 is hereby repealed.

Guj.
Ord.
3 of
1983.

(2) Notwithstanding such repeal anything done or any action taken under the Acts specified in the second column of the Schedule as amended by the said Ordinance, shall be deemed to have been done or taken under the said Acts as amended by this Act.

SCHEDULE

Sr. No.	Short title	Extent of Amendment
1	2	3
1.	The Maharaja Sayajirao University of Baroda Act, 1949 (Baroda Act 17 of 1949). "Disputes as to constitution of University authority or body."	For section 60, the following shall be substituted, namely:— 60. Where any question arises as to— (1) the interpretation of any provision of this Act, or of any Statute, Ordinance or Rule, or (2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University, (a) it may be referred to the State Government if it relates to a matter specified in clause (1), and (b) it shall be referred to the State Government if it relates to a matter specified in clause (2), and

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the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final.”

2. The Gujarat University Act, 1949
(Bom. L of 1949).

“Disputes as to constitution of University authority or body.

For section 58, the following shall be substituted, namely:—

58. Where any question arises as to—

(1) the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rules, or

(2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University,

(a) it may be referred to the State Government if it relates to a matter specified in clause (1), and

(b) it shall be referred to the State Government if—

(i) it relates to a matter specified in clause (2), or

(ii) if twenty members of the Court so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and

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the State Government shall after making such inquiry as it deems fit (including giving opportunity of being heard where necessary) decide the question and its decision shall be final."

3. The Sardar Patel University Act, 1955 (Bom. XL of 1955).

"Disputes as to constitution of University authority or body.

For section 59, the following shall be substituted, namely:—

59. Where any question arises as to—

(1) the interpretation of any provision of this Act, or of any Statute, Ordinance or Rule, or

(2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University,

(a) it may be referred to the State Government if it relates to a matter specified in clause (1), and

(b) it shall be referred to the State Government if—

(i) it relates to a matter specified in clause (2), or

(ii) if ten Fellows so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and

the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final."

1	2	3
4.	The South Gujarat University Act, 1965 (Guj. 38 of 1965).	For section 59, the following shall be substituted, namely:—
	“Disputes as to constitution of University authority or body.	59. where any question arises as to—
		(1) the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or
		(2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University.
		(a) it may be referred to the State Government if it relates to a matter specified in clause (1), and
		(b) it shall be referred to the State Government if—
		(i) it relates to a matter specified in clause (2), or
		(ii) if twenty members of the Senate so require irrespective of whether it relates to a matter specified in clause (1) or clause (2), and
		the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final.”.
5.	The Saurashtra University Act, 1965 (Guj. 39 of 1965).	For section 59, the following shall be substituted, namely:—
	“Disputes as to constitution of University authority or body.	59. Where any question arises as to—

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(1) the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or

(2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be a member of any authority or other body of the University,

(a) it may be referred to the State Government if it relates to a matter specified in clause (1), and

(b) it shall be referred to the State Government if—

(i) it relates to a matter specified in clause (2), or

(ii) if twenty members of the Senate so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and

the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final.”

6. The Bhavnagar University Act, 1978 (Guj. 26 of 1978).

“Disputes as to constitution of University authority or body.

For section 67, the following shall be substituted, namely:—

67. Where any question arises as to—

(1) the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or

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(2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be a member of any authority or other body of the University,

(a) it may be referred to the State Government if it relates to a matter specified in clause (1); and

(b) it shall be referred to the State Government if—

(i) it relates to a matter specified in clause (2), or

(ii) if twenty members of the Court so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and

the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final."



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Separate paging is given to this Part in order that it
may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 16th September, 2003 is hereby published for general information.

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

GUJARAT ACT NO. 25 OF 2003.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 17th September, 2003).

AN ACT

further to amend the Acts relating to certain Universities in the State.

It is hereby enacted in the Fifty-fourth Year of the Republic of India as follows :-

1. (1) This Act may be called the Gujarat Universities Laws (Amendment) Act, 2003.

Short title and commencement.

(2) It shall be deemed to have come into force on the 26th June, 2003.

Amendment of Acts relating to certain Universities in the State.

2. Each of the Acts specified in the second column of the Schedule shall be amended in the manner and to the extent specified against it in the third column thereof.

SCHEDULE

Sr. No.	Short title	Extent of Amendment.
1	2	3

1. The Gujarat University Act, 1949 (Bom. L of 1949).

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

(1) After section 8, the following new section shall be inserted, namely:-

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

- (i) on the post of officers referred to in clauses (iv), (v), (v-a) and (vi) of section 8;
- (ii) on the post of teacher; or
- (iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a

Sr. No.	Short title	Extent of Amendment.
1	2	3

Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii) of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

(2) In section 16, in sub-section (1), under the heading "Class I Ex-Officio members", in paragraph (A), for clause (iii), the following shall be substituted, namely:-

"(ii) The last Ex-Vice-Chancellor of the University residing in the State,"

2. The Maharaja Sayajirao University of Baroda Act, 1949 (Baroda Act XVII of 1949).

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

After section 8, the following new section shall be inserted, namely:-

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

- (i) on the post of officers referred to in clauses (v), (vi) and (vii) of section 8;

Sr. No.	Short title	Extent of Amendment.
1	2	3

(ii) on the post of teacher;
or

(iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a Visitor, Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii) of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

3. The Sardar Patel University Act, 1955 (Bom. XL of 1955).

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

(1) After section 8, the following new section shall be inserted, namely:-

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

Sr. No.	Short title	Extent of Amendment.
1	2	3

- (i) on the post of officers referred to in clauses (iii), (iv) and (v) of section 8;
- (ii) on the post of teacher; or
- (iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii) of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

(2) In section 15, under the heading "*I Ex-Officio fellows*",

Sr. No.	Short title	Extent of Amendment.
1	2	3

4. The South Gujarat University Act, 1965 (Guj. 38 of 1965).

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

in paragraph (A), for clause (iii), the following shall be substituted, namely:-

"(iii) The last Ex-Vice-Chancellor of the University residing in the State,".

(1) After section 8, the following new section shall be inserted, namely:-

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

- (i) on the post of officers referred to in clauses (iv), (v), (vi) and (vii) of section 8;
- (ii) on the post of teacher; or
- (iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii)

Sr. No.	Short title	Extent of Amendment.
1	2	3

5. The Saurashtra University Act, 1965 (Guj. 39 of 1965).

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

(2) In section 16, in sub-section (1), under the heading "Class I Ex-Officio Members", in paragraph (A), for clause (iii), the following shall be substituted, namely:-

"(iii) The last Ex-Vice-Chancellor of the University residing in the State,".

(1) After section 8, the following new section shall be inserted, namely:-

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

(i) on the post of officers referred to in clauses (iv), (v), (vi) and (vii) of section 8;

(ii) on the post of teacher; or

(iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the

Sr. No.	Short title	Extent of Amendment.
1	2	3

Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii) of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

(2) In section 16, in sub-section (1), under the heading "*Class I Ex-officio members*", in paragraph (A), for clause (iii), the following shall be substituted, namely:-

"(iii) The last Ex-Vice-Chancellor of the University residing in the State,".

6. The Bhavnagar University Act, 1978 (Guj. 26 of 1978).

(1) After section 8, the following new section shall be inserted, namely:-

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

Sr. No.	Short title	Extent of Amendment.
1	2	3

(i) on the post of officers referred to in clauses (iii), (iv) and (v) of section 8;

(ii) on the post of teacher; or

(iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii) of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

(2) In section 15, in sub-section (1), under the heading "CLASS-I EX-OFFICIO MEMBERS",

Sr. No.	Short title	Extent of Amendment.
1	2	3

in paragraph (A), for clause (iii), the following shall be substituted, namely:-

"(iii) The last Ex-Vice-Chancellor of the University residing in the State,".

7. The Hemchandracharya North Gujarat University Act, 1986 (Guj. 22 of 1986).

Eligibility of age limit for appointment, nomination, co-option in various authorities and on various offices.

(1) After section 8, the following new section shall be inserted, namely:-

"8A. (1) Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations and Rules, no person shall be appointed, nominated or, as the case may be, co-opted,-

- (i) on the post of officers referred to in clauses (iv), (v), (vi) and (vii) of section 8;
- (ii) on the post of teacher; or
- (iii) as a member of any of the authorities of the University, any committee or any other body thereof

after he attains the age of 62 years:

Provided that nothing in this section shall apply to the Chairman or a member of any of the authorities of the University, committee or any other body thereof, who holds the Chairmanship or membership by virtue of his office as a Chancellor, Vice-Chancellor or, as the case may be, the Pro-Vice-Chancellor.

Sr. No.	Short title	Extent of Amendment.
1	2	3

(2) Any person who has been appointed on the posts referred to in clauses (i) and (ii) of sub-section (1) or nominated or co-opted as a member of any of the authorities of the University, any committee or any other body thereof, shall cease to hold his office as such or, as the case may be, to be a member after attaining the age of 62 years."

(2) In section 16, in sub-section (1), under the heading "*Class I Ex-Officio Members*", in paragraph (A), for clause (iii), the following shall be substituted, namely:-

"(iii) The last Ex-Vice-Chancellor of the University residing in the State,".

Guj. Ord.
2 of 2003.

3. (1) The Gujarat Universities Laws (Amendment) Ordinance, 2003 is hereby repealed.

Repeal and
savings.

(2) Notwithstanding such repeal, anything done or any action taken under the Acts specified in the second column of the Schedule as amended by the said Ordinance, shall be deemed to have been done or taken under the said Acts, as amended by this Act.



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PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 26th February, 2004 is hereby published for general information.

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

GUJARATACT NO. 2 OF 2004.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 27th February, 2004).

AN ACT

further to amend the South Gujarat University Act, 1965 and the Kachchh University Act, 2003.

It is hereby enacted in the Fifty-fourth Year of the Republic of India as follows :-

- (1) This Act may be called the Gujarat Universities Laws (Second Amendment) Act, 2003.
- (2) It shall come into force at once.

Short title and commencement.

- Amendment of long title.** 2. In the South Gujarat University Act, 1965 (hereinafter referred to as "the principal Act"), in the long title, for the words "the South Gujarat University", the words "the Vir Narmad South Gujarat University" shall be substituted. Guj. 38 of 1965.
- Amendment of section 1 of Guj. 38 of 1965.** 3. In the principal Act, in section 1, in sub-section (1), for the words and figures "the South Gujarat University Act, 1965", the words and figures "the Vir Narmad South Gujarat University Act, 1965" shall be substituted.
- Amendment of section 2 of Guj. 38 of 1965.** 4. In the principal Act, in section 2, in clause (15), for the words "the South Gujarat University", the words "the Vir Narmad South Gujarat University" shall be substituted.
- Amendment of section 3 of Guj. 38 of 1965.** 5. In the principal Act, in section 3, in sub-section (1), for the words "The South Gujarat University", the words "The Vir Narmad South Gujarat University" shall be substituted.
- Insertion of new section 60A in Guj. 38 of 1965.** 6. In the principal Act, after section 60, the following new section shall be inserted, namely :-
- Construction of references to South Gujarat University Act, 1965 and South Gujarat University in existing laws, instruments, etc.** "60A. (1) As from the commencement of the Gujarat Universities Laws (Second Amendment) Act, 2003 (hereinafter referred to as "the said Act"), any reference in any existing law or instrument or document -
- Guj. 2 of 2004.
- (a) to the expression "the South Gujarat University Act, 1965" shall be construed as if it were a reference to "the Vir Narmad South Gujarat University Act, 1965", and
- (b) to the expression "the South Gujarat University" shall be construed as if it were a reference to "the Vir Narmad South Gujarat University".
- (2) Any act done by, or any suit or other proceeding filed by or against the South Gujarat University before the commencement of the said Act shall be deemed to have been done or, as the case may be, filed by or against the Vir Narmad South Gujarat University.

Explanation.- For the purpose of this section "existing law" means any enactment of a Legislature of any other competent authority in relation to matters specified in Lists II and III in the Seventh Schedule to the Constitution of India as in force in any part of the State of Gujarat immediately before the commencement of the said Act and includes any statute, ordinance, rule, bye-law, regulation, order, notification, scheme,

form or other instrument having the force of law made, prescribed or issued under any such enactment.”.

Guj. 5 of 2003.	7. In the Kachchh University Act, 2003, in the long title, for the words “the Kachchh University”, the words “the Krantiguru Shyamji Krishna Verma Kachchh University” shall be substituted.	Amendment of long title.
Guj. 5 of 2003.	8. In the Kachchh University Act, 2003, in section 1, in sub-section (1), for the words and figures “the Kachchh University Act, 2003”, the words and figures “the Krantiguru Shyamji Krishna Verma Kachchh University Act, 2003” shall be substituted.	Amendment of section 1 of Guj. 5 of 2003.
Guj. 5 of 2003.	9. In the Kachchh University Act, 2003, in section 2, in clause (17), for the words “the Kachchh University”, the words “the Krantiguru Shyamji Krishna Verma Kachchh University” shall be substituted.	Amendment of section 2 of Guj. 5 of 2003.
Guj. 5 of 2003.	10. In the Kachchh University Act, 2003, in section 3, in sub-section (1), for the words “Kachchh University”, the words “the Krantiguru Shyamji Krishna Verma Kachchh University” shall be substituted.	Amendment of section 3 of Guj. 5 of 2003.
Guj. 5 of 2003.	11. In the Kachchh University Act, 2003, after section 80, the following new section shall be inserted, namely :-	Insertion of new section 80A in Guj. 5 of 2003.
Construction of references to Kachchh University Act, 2003 and Kachchh University in existing laws, instruments, etc.	<p>“80A. (1) As from the commencement of the Gujarat Universities Laws (Second Amendment) Act, 2003 (hereinafter referred to as “the said Act”), any reference in any existing law or instrument or document –</p> <p>(a) to the expression “the Kachchh University Act, 2003” shall be construed as if it were a reference to “the Krantiguru Shyamji Krishna Verma Kachchh University Act, 2003”, and</p> <p>(b) to the expression “the Kachchh University” shall be construed as if it were a reference to “the Krantiguru Shyamji Krishna Verma Kachchh University”.</p> <p>(2) Any act done by, or any suit or other proceeding filed by or against the Kachchh University before the commencement of the said Act shall be deemed to have been done or, as the case may be, filed by or against the Krantiguru Shyamji Krishna Verma Kachchh University.</p>	Guj. 2 of 2004.

Explanation.- For the purpose of this section "existing law" means any enactment of a Legislature of any other competent authority in relation to matters specified in Lists II and III in the Seventh Schedule to the Constitution of India as in force in any part of the State of Gujarat immediately before the commencement of the said Act and includes any statute, ordinance, rule, bye-law, regulation, order, notification, scheme, form or other instrument having the force of law made, prescribed or issued under any such enactment."

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.