



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ७, अंक १९]

बुधवार, ऑक्टोबर ६, २०२१/आश्विन १४, शके १९४३

[पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक ४२

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) Ordinance, 2021 (Mah. Ord. VIII of 2021), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Public Universities (Amendment) Ordinance, 2021 (Mah. Ord. VIII of 2021), published under the authority of the Governor]

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 6th October 2021.

MAHARASHTRA ORDINANCE No. VIII OF 2021.

AN ORDINANCE

further to amend the Maharashtra Public Universities Act, 2016.

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Public Universities Act, 2016, for the purposes hereinafter appearing ;

Mah.
VI of
2017.

(१)

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title and commencement.

1. (1) This Ordinance may be called the Maharashtra Public Universities (Amendment) Ordinance, 2021.

(2) It shall come into force at once.

Amendment of section 109 of Mah. VI of 2017.

2. In section 109 of the Maharashtra Public Universities Act, 2016,— Mah. VI of 2017.
(1) in sub-section (3), in clause (d), for third proviso, the following proviso shall be substituted, namely :—

“Provided further that, with a view to extend the date of making an application for opening a new college or institution of higher learning, scrutiny of application by Board of Deans and forwarding with the approval of the Management Council to the State Government and grant of a Letter of Intent by the State Government, for the academic year 2021-2022, the day or dates referred to in clauses (a), (c) and (d) of sub-section (3), as specified in column (2) of the Table given below, shall be read as provided in column (3) of the said Table :—

Clauses	Day or date provided in existing provision	Day or date provided for academic year 2022-23
(1)	(2)	(3)
(a)	before the last day of September of the year preceding the year in which the Letter of Intent is sought.	on or before 31st October 2021
(c)	on or before 30th November of the year in which such application is received by the University.	on or before 31st December 2021
(d)	on or before 31st January of the immediately following year.	on or before 28th February 2022.”;

(2) in sub-section (4), in clause (a), for the existing proviso, the following proviso shall be substituted, namely :—

“Provided that, the management seeking permission to start a new course of study, subject, faculty, additional division or satellite center from academic year 2022-23, may apply to the Registrar on or before the 31st October 2021.”.

STATEMENT

Section 109 of the Maharashtra Public Universities Act, 2016 (Mah. VI of 2017), provides for the procedure for permission for opening new college or new course, subject, faculty, division or satellite center. Clause (a) of sub-section (3) of the said section 109 provides that, the management, seeking a Letter of Intent for opening a new college or institution of higher learning shall apply in a prescribed format to the Registrar before the last day of September of the preceding the year in which the Letter of Intent is sought. Clause (c) of the said sub-section (3) provides that, the application received within the prescribed time limit 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 the 30th November of the year in which such application is received by the University. Clause (d) thereof provides that, the State Government may grant a Letter of Intent on or before 31st January of the immediately following year after recommendation of the University. Similarly, clause (a) of sub-section (4) of said section 109 provides that, the management seeking permission to start a new course of study, subject, faculty, additional division or satellite center shall apply to the Registrar before the last day of the September of the preceding year in which the permission is sought.

2. Due to outbreak of the pandemic Covid-19 disease, the procedure for permission for opening of a new college or a new course, subject, discipline, faculty, additional division or satellite center could not be carried out within the prescribed period and it is considered expedient to specify the new time schedule for the same, for the relevant academic year.

For the purpose, it is considered expedient to amend the said section 109, suitably, so as to specify the new time schedule providing for,—

(a) the date for making application for opening a new college or institution of higher learning ;

(b) the date of scrutiny of application by the Board of Deans and forwarding the same with the approval of the Management Council to the State Government ;

(c) the date of grant of a Letter of Intent by the State Government ;
and

(d) the date of making application for seeking permission to start a new course of study, subjects, faculties, additional divisions or satellite centers.

महाराष्ट्र शासन राजपत्र असाधारण भाग आठ, ऑक्टोबर ६, २०२१/आश्विन १४, शके १९४३

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Public Universities Act, 2016, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

dated the 5th October 2021.

BHAGAT SINGH KOSHYARI,

Governor of Maharashtra.

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

VIKAS CHANDRA RASTOGI,

Principal Secretary to Government.