



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक ५३]

शुक्रवार, ऑक्टोबर ३०, २०१५/कार्तिक ८, शके १९३७

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असाधारण क्रमांक ११०

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 Universities (Second Amendment) Ordinance, 2015 (Mah. Ord. XX of 2015), is hereby published under the authority of the Governor.

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

N. J. JAMADAR,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Universities (Second Amendment) Ordinance, 2015 (Mah. Ord. XX of 2015), published under the authority of the Governor.]

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 30th October 2015.

MAHARASHTRA ORDINANCE No. XX OF 2015.

AN ORDINANCE

further to amend the Maharashtra Universities Act, 1994.

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 Universities Act, 1994 for the purposes hereinafter appearing ;

Mah.
XXXV
of 1994.

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 Universities
(Second Amendment) Ordinance, 2015.

(2) It shall come into force at once.

Amendment of
section 82 of
Mah. XXXV of
1994.

2. In section 82 of the Maharashtra Universities Act, 1994, to sub-section
(3), the following proviso shall be added, namely :—

Mah.
XXXV
of 1994.

“Provided that, the management seeking permission to open a new
college or institution of higher learning from the academic year
2016-2017 shall apply in the prescribed form to the Registrar of the
University on or before the 31st December 2015.”.

STATEMENT

Section 82 of the Maharashtra Universities Act, 1994 (Mah. XXXV of 1994), provides the procedure for permission to open a new college or institution of higher learning. Sub-section(1) of the said section 82 provides that the University shall prepare a perspective plan, and get the same approved by the State Council for Higher Education for educational development for the location of colleges and institutions of higher learning in a manner ensuring equitable distribution of facilities for Higher Education having due regard, in particular, to the needs of unserved and under-developed areas within the jurisdiction of the university. Sub-section (2) of the said section 82 provides that no application for opening a new college or institution of higher learning, which is not in conformity with such plan, shall be considered by the university. Sub-section (3) of the said section 82 provides that the managements seeking permission to open a new college or institution of higher learning shall apply in the prescribed form to the Registrar of the university before the last day of October of the year preceding the year from which the permission is sought.

2. The Government had appointed a committee under the Chairmanship of Dr. Narendra Jadhav to study general criteria to be considered while preparing such perspective plan by universities. The report submitted by the said Committee was accepted in the meeting of the Maharashtra State Higher Education Council held on the 14th October 2015. In the said meeting it was decided that all non-agricultural universities shall prepare their perspective plan in accordance with the criteria specified in the report of the said Committee. In view of the provision of sub-section (2) of the said section 82, the universities will have to consider applications for opening new colleges or institutions of higher learning, in accordance with such perspective plan. The Government, therefore, considered it expedient to extend the date of submission of the proposals for establishing new colleges or institutions of higher learning from the academic year 2016-2017 as provided under sub-section (3) of section 82, till the 31st December 2015 by suitably amending the said sub-section (3) of section 82 of the said Act.

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 Universities Act, 1994 (Mah. XXXV of 1994) for the purposes aforesaid, this ordinance is promulgated.

Mumbai,

CH. VIDYASAGAR RAO,

Dated the 30th October 2015.

Governor of Maharashtra.

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

SANJAY CHAHANDE,

Principal Secretary to Government.