



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक ९२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि 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, Animal and Fishery Sciences University (Amendment) Act, 2023 (Mah. Act No. XL of 2023), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XL OF 2023.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 21st August 2023).

An Act further to amend the Maharashtra Animal and Fishery Sciences University Act, 1998.

Mah. XVII of 1998. WHEREAS, it is expedient further to amend the Maharashtra Animal and Fishery Sciences University Act, 1998, for the purposes hereinafter appearing ; it is hereby enacted in the Seventy-fourth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Animal and Fishery Sciences University (Amendment) Act, 2023. Short title.

Amendment of
section 2 of
Mah. XVII of
1998.

2. In section 2 of the Maharashtra Animal and Fishery Sciences University Act, 1998 (hereinafter referred to as “principal Act”),—

(a) before clause (1), the following clause shall be inserted, namely :—

“(a-1) “ affiliated college ” means a college which has been granted affiliation by the University;”;

(b) in clause (11), for the words “constituent college” the words “constituent college or affiliated college” shall be substituted.

Amendment of
section 26 of
Mah. XVII of
1998.

3. In section 26 of the principal Act,—

(1) in sub-section (1),—

(a) for clauses (xiii) and (xiv), the following clauses shall be substituted, namely :—

“(xiii) Three members of the Maharashtra Legislative Assembly nominated by the Speaker of the Assembly.

(xiv) Two members of the Maharashtra Legislative Council nominated by the Chairman of the Council.”;

(b) after clause (xix), the following clause shall be added, namely :—

“(xx) One member from amongst the non-official members of the Maharashtra Goseva Ayog to be nominated by the Pro-Chancellor.”;

(2) in sub-section (2),—

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

“(a) The member nominated by the Speaker of the Maharashtra Legislative Assembly or Chairman of the Maharashtra Legislative Council shall cease to be a member of the Executive Council, as soon as, he ceases to be a member of the Maharashtra Legislative Assembly or Maharashtra Legislative Council, as the case may be.”;

(b) after clause (c), the following clause shall be inserted, namely :—

“(c-1) The member nominated from amongst the non-official members of the Maharashtra Goseva Ayog shall cease to be a member of the Executive Council, as soon as, he ceases to be a member of the Maharashtra Goseva Ayog.”.

Amendment of
section 27 of
Mah. XVII of
1998.

4. In section 27 of the principal Act,—

(a) in clause (xi), for the word “recognition” the words “affiliation or recognition” shall be substituted ;

(b) in clause (xii), for the words “and recognized institutions” the words “, affiliated colleges and recognized institutions” shall be substituted ;

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

“(xv) to arrange for and direct the inspection of affiliated colleges and recognized institutions and issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff and in case of disregard of such instructions, to recommend modifications of the conditions of their affiliation or recognition, or to take such other steps as it may deem proper ;”;

(d) in clause (xvi), for the words “and recognized institutions” the words “, affiliated colleges and recognized institutions” shall be substituted.

5. In section 30 of the principal Act, in sub-section (2), after clause (viii), the following clause shall be inserted, namely :—

Amendment of section 30 of Mah. XVII of 1998.

“(viii-a) to make regulations for grant of affiliation to the colleges and recognition to the institutions;”.

6. In section 31 of the principal Act, in sub-section (5), for clause (v), the following clause shall be substituted, namely :—

Amendment of section 31 of Mah. XVII of 1998.

“(v) One Principal or Associate Dean of affiliated college or recognized institution in related Faculty to be nominated by the Vice-Chancellor ;”.

7. In section 33 of the principal Act, for clause (h), the following clause shall be substituted, namely :—

Amendment of section 33 of Mah. XVII of 1998.

“(h) the designations, qualifications, method of recruitment, pay, allowances, and other conditions of service of Professors, Associate Professors, Assistant Professors, Research Assistant, Veterinary Officer, Farm Demonstrators and other categories of employees of affiliated colleges, constituent college and recognised institutions and their powers ;”.

8. In CHAPTER VI of the principal Act, for the heading “RECOGNITION” the heading “AFFILIATION AND RECOGNITION” shall be substituted.

Amendment of heading of Chapter VI of Mah. XVII of 1998.

9. In CHAPTER VI, before section 36 of the principal Act, under the heading “AFFILIATION AND RECOGNITION” as so substituted, the following section shall be inserted, namely :—

Insertion of new section 35A in Mah. XVII of 1998.

“35A. (1) Subject to the fulfilment of necessary conditions as prescribed by the University and approval of the State Government, the Executive Council shall have the power to grant affiliation to any college or institution of education under the management of appropriate trust or society other than the University, as an affiliated college for the purpose of providing means of instruction and research for degrees in Animal and Fishery Sciences.

Affiliation of colleges.

(2) The new college or institution seeking affiliation under this section shall apply to the Registrar and shall give full information in respect of the following matters, namely :—

(a) constitution and personnel of the managing body ;

(b) subjects and courses in regard to which affiliation is sought ;

(c) accommodation, equipment and the number of students for whom provision has been or is proposed to be made ;

(d) the strength of the staff, their educational qualifications and salaries and the research work done by them ;

(e) fees proposed to be levied ;

(f) the financial provision made for capital expenditure on buildings, lands and equipment and for the continued maintenance and efficient working of the institution ;

(g) availability of infrastructure and manpower prescribed by the Veterinary Council of India (VCI) in respect of Veterinary College and Indian Council of Agricultural Research (ICAR) in respect of Dairy Technology and Fishery Science College ;

(h) any other requirement as may be prescribed by the University.

(3) On receipt of an application under sub-section (2), the Executive Council shall,—

(a) direct a local inquiry to be made by a Committee consisting of the following members, namely :—

(i) the Director of Instructions—Chairman ;

(ii) one non-official member of the Executive Council to be nominated by the Vice-Chancellor—Member ;

(iii) one official member of the Executive Council to be nominated by the Vice-Chancellor—Member ;

(b) make such further inquiry as it may appear to it to be necessary ;

(c) record its opinion, after consulting the Academic Council, on the question whether the application can be recommended either granted or refused, in whole or in part, stating the results of any inquiry under clauses (a) and (b).

(4) (i) On the recommendation of the Committee and the Academic Council, the Executive Council may forward the proposal of affiliation of the proposed college to the State Government.

(ii) The State Government may, grant or refuse the affiliation, as it may deem fit, after verifying the proposal sent by the Executive Council.

(iii) It shall be the responsibility of the college or institution who has been granted approval by the State Government to get the recognition from the Veterinary Council of India or Indian Council of Agricultural Research, as the case may be. Proposals for recognition shall be forwarded through the University to the State Government for onward submission to Veterinary Council of India or Indian Council of Agricultural Research, as the case may be. It shall be the responsibility of the affiliated college to maintain the recognition of the Veterinary Council of India or Indian Council of Agricultural Research, as the case may be, from time to time.

(iv) On granting recognition by the Veterinary Council of India or Indian Council of Agricultural Research, the college shall be an affiliated college and shall be under the supervision of the University.”.

10. In section 37 of the principal Act,—

(a) in sub-section (1), for the words “recognised institution”, the words “affiliated college and recognised institution” shall be substituted ;

(b) in sub-section (3), for the words “recognised institution”, the words “affiliated college and recognised institution” shall be substituted.

11. After section 37 of the principal Act, the following section shall be added, namely :—

Insertion of new section 37A in Mah. XVII of 1998.

“37A. (1) The rights conferred on a college by affiliation may be withdrawn, in whole or in part, or modified by the University, if the college has failed to carry out any of the provisions of section 35A or has failed to observe any of the conditions of its affiliation or it is conducted in a manner which is prejudicial to the interests of Animal and Fishery Sciences education.

Withdrawal of affiliation.

(2) A motion for the withdrawal or modification of such rights shall be initiated only in the Academic Council. The member of the Academic Council who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Academic Council shall send a copy of the notice and the statement of grounds mentioned in sub-section (2) to the Principal or Associate Dean of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Academic Council :

Provided that, the period so specified may, if necessary, be extended by the Academic Council.

(4) On receipt of the representation or on expiry of the period referred to in sub-section (3), the Academic Council after considering the notice of motion, statement of grounds and representation and after such inspection by any person authorized in this behalf by the Academic Council as it deems fit, shall consider the action to be taken in the matter. If the Academic Council considers that action should be taken for withdrawal of affiliation, in whole or in part, the Academic Council shall pass a resolution for that purpose, stating the grounds for such withdrawal, and make a recommendation to that effect to the Executive Council.

(5) On receipt of such recommendation from the Academic Council, the Executive Council may, after such further inquiry as may appear to it to be necessary, decide whether the affiliation should be withdrawn or not and whether in whole or in part and may make such recommendation to the State Government and the decision of the State Government thereon shall be final.

(6) The State Government, if decides to withdraw or modify the affiliation, shall intimate it's decision to the University, concerned college and appropriate authority of the Central Government and the Veterinary Council of India or Indian Council of Agricultural Research, as the case may be, at the earliest.”.

Amendment
of section 63
of Mah. XVII
of 1998.

12. In section 63 of the principal Act,—

(a) for the words “constituent college” the words “constituent college, affiliated college” shall be substituted ;

(b) in the marginal note, for the words “constituent college” the words “constituent college, affiliated college” shall be substituted.