



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक २९(२)]

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असाधारण क्रमांक ५६

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 Public Universities (Amendment) Bill, 2020 (L.A. Bill No. XXXV of 2020), introduced in the Maharashtra Legislative Assembly on the 7th September 2020, is hereby published under the authority of the Governor.

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

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

L. A. BILL No. XXXV OF 2020.

A BILL

further to amend the Maharashtra Public Universities Act, 2016.

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 further to amend the Maharashtra Public Universities Act, 2016, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Public Universities (Amendment) Ordinance, 2020, on the 25th June 2020 ;

Mah. VI
of 2017.
Mah.
Ord. IX
of 2020.

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

Short title and commencement.

1. (1) This Act may be called the Maharashtra Public Universities (Amendment) Act, 2020.

(2) It shall be deemed to have come into force on the 25th June 2020.

Amendment of section 109 of Mah. VI of 2017.

2. In section 109 of the Maharashtra Public Universities Act, 2016 (hereinafter referred to as “the principal Act”),—

Mah. VI of 2017.

(1) in sub-section (3), in clause (g), after the existing proviso, the following proviso shall be inserted, namely :—

“Provided further that, for the academic year 2020-2021, with a view to extend the date of forwarding the compliance reports received from management to the State Government and the last date to grant the final approval to start the new College or Institution by the Government, for the academic year 2020-2021, the dates referred to in clauses (f) and (g) of sub-section (3), as specified in column (2) of the Table hereto, shall be read as provided in column (3) of the said Table :—

Clauses	Date in existing provision	Date for Academic Year 2020-21
(1)	(2)	(3)
(f)	On or before 1st day of May	On or before 30th June 2020
(g)	On or before 15th June	On or before 31st July 2020.”;

(2) in sub-section (4), in clause (d), after the existing proviso, the following proviso shall be inserted, namely :—

“Provided further that, for the academic year 2020-2021, the State Government may grant permission to start the new course of study, subjects, faculties, additional divisions, etc. on or before 31st July 2020 to such Institution as it may consider fit and proper.”.

Repeal of Mah. Ord. IX of 2020 and saving.

3. (1) The Maharashtra Public Universities (Amendment) Ordinance, 2020 is hereby repealed.

Mah. Ord. IX of 2020.

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

Mah. VI of 2017.

STATEMENT OF OBJECTS AND REASONS

Due to the outbreak of pandemic covid-19 decease, social and economic activities in the State including functioning of universities has come to a standstill, in the light of declaration of lockdown in the country since 24th March 2020.

2. As per the existing provisions of the Maharashtra Public Universities Act, 2016 (Mah. VI of 2017), time limit is prescribed for making application for Letter of Intent for opening a new College or Institution, scrutiny of application, granting the Letter of Intent, compliance of the conditions of Letter of Intent, etc. Clause (f) of sub-section (3) of section 109 of the said Act provides that, compliance report, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of the Management Council on or before, 1st day of May in which the compliance report has been received. Clause (g) of said sub-section (3) provides that, the State Government, after considering the report of the university, may grant final approval to such management as it may consider fit and proper on or before 15th June, of the year in which such new College or institutions are proposed to be started. Similarly clause (d) of sub-section (4) of said section 109 provides that, the State Government may grant permission to Start new course of study, subjects, faculties and additional divisions, on or before 15th June of the year. However, due to outbreak of pandemic covid-19, it was not possible to follow time limit prescribed in the said Act for the academic year 2020-21.

In view of this, it was considered expedient to extend the date of forwarding the compliance report to the State Government with the approval of the Management Council, to extend the date of granting the final approval to start the new College or institutions by the Government and to extend the date of grant the permission to start the new course of study, subjects, faculties, additional divisions, for the academic year 2020-21,

3. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Public Universities Act, 2016 (Mah. VI of 2017), for the purposes aforesaid, the Maharashtra Public Universities (Amendment) Ordinance, 2020 (Mah. Ord. IX of 2020), was promulgated by the Governor of Maharashtra on the 25th June 2020.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,
dated the 25th August 2020.

UDAY SAMANT,
Minister for Higher Education.