



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

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असाधारण क्रमांक ६०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद)

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Self-financed Schools (Establishment and Regulation) (Second Amendment) Act, 2013 (Mah. Act No. XIX of 2013), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,  
Secretary to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XIX OF 2013.

*(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 21st August 2013.)*

An Act further to amend the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012.

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

Mah. I action further to amend the Maharashtra Self-financed Schools  
of (Establishment and Regulation) Act, 2012, for the purposes hereinafter  
2013. appearing ; and, therefore, promulgated the Maharashtra Self-financed  
Mah. Schools (Establishment and Regulation) (Second Amendment) Ordinance,  
Ord. XII of 2013, on the 2nd July 2013;

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

1. (1) This Act may be called the Maharashtra Self-financed Schools (Establishment and Regulation) (Second Amendment) Act, 2013.

Short title and commencement.

(2) It shall be deemed to have come into force on the 2nd July 2013.

Amendment of  
section 2 of  
Mah. I of 2013.

2. In section 2 of the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (hereinafter referred to as "the principal Act"), in sub-section (1),—

Mah. I  
of  
2013.

(1) clause (f) shall be deleted ;

(2) in clause (l), the words " pre-primary school," shall be deleted.

Amendment of  
section 3 of  
Mah. I of 2013.

3. In section 3 of the principal Act,—

(1) existing section 3 shall be re-numbered as sub-section (1) thereof ;

(2) the words " pre-primary or " shall be deleted ;

(3) for the figures, letters and word " 30th June " the figures, letters and word " 31st July " shall be substituted ;

(4) after the proviso, the following proviso shall be added, namely :—

" Provided further that, for the academic year 2014-2015, such application shall be made before the 8th August 2013. ";

(5) after sub-section (1) as so re-numbered, the following sub-sections shall be added, namely :—

" (2) The Government may prescribe detailed procedure for processing the applications received under sub-section (1) including procedure for declaration of eligibility, issuing of Letter of Intent and Letter of Approval.

(3) If, in the Development Plan, the Competent Authority has reserved the plot for education purposes having area less than the area specified in entry (12) of Schedule A, in such case, the Government may relax the condition regarding area of land specified in entry (12) :

Provided that, for the academic year 2013-2014, such relaxation may be made with retrospective effect.

(4) The condition regarding area of land specified in entry (12) of Schedule A, shall not be applicable for the proposals of up-gradation of schools having complied with the norms and standards required under the Right of Children to Free and Compulsory Education Act, 2009.

35 of  
2009.

(5) If, any registered trust or a registered society or a local authority has submitted the application for establishing a new school under sub-section (1) and complied with all conditions, except the requirement of registered documents specified in entry (11) of Schedule A, in such case, the Government may grant permission to establish a new school applied for, if such trust or society or local authority has submitted the duly registered documents before issuing the Letter of Intent :

Provided that, for the academic year 2013-2014, such duly registered documents shall be submitted before the 15th July 2013. "

4. In section 4 of the principal Act, in sub-section (1), for the portion beginning with the words "specified in Schedule C" and ending with the words "District Education Officer.", the following shall be substituted, namely :—

Amendment of section 4 of Mah. I of 2013.

"specified in Schedule C as fixed deposit in any Bank. However, before issuing the Letter of Intent, the said amount shall be deposited jointly in the name of the management and the concerned District Education Officer (Secondary) by way of National Saving Certificate or Fixed Deposit in any Nationalized Bank as security deposit towards creating an endowment fund ; and pledge, such Certificate or Fixed Deposit with the concerned District Education Officer. Such Certificate or Deposit shall be made for a period of minimum three years subject to the condition of further renewal :

Provided that, for the academic year 2013-2014, the Government may relax the condition of deposit in the joint name however, subject to the condition that such amount shall be deposited in the Nationalized Bank before the 15th July 2013."

5. In section 6 of the principal Act,—

Amendment of section 6 of Mah. I of 2013.

(1) in sub-section (1), for the figures, letters and word "31st October" the figures, letters and word "30th September" shall be substituted ;

(2) in sub-section (2), after the words "if any, received" the words and brackets "along with self-explanatory recommendation of the Director of Education (Secondary and Higher Secondary)" shall be added.

6. In section 7 of the principal Act, in sub-section (2), the following proviso shall be added, namely :—

Amendment of section 7 of Mah. I of 2013.

"Provided that, the State Government may, after due verification and recording reasons, review any such decision including for the academic year 2013-2014."

7. In section 8 of the principal Act, in sub-section (1), for the figure, letters and words "1st May of the academic year" the figures, letters and words "30th November of the year referred to in section 3" shall be substituted.

Amendment of section 8 of Mah. I of 2013.

8. In Schedule A of the principal Act,—

Amendment of Schedule A of Mah. I of 2013.

(1) in entry (2), the words "Pre-primary or" shall be deleted ;

(2) in entry (5), for the words "Primary or Upper-primary or Secondary or Higher Secondary", the following shall be substituted, namely :—

"Primary to Upper Primary or Upper Primary to Secondary or Secondary to Higher Secondary" ;

(3) in entry (11),—

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

"(a) Land in the name of registered trust or registered society or local authority;" ;

(b) clause (c) shall be deleted ;

(4) in entry (12), for clauses (b) and (c), the following clause shall be substituted, namely :—

"(b) One acre in city and rural area :"

Amendment of  
Schedule C of  
Mah. I of 2013.

9. In Schedule C of the principal Act, in entry (a), the words "or pre-primary attached to primary" shall be deleted.

Repeal of Mah.  
Ord. XII of 2013  
and saving.

10. (1) The Maharashtra Self-financed Schools (Establishment and Regulation) (Second Amendment) Ordinance, 2013, is hereby repealed.

Mah.  
Ord. XII  
of 2013.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the principal Act, as amended by this Act.