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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 2nd March, 1981 is hereby published for general information.

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

Gujarat Act No. 5 of 1981.

(First published after having received the assent of the Governor in the
"Gujarat Government Gazette" on the 3rd March, 1981).

An Act further to amend the Maharaja Sayajirao University of Baroda Act, 1949.

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

1. (1) This Act may be called the Maharaja Sayajirao University of Baroda
(Amendment) Act, 1981.

Short title
and
commence-
ment.

(2) It shall be deemed to have come into force on the 16th October, 1980.

2. In the Maharaja Sayajirao University of Baroda Act, 1949 (hereinafter
referred to as "the principal Act"), for section 10, the following section shall be
substituted, namely:—

Substitution
of section
10 of Baroda
Act No. XVII
of 1949.

Baro-
da Act
No.
XVII
of
1949.

Vice-
Chancellor.

"10. (1) The Vice-Chancellor shall be appointed by the State Government from amongst three persons recommended under sub-section (3) by a committee appointed for the purpose under sub-section (2).

(2) (a) For the purposes of sub-section (1), the Chancellor shall appoint a committee which shall consist of the following members, namely:—

(i) two members (not being persons connected with the University or with any affiliated or constituent college or any recognised institution) out of whom one shall be a person nominated in the manner prescribed by the Statutes by the Syndicate and the other shall be a person nominated in the manner prescribed by the Statutes by the Vice-Chancellor of all the Universities established by law in the State of Gujarat;

Provided that in any case where for any reason whatsoever a person is not nominated under this clause—

- (a) by the Syndicate, or
- (b) by the Vice-Chancellors,

it shall be lawful for the Chancellor to nominate a person to be a member of the committee in any such case;

(ii) one member to be nominated by the Chancellor.

(b) The Chancellor shall appoint one of the three members of the Committee as its Chairman.

Provided that if it shall at any time appear to the State Government that the Chancellor has not exercised any of the powers conferred on him under this sub-section within a reasonable period, then the State Government may by an order require the Chancellor to exercise the power within such period as may be specified in such order and if the Chancellor fails to exercise the power within the period so specified, it shall be lawful for the State Government to exercise such power.

(3) The Committee so appointed shall, within such time and in such manner as may be prescribed by the Statutes, select three persons whom it considers fit for being appointed Vice-Chancellor and shall recommend to the State Government the names of the persons so selected together with such other particulars as may be prescribed by the Statutes:

Provided that, as far as possible, the Committee shall not select any such person who if appointed as Vice-Chancellor would cease to hold that office on account of attaining the age of 65 years before completion of the term of three years.

(4) The Vice-Chancellor shall hold office for a term of three years and he shall be eligible for re-appointment to that office for a further term of three years only:

Provided that no person appointed as the Vice-Chancellor, shall continue to hold his office as such after he attains the age of 65 years.

(5) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions subject to which he shall hold office, shall be such as may be prescribed by the Statutes:

Provided that such emoluments or such terms and conditions shall not, during the currency of the term of the holder of that office, be varied to his disadvantage without his consent.

(6) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, and none of the offices of the Pro-Vice-Chancellor and the Rector has been filled up one of the Deans nominated by Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor."

3. In the principal Act, in section 32, after sub-section (I), the following sub-section shall be inserted, namely:—

Amendment
of section 32
of Baroda
Act No. XVII
of 1949.

Guj.
Ord.
18 of
1960.

(1A) Notwithstanding anything contained in sub-section (I), the Statutes in Schedule IV shall, on the commencement of the Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1980, be deemed to be the Statutes providing for matters for which provisions have been made in the said Schedule:

Provided that the Senate shall be competent to amend, repeal or add to, any of these Statutes in the manner hereinafter provided, at any time after the commencement of the said Ordinance, subject however to the condition that no such Statute shall be amended, repealed or added to, before the Vice-Chancellor is appointed for the first time after such commencement."

4. In the principal Act, after Schedule III, the following Schedule shall be added, namely:—

Addition of
new Schedule
IV to Baroda
Act No. XVII
of 1949.

"SCHEDULE IV

{ See section 32 (1A) }

Statutes of the University

1. Definitions.—In these Statutes—

- (1) "Act" means the Maharaja Sayajirao University of Baroda Act, 1949;
- (2) "section" means a section of the Act;
- (3) all words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

Baroda Act
No. XVII of
1949.

2. Procedure for the appointment of the Vice-Chancellor.—(1) At least five months before the date of expiry of the term of the Vice-Chancellor, the Registrar shall call a meeting of the Syndicate for the purpose of nominating a member to the Committee to be appointed under sub-section (2) of section 10 for recommending the panel of the names for the Vice-Chancellor as required under sub-clause (i) of clause (a) of the said sub-section (2).

(2) The Registrar shall, within 15 days from the date of the meeting referred to in clause (1) convene a meeting of the Vice-Chancellors of the Universities established by law in the Gujarat State for nominating a person on the said Committee for recommending the panel as required under sub-clause (i) of clause (a) of sub-section (2) of section 10.

(3) The Registrar shall, within 10 days from the date of the meeting referred to in clause (2), communicate to the Chancellor the names of persons nominated at the meetings referred to in clauses (1) and (2) and request him to nominate a third person on the Committee and to designate one of them as the Chairman and to communicate the appointment of the Committee, to its members.

(4) Within 30 days after the appointment of the Committee by the Chancellor as mentioned in clause (3), the Registrar shall convene a meeting of the Committee at the place and time fixed in consultation with the Chairman of the Committee.

(5) The Registrar shall record the proceedings of the meeting and shall submit to the State Government, the names of the persons recommended by the Committee alongwith the particulars specified in clause (6) with the approval of the Chairman of the Committee, and the State Government shall announce the appointment of the Vice-Chancellor at least one month before the date of the expiry of the term of the Vice-Chancellor.

(6) The particulars of the persons recommended by the Committee shall contain the following:—

- (i) The name with particulars of degrees, if any, and other academic distinctions.
- (ii) Place of residence.
- (iii) Birth date.
- (iv) Literary activities, if any.
- (v) Administrative or teaching experience, if any.
- (vi) Other particulars, if any e.g. public service, membership of public institutions, and educational activities.

(7) In relation to the appointment of a person as the Vice-Chancellor in place of the person holding the office of the Vice-Chancellor at the date of the commencement of the Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1980, this Statute shall apply subject to the following modifications, namely:—

(a) In clause (1), for the words "At least five months before the date of expiry of the term of the Vice-Chancellor" the words, brackets and figures

"Within one month after the commencement of the Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1980" shall be substituted.

(b) In clause (5), for the words "at least one month before the date of the expiry of the term of the Vice-Chancellor" the words "as soon as possible" shall be substituted.

Guj. Ord. 18 of 1980. 5. The person who immediately before the commencement of the Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1980 (hereinafter referred to as "such commencement") holds office as the Vice-Chancellor under section 10 of the principal Act shall,—
Continuance of existing Vice-Chancellor.

(a) notwithstanding that he has not been appointed to such office in conformity with the provisions of the said section 10 as substituted by this Act or that his continuance in that office has been rendered inconsistent with the provisions of sub-section (4) of the said section 10 as so substituted continue to hold that office, after such commencement, subject to the other provisions of the principal Act, as if this Act had not been enacted; and

(b) notwithstanding anything contained in sub-section (2) of section 10 of the principal Act, continue to hold that office till the day immediately before the day on which another person is appointed as Vice-Chancellor under the said section 10 as substituted by this Act.

Guj. Ord. 18 of 1980. 6. (1) The Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1980 is hereby repealed.
Repeal and saving.

(2) Notwithstanding such repeal, 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.



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PART IV

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

The following Act of the Gujarat Legislature having been assented to by the Governor on the 29th January, 1982 is hereby published for general information.

J. P. VASAVADA,
Joint Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT, NO. 1 OF 1982.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 29th January, 1982.)

AN ACT

further to amend the Maharaja Sayajirao University of Baroda Act, 1949.

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

1. This Act may be called the Maharaja Sayajirao University of Baroda (Amendment) Act, 1982. Short title.

2. In the Maharaja Sayajirao University of Baroda Act, 1949 (herein-after referred to as "the principal Act"), in section 3, in sub-section (1), the words "if any, the Rector, if any," shall be deleted.

Baroda
Act
No.
XVII
of
1949.

Amendment
of section 3
of Baroda
Act No. XVII
of 1949.

Substitution
of section 7
of Baroda
Act
No. XVII of
1949.

3. In the principal Act, for section 7, the following section shall be substituted, namely:—

Visitor.

"7. (1) The Governor of Gujarat shall be the Visitor of the University.

(2) (a) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment and of any institution, college or hostel maintained or recognised by or affiliated to the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in the like manner in respect of financial matters of the University and of any institution, college or hostel maintained by the University.

(b) The Visitor shall not cause to be made any inspection or inquiry referred to in clause (a) unless he is, after giving notice to the University of his intention to cause such inspection or inquiry and reasonable opportunity to the University of being heard, satisfied that such inspection or inquiry is necessary in the interest of the University education.

(c) Where any inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have a right to be present and be heard at such inspection or inquiry.

(d) The Visitor may address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Syndicate the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.

(e) The Syndicate shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or it has taken on the result of such inspection or inquiry.

(f) Where the Syndicate does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions.

(3) The Visitor may, by an order in writing annul any proceeding of the University, which is not in conformity with the provisions of the Act, Statute or Ordinance :

Provided that no such order shall be made by the Visitor unless a reasonable opportunity of being heard is given to the University in respect of the order proposed to be made."

Amend-
ment of
Section 8 of
Baroda Act
No XVII of
1949.

4. In the principal Act, in section 8,—

- (1) in clause (iii), the words "if any" shall be deleted;
- (2) clause (iv) shall be deleted.

5. In the principal Act, in section 10--

(1) in sub-section (5) for the words "shall be such as may be prescribed by Statutes" the words "shall be such as may be determined by the State Government" shall be substituted;

(2) in sub-section (6) for the words "and none of the offices of the Pro-Vice-Chancellor and the Rector has been filled up" the words "the Pro-Vice-Chancellor and in the absence of the Pro-Vice-Chancellor" shall be substituted.

Amendment of section 10 of Baroda Act No. XVII of 1949.

6. In the principal Act, section 11-A shall be deleted.

Deletion of Section 11A of Baroda Act, No. XVII of 1949.

7. In the principal Act, for section 12, the following section shall be substituted, namely:—

Substitution of section 12 of Baroda Act No. XVII of 1949.

"12. (1) The Pro-Vice-Chancellor shall be appointed by the State Government from amongst three persons recommended by the Vice-Chancellor, from amongst the teachers.

Pro-Vice-Chancellor.

(2) The Pro-Vice-Chancellor shall hold office for a term of three years and he shall be eligible for reappointment to that office for a further term of three years only:

Provided that no person appointed as a Pro-Vice-Chancellor shall continue to hold his office as such after he attains the age of 65 years:

Provided further that where a person is appointed as a Pro-Vice-Chancellor, he shall during the period he holds office of the Pro-Vice-Chancellor continue to have lien on the post of teacher which he vacates on his appointment as the Pro-Vice-Chancellor, till he reverts to the said post on the expiry of the period of his appointment as the Pro-Vice-Chancellor or he reaches the age of superannuation according to the conditions of service applicable to him whichever is earlier.

(3) The Pro-Vice-Chancellor shall be a whole-time salaried officer and his emoluments and conditions of service shall be such as shall be determined by the State Government:

Provided that the emoluments and conditions of service of the holder of such office shall not during the currency of the term of the holder of that office, be varied to his disadvantage without his consent.

(4) The Pro-Vice-Chancellor shall be the principal inspecting officer of the University and shall exercise such of the powers and perform such of the duties of the Vice-Chancellor as the Vice-Chancellor may either specially or generally confer or impose on him with the approval of Syndicate.

(5) The Pro-Vice-Chancellor shall, in the absence of the Vice-Chancellor, or in the event of his being unable to perform the duties of his office, exercise all the rights and powers and discharge all the functions and duties of the Vice-Chancellor.

(6) The Pro-Vice-Chancellor shall preside,—

(a) in the absence of the Chancellor and the Vice-Chancellor, at the meetings of the Senate, and

(b) in the absence of the Vice-Chancellor at the meetings of any other authority of the University or a committee thereof.”.

Deletion of section 13 of Baroda Act No. XVII of 1949.

8. In the principal Act, section 13 shall be deleted.

Substitution of section 18 of Baroda Act No. XVII of 1949.

9. In the principal Act, for section 18, the following section shall be substituted, namely:—

The Senate.

“18. (1) The Senate shall consist of the following members, namely:—

CLASS-I EX-OFFICIO MEMBERS.

(A) University Officers—

(i) The Chancellor,

(ii) The Vice-Chancellor,

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

(iv) The Pro-Vice-Chancellor,

(v) The Registrar,

(vi) The Librarian.

(B) Others—

(i) The Director of Higher Education or an officer not below the rank of a Joint Director of Higher Education designated by such Director,

(ii) The Director of Technical Education or an officer not below the rank of a Joint Director of Technical Education designated by such Director,

(iii) The Director of Health and Medical Services and Medical Education or an officer not below the rank of a Joint Director of Health and Medical Services and Medical Education designated by such Director,

- (iv) The Chairman of the Gujarat Secondary Education Board,
- (v) The Director of Employment and Training or an officer not below the rank of a Joint Director of Employment and Training, designated by such Director,
- (vi) Deans of Faculties,
- (vii) Principals of the constituent colleges,
- (viii) Heads of recognised institutions,
- (ix) Member of the Syndicate falling under clause (vii) of sub-section (2) of section 23,
- (x) Member of the Syndicate falling under clause (x) of sub-section (3) of section 23,
- (xi) All the Trustees of Sir Sayajirao Diamond Jubilee and Memorial Trust,
- (xii) The Mayor of the Municipal Corporation of the City of Baroda,
- (xiii) The President, the Vice-President and the General Secretary of the Maharaja Sayajirao University Union recognised by the University.

CLASS-II ORDINARY MEMBERS.

(A) Elected as specified below:—

(i) Five professors elected by the professors of the University from amongst themselves in the manner specified in the Statutes.

(ii) One member each elected faculty-wise by teachers other than professors of each faculty from amongst themselves in the manner specified by the Statutes.

Explanation.—For the purpose of this clause a teacher does not include a principal of a College or the Head of an Institution.

(iii) One member from each of the constituent colleges and recognised institutions to be elected by teachers other than professors of such college or as the case may be institution from amongst themselves in the manner specified in the Statutes.

(iv) One member each elected faculty-wise by registered graduates in each of the faculties from amongst themselves in the manner specified in the Statutes.

(v) One representative to be elected by the Federation of Gujarat Mills and Industries, Baroda from amongst its members in accordance with the Statutes:

Provided that if any such member be an undivided Hindu family, trust, firm, company or body corporate, a representative nominated in this behalf by such undivided Hindu family, trust, firm, company or body corporate shall be deemed to be a member of the federation for the purpose of this clause.

(vi) One representative to be elected by the Heads of the secondary schools in the University area from amongst such Heads in the manner specified in the Statutes.

(vii) One representative to be elected by the secondary teachers of the secondary schools in the University Area from amongst themselves in the manner specified in the Statutes.

(viii) Two representatives to be elected by the members of the Gujarat Legislative Assembly from amongst its members elected from the University area.

(ix) One representative to be elected by the registered trade unions in the University Area from amongst their members in the manner specified in the Statutes.

(x) One member elected by the Bar Council of the State of Gujarat from amongst its members:

Provided that every person elected under this paragraph shall continue to hold office of a member of the Senate so long only as he is a member of the electing body.

(B) Two members to be elected in the manner specified in the Statutes from amongst themselves by donors each donating money or property of the value of not less than one lakh of rupees—

(i) to, or for purposes of, the University, or

(ii) to, or for purposes of a constituent or affiliated college or institution recognised by the University, irrespective of whether the donation was made before or after the college was made constituent or affiliated or the institution recognised:

Provided that the right of electing members on the Senate shall not extend beyond the period of twenty years from the date of acceptance of such donation by the college, institution or, as the case may be, the University.

Explanation.—For the purpose of this paragraph, the value of the property means the market value of the property at the date of acceptance and the decision as to the market value shall rest with the Syndicate and shall be final.

(C) Fifteen persons to be nominated by the State Government from amongst distinguished educationists, scholars, social workers, women and

representatives of the minorities, backward communities and such other class of persons.

(D) One representative of the union of the non-teaching staff of University to be nominated by the Vice-Chancellor from amongst the office bearers of such union :

Provided that—

(i) such representative is a confirmed employee of the University, and

(ii) such union is recognised by the University.

(2) Any person who is appointed as a representative of the University by virtue of his being a member of the Senate shall cease to be such representative on his ceasing to be such member.”.

10. In the principal Act, in section 23, for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) The Syndicate shall consist of—

(i) The Vice-Chancellor, ex-officio ;

(ii) The Pro-Vice-Chancellor, ex-officio;

(iii) The Director of Higher Education and if he is unable to attend, the officer designated under clause (i) of paragraph (B) of Class-I of sub-section (1) of section 18;

(iv) The Director of Technical Education, and if he is unable to attend, the officer designated under clause (ii) of paragraph (B) of Class-I of sub-section (1) of section 18;

(v) The Director of Health and Medical Services and Medical Education, and if he is unable to attend, the officer designated under clause (iii) of paragraph (B) of Class-I of sub-section (1) of section 18;

(vi) Two Deans of Faculties elected by the Senate from amongst its members who are the Deans of Faculties, in the manner specified in Statutes;

(vii) One professor of the University to be nominated by the Vice-Chancellor, from amongst such professors who are not members of the Senate;

(viii) One Principal of the constituent college elected by the Senate from amongst the Principals of the constituent colleges in the manner specified in the Statutes;

(ix) Six persons elected by the Senate from amongst its members who are neither teachers nor employees nor students of the University or of the college;

Substitution of sub-section (2) of section 23 of Baroda Act No. XVII of 1949.

(x) One Head of Department elected by the Heads of Departments from amongst themselves in the manner specified in the Statutes ;

(xi) Five teachers of the University other than Deans, Heads of Departments and principals of the constituent colleges to be elected by the Senate from amongst its members in the manner specified in the Statutes ;

(xii) Four persons nominated by the State Government from amongst distinguished educationists, teachers, social workers and such other class of persons irrespective of whether they are members of the Senate.”.

Amend-
ment of
section 27
of Baroda
Act No.
XVII of
1949.

11. In the principal Act, in section 27, in sub-section (2),—

(a) for clause (ii), the following clause shall be substituted, namely:—

“(ii) the Pro-Vice-Chancellor,”;

(b) clause (iii) shall be deleted.

Amend-
ment of
section 48
of Baroda
Act No.
XVII of
1949.

12. In the principal Act, in section 48, in sub-section (2), for clause (ii), the following clause shall be substituted, namely :—

“(ii) the Pro-Vice-Chancellor,”.

Amend-
ment of
section 49
of Baroda
Act No.
XVII of
1949.

13. In the principal Act, in section 49, in sub-section (2),—

(a) for clause (i), the following clause shall be substituted, namely :—

“(i) the Pro-Vice-Chancellor,”;

(b) clause (ii) shall be deleted.

Transi-
tory
provi-
sions.

14.(1)The person who immediately before the commencement of the Mahara-
ja Sayajirao University of Baroda (Amendment) Ordinance, 1981 (hereinafter
referred to as “such commencement”) holds office as a Pro-Vice-Chancellor under
section 12 of the principal Act shall, notwithstanding that he has not been
appointed to such office in conformity with the provisions of the said section
as amended by this Act continue to hold that office till the term of his office
specified in sub-section (1) of section 12 of the principal Act or his succe-
ssor is appointed in conformity with the provisions of the said section 12 as
amended by this Act whichever is later.

Guj.
Ord. 6
of
1981.

(2) The senate and Syndicate of the Maharaja Sayajirao University of Baroda functioning immediately before such commencement shall, notwithstanding that their constitution has been rendered inconsistent with the provisions of the principal Act as amended by this Act and notwithstanding that the term of their members may expire earlier continue after such commencement to exercise the powers until the date of expiry of seven months from such commencement.

(3) It shall be the duty of the Vice-Chancellor,—

(a) to make arrangements for constituting the Senate and the Syndicate within seven months from such commencement in accordance with the provisions of the principal Act as amended by this Act;

(b) to make statutes or to amend or repeal any statute for the purpose of clause (a), notwithstanding anything contained in section 32 of the principal Act.

(4) The Statutes framed by the Vice-Chancellor shall when confirmed by the Senate be published in the *Official Gazette*.

Guj. Ord., 6 of 1981. 15. (1) The Maharaja Sayajirao University of Baroda (Amendment) Ordinance 1981 is hereby repealed.

Repeal
and
saving.

(2) Notwithstanding such repeal 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.



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

P A R T I V

The following Act of the Gujarat Legislature, having been assented to by the President on the 24th October, 1989 is hereby published for general information.

R. M. MEHTA,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 24 OF 1989.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 25th October, 1989).

AN ACT

further to amend the Maharaja Sayajirao University of Baroda Act, 1949.

It is hereby enacted in the Fortieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Maharaja Sayajirao University of Baroda (Amendment) Act, 1989. Short title and commencement.

(2) It shall be deemed to have come into force on the 5th May, 1989.

Amendment
of section 9
of the
Baroda Act
No. XVII of
1949.

2. In the Maharaja Sayajirao University of Baroda Act, 1949 (hereinafter referred to as "the principal Act"), in section 9, for sub-section (1), the following sub-section shall be substituted, namely :—

Baroda Act
No. XVII
of 1949.

"(1) Shrimati Mrunalinidevi Puar shall be the Chancellor of the University."

Repeal and
savings.

3. (1) The Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1989 is hereby repealed.

Guj. Ord.
No. 1 of
1989.

(2) Notwithstanding such repeal, 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.