



The Bombay University (Temporary Postponement of Election of University
Representatives) Act, 1989

Act 40 of 1989

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**THE BOMBAY UNIVERSITY (TEMPORARY POSTPONEMENT OF
ELECTION OF UNIVERSITY REPRESENTATIVES) ACT, 1989.**

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MAHARASHTRA ACT No. XL OF 1989¹

**[THE BOMBAY UNIVERSITY (TEMPORARY POSTPONEMENT OF
ELECTION OF UNIVERSITY REPRESENTATIVES) ACT 1989.]**

[This Act received the assent of the Governor on the 31st October 1989; assent first published in the *Maharashtra Government Gazette* Part IV, Extraordinary, on the 2nd November 1989.]

An Act to provide for temporary postponement of election of the university representatives on the students' council of the University of Bombay.

WHEREAS section 34 of the Bombay University Act, 1974 provides for the constitution of the students' council consisting, *inter alia* of the University representatives who are elected by the class representatives ;

Mah.
XXII
of
1974.

AND WHEREAS the process of election to elect university representatives had started and the class representatives were to elect them on the 7th October 1989 ;

AND WHEREAS unfortunately the election fever had led to violent incidents leading to gruesome murder of a student and the atmosphere was no longer congenial to hold these elections ;

AND WHEREAS the University of Bombay had reported that the situation was dangerous and it was not therefore advisable to hold these elections ;

AND WHEREAS the Government, therefore, considered it expedient to temporarily postpone the elections of the university representatives ;

AND WHEREAS both Houses of the State Legislature were not in session;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make a law to provide for the temporary postponement of the election of the university representatives on the students' council of the University of Bombay ; and, therefore, promulgated the Bombay University (Temporary Postponement of Election of University Representatives) Ordinance, 1989, on the 6th October 1989 ;

Mah.
Ord.
VIII
of
1989.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; It is hereby enacted in the Fortieth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay University (Temporary Postponement of election of University Representatives) Act, 1989.

(2) It shall be deemed to have come into force on the 6th October, 1989.

Short title
and
commence-
ment.

¹ For Statement of Objects and Reasons see *Maharashtra Government Gazette*, 1989, Part-V, Extraordinary, p. 498.

Temporary Postponement of election of University representatives on the students' council of University of Bombay. 2. Notwithstanding anything contained in the Bombay University Act, 1974 (hereinafter referred to as "the Bombay University Act"), or any statutes made thereunder, during the period from the date of commencement of this Act upto, and inclusive of, 31st day of December 1989 or such earlier date as the State Government may, on the recommendation of the University, by notification in the *Official Gazette*, specify (hereinafter in this Act referred to as "the said period"), no election of university representatives on the students' council of the University of Bombay shall be held. Mah. XXXII of 1974.

Consequences of temporary postponement of election of university representatives 3. Notwithstanding anything contained in the Bombay University Act or in the statutes made thereunder, no act or proceeding of the Senate during the said period shall be invalid merely on the ground that any or all members referred to in sub-clause (vi) of clause (B) of sub-section (1) of section 20 are not on the Senate.

Repeal of Mah. Ord. VIII of 1989 and saving. 4. (1) The Bombay University (Temporary Postponement of Election of University Representatives) Ordinance, 1989, is hereby repealed. Mah. Ord. VIII of 1989. (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.