

# PANEL FOR TRIMMING CHANCELLOR'S POWERS

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The Kerala State University Law Reforms Commission (KSULRC) has recommended trimming the powers of the Chancellor while enhancing the role of the Pro-Chancellor in the university system.

The government-appointed commission, chaired by former Vice Chancellor of the National University of Advanced Legal Studies (NUALS) N.K. Jayakumar, has suggested ensuring that the Chancellorship does not involve an overarching role in State universities.

“It is inconceivable how the Governor, who does not possess any discretionary power acting in the capacity of the Governor, can exercise any discretionary power when he is acting as Chancellor ex officio. The Governor as Chancellor ex officio can exercise only those powers conferred on him by the Assembly through legislation,” the commission observed.

## Practice may continue

Even while taking note of the decisions taken by States, including West Bengal and Rajasthan, in divesting the Governor of the office of the Chancellor, the commission has advocated persisting with the existing practice. However, it has recommended changing the provisions that empower the Chancellor to take decisions on matters requiring legal knowledge and that confer discretionary powers “which may lead to arbitrary or biased decisions.”

A university tribunal chaired by a sitting or former judge of the Supreme Court or High Court and comprising a senior lawyer and an experienced academic as members should be entrusted with decision making in legal matters. Moreover, the Vice Chancellor, “who is familiar with the ground realities”, or the government, “which is ultimately accountable to the people,” must be given the discretionary powers required to adopt appropriate decisions, the panel stated.

The commission also proposed the inclusion of a provision whereby the Chancellor’s assent to a Statute shall be deemed to have been given on the expiry of 60 days from the date of its submission. While the Chancellor can refer a Statute back to the senate, it will come into effect if it has been passed again by the statutory body.

Mooting a ‘guiding role’ for the Pro-Chancellor, the commission has suggested that the Higher Education Minister who assumes the responsibility should have the right to call for any information relating to the academic or administrative affairs of State universities.

The panel has also recommended increasing the age limit for appointment as Vice Chancellors from 60 to 65. Kannur University Vice Chancellor Gopinath Ravindran, KSHEC executive body member Joy Job Kulavelil, Malappuram Government College Principal K.K. Damodaran and Kerala High Court advocate P.C. Sasidharan were the commission members. KSHEC research officer Shefeeque V. coordinated the panel.

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