



LEGISLATIVE ASSEMBLY STATE OF GOA

**The Goa University (Amendment)
Bill, 2003**

(Bill No. 22 of 2003)

AS
(~~Law~~ introduced in the Legislative Assembly State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
APRIL, 2003**

**THE GOA UNIVERSITY (AMENDMENT)
BILL, 2003.**

(Bill No. 22 of 2003)

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BILL

*further to amend the Goa University Act, 1984
(Act No.7 of 1984).*

Be it enacted by the Legislative Assembly of Goa in the Fifty-fourth Year of the Republic of India, as follows:—

1. *Short title and commencement* — (1) This Act may be called the Goa University (Amendment) Act, 2003.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa University Act, 1984 (Act 7 of 1984), (hereinafter referred to as the “principal Act”), after clause (14), the following clause shall be inserted, namely:—

“(14)A “Prescribed” means prescribed by rules made under this Act; “

3. *Insertion of new sections 25A and 25B.*— After section 25 of the principal Act, the following sections shall be inserted, namely:—

“25A. *Prior approval of the Government on certain proposals of the University.*—

(1) Notwithstanding anything contained in any other provisions of this Act, the University shall, from time to time, obtain approvals of the Government on such proposals of the University each one of which exceeds the amount prescribed by the Government for this purpose and are to be executed by charging on the grants sanctioned by the Government to the University.

(2) The Government may call upon the University to furnish details and records of expenditure incurred or proposed to be incurred by it out of the grants granted by the Government and the University shall thereupon submit the said details and records to the Government within the time specified thereof.

(3) In order to regulate and control the expenses made out of the amounts sanctioned by the Government, the Government may approve or reject the proposals submitted by the University in terms of sub-section (1) above, or give such directions thereon to the University, as it may deem fit. The University shall follow such directions within the time, if any, specified thereof, by the Government.

(4) For the purposes of this section the Government may prescribe procedure to be followed and terms and conditions for appointment of a Government Officer, if any, to look after these matters, as it may deem fit.

25B. Power to make Rules

The Government, after consultation with the University, may, by notification in the Official

Gazette, make rules to carry out the purposes of this Act, in particular the provisions at section 25A:

Provided that, consultation with the University shall not be necessary on the first occasion of making of rules under this section, but the Government shall take into consideration any suggestions which the University may make in relation to the amendment of such rules after they are made."

Statement of Objects and Reasons

The Government of Goa is the main funding agency for the Goa University. It sanctions en block grant-in-aid to the said University in accordance with the approved pattern of financial assist. The approved pattern provides for inbuilt increase in grant by 6% every year over that of the previous year.

Over the years, it has been observed that substantial additional financial liabilities have been created by the Goa University by undertaking construction activities, creations of high ranking posts, recruitment of staff on daily wages without obtaining prior permission of the Government; recruitment of staff without proper recruitment rules and conduct of recruitment even when the State Government has imposed ban on filling of vacancies. The grant-in-aid sanctioned is thus spent on a variety of activities that are not approved by the Government, thereby exhibiting a clear case of financial indiscipline.

It is, therefore, proposed to amend the Goa University Act, 1984 (Act 7 of 1984) vesting the Government with powers to exercise checks over the spending of grant-in aid amount, and to ensure financial discipline by the University, by inserting Sections 25A and 25B in the Goa University Act 1984.

Financial Memorandum

The proposed amendment does not involve any financial implications. The Goa University, from out of the grant-in-aid sanctioned to it, shall pay the pay and allowances of the Officer on Special Duty, who will be appointed on deputation from amongst Senior Grade Officers of the Government of Goa. There is no financial implication on the Government on this account.

Memorandum Regarding Delegated Legislation

Proposed clause 3 of the Bill empowers the Government to make rules for carrying out the purposes of the Act. These delegations are of normal character.

Panaji-Goa.
21 April, 2003

MANOHAR PARRIKAR
Minister for Education.

Assembly Hall,
Porvorim-Goa.
22, April, 2003

S. A. NARVEKAR
Secretary (Legislature).

ANNEXURE

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Extract from the Goa University Act, 1984 (7 of 1984)
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25. *Regulations*:— The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees appointed by them and not provided for by this Acts, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Assembly Hall,
Porvorim-Goa.
22, April, 2003

S.A. NARVEKAR
Secretary (Legislature).

A N N E X U R E

Extract from the Goa University Act, 1984(7 of 1984)

2. Definitions. In this Act, and in all Statutes made hereunder, unless the context otherwise requires,

- (1) "Academic Council" means the Academic Council of the University;
- (2) "affiliated college" means a college recognised by the University as such in accordance with the provisions of this Act and the Statutes in which instruction is provided in accordance with the provisions of the Statutes and Ordinances;
- (3) "autonomous college" means a college recognised as such by the Statutes;
- (4) "autonomous Department" means a Department designated as such by the Statutes;
- (5) "autonomous institution" means an institution recognised as such by the Statutes;
- (6) "Board of Studies" means the Board of Studies of the University;
- (7) "Chancellor", "Vice-Chancellor, and "Registrar" means respectively, the Chancellor, Vice-Chancellor and Registrar of the University;
- (8) "College" means a college maintained by the University and includes an affiliated College;
- (9) "Department" means a Department of the University;
- (10) "Executive Council" means the Executive Council of the University;
- (11) "Government" means the Government of the Union territory;
- (12) "Hall" means a unit of residence or of corporate life for the students of the University, College or Institution, provided, maintained or recognised by the University;
- (13) "hostel" means a place of residence for students provided, maintained or recognised by the University;

(14) "institution" means an academic institution, not being a College, maintained by the University;

(15) "Principal" means the Head of a College or Institution;

(16) "Senate" means the Senate of the University;

(17) "Statutes", "Ordinances" and "Regulations" means, respectively, the Statutes, Ordinances and Regulations of the University;

(18) "teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any college or institution maintained or recognised by the University and designated as such by the Ordinances;

(19) "University" means the Goa University;

(20) "Union territory" means the Union territory of Goa, Daman and Diu.

25. Regulations:- The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees appointed by them and not provided for by this Acts, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Assembly Hall,
Porverim-Goa.
22, April, 2003.

S.A. NARVEKAR
Secretary(Legislature).