



महाराष्ट्र शासन राजपत्र

भाग पाच-अ

वर्ष २, अंक ७]

गुरुवार ते बुधवार, जून २६-जुलै २, २०१४/आषाढ ५-११, शके १९३६

[पृष्ठे १२३

किंमत : रुपये ५.००

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद)

पुढील विधेयके, दुरुस्त्या इत्यादी असाधारण राजपत्र म्हणून त्यांच्यासमोर दर्शविलेल्या दिनांकांना प्रसिद्ध झालेली आहेत :—

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मंगळवार, मार्च १२, २०१३/फाल्गुन २१, शके १९३४

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill which was introduced in the Maharashtra Legislative Council on 12th March 2013 is published under Rule 113 of the Maharashtra Legislative Council Rules :—

L. C. BILL No. I OF 2013.

A BILL

*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 to amend the Maharashtra Self-financed Schools (Establishment and
of 2013. Regulation) Act, 2012, for the purposes hereinafter appearing; and, therefore,
promulgated the Maharashtra Self-financed Schools (Establishment and
Mah. Ord. Regulation) (Amendment) Ordinance, 2013, Mah. Ord. III of 2013 on the 22nd
III of 2013. February 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:-

- Short title and commencement. **1. (1)** This Act may be called the Maharashtra Self-financed Schools (Establishment and Regulation) (Amendment) Act, 2013.
(2) It shall be deemed to have come into force on the 22nd February 2013.
- Amendment of section 3 of Mah. I of 2013. **2.** In section 3 of the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (hereinafter referred to as "the principal Act"), in the proviso, for the figures, letters and word "31st January 2013" the figures, letters and word "15th March 2013" shall be substituted and shall be deemed to have been substituted with effect from the 31st January 2013. Mah. I of 2013.
- Amendment of section 8 of Mah. I of 2013. **3.** In section 8 of the principal Act, after sub-section (1), the following proviso shall be inserted, namely:—
"Provided that, for the academic year 2013-2014, such decision of the State Government shall be communicated before the 15th May 2013."
- Validation of application made and action taken, if any, by State Government, etc. **4.** Notwithstanding anything contained in the principal Act, all applications made under section 3 of the principal Act on or after the 31st January 2013 till the date of the commencement of the Maharashtra Self-financed Schools (Establishment and Regulation) (Amendment) Act, 2013, and all acts done by the State Government, any Authority or officer, during the said period, in connection with or in respect of the said applications shall be deemed to be and always to have been validly made or done, as the case may be, under the principal Act, as amended by this Act. Mah. of 2013.
- Repeal of Mah. Ord. III of 2013 and saving. **5. (1)** The Maharashtra Self-financed Schools (Establishment and Regulation) (Amendment) Ordinance, 2013, is hereby repealed. Mah. Ord. III 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.

STATEMENT OF OBJECTS AND REASONS

Section 3 of the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (Mah. I of 2013) provides for submission of an application to establish a new school or upgradation of the existing school. The proviso to the said section 3 provided that, for the academic year 2013 - 2014, such application shall be made before the 31st January 2013. As the provisions of the said Act have been brought into force on the 19th January 2013, considering the short period for making such application, the Government considered it expedient to provide that the period for making such application for the academic year 2013-2014 be extended upto the 15th March 2013, by amending the said proviso, suitably.

Similarly, as per the then existing provisions of sub-section (1) of section 8 of the said Act, the decision of the State Government of granting or refusing to grant any permission as applied for under section 3 shall have to be communicated with reasons to the applicant before the 1st May of the academic year. Considering the short period for processing such applications, the Government also considered it expedient to provide that the said period for communicating such decision for the academic year 2013-2014 be extended up to the 15th May 2013, by amending sub-section (1) of the said section 8, suitably.

2. 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 to amend the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (Mah. I of 2013), for the purposes aforesaid, the Maharashtra Self-financed Schools (Establishment and Regulation) (Amendment) Ordinance, 2013 (Mah. Ord. III of 2013), was promulgated by the Governor of Maharashtra on the 22nd February 2013.

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

Mumbai,
Dated the 8th March 2013.

RAJENDRA DARDA,
Minister for School Education.

Vidhan Bhavan :
Mumbai,
Dated the 12th March 2013.

DR. ANANT KALSE,
Principal Secretary,
Maharashtra Legislative Council.