



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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मंगळवार, नोव्हेंबर १०, २०१५/कार्तिक १९, शके १९३७

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असाधारण क्रमांक ११२

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 National Law University (Amendment) Ordinance, 2015 (Mah. Ord. XXI 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 National Law University (Amendment) Ordinance, 2015 (Mah. Ord. XXI 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 10th November 2015.

MAHARASHTRA ORDINANCE No. XXI OF 2015.

AN ORDINANCE

to amend the Maharashtra National Law University Act, 2014.

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 to amend the Maharashtra National Law University Act, 2014 for the purposes hereinafter appearing ;

Mah. VI
of 2014.

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 National Law University (Amendment) Ordinance, 2015.

(2) It shall come into force at once.

Amendment of section 28 of Mah. VI of 2014.

2. In section 28 of the Maharashtra National Law University Act, 2014, for sub-section (3), the following sub-section shall be substituted, namely :— Mah. VI of 2014.

“(3)(a) The Vice-Chancellor shall be a person who is,—

(i) an academician; and

(ii) either professor of law in a college on a post approved by a university or the professor of law in a university.

(b) The Vice-Chancellor shall hold office for a term of five years, which shall be renewable for the term of five years, by a resolution to that effect by the Executive Council or till he attains the age of sixty-five years, whichever is earlier.

(c) Notwithstanding anything contained in clause (b), the Vice-Chancellor shall continue to hold the office till his successor enters upon the office.

Explanation.—For the purposes of this sub-section the term ‘university’ shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956.” 3 of 1956.

STATEMENT

Sub-section (3) of section 28 of the Maharashtra National Law University Act, 2014 (Mah. VI of 2014), provides for qualification and term of office of the Vice-Chancellor of the universities under the said Act.

2. As per the present provisions in the Act, the Vice-Chancellor shall be a person who is professor of law at the university. As a result, a person who had been a professor of law in a college on a post approved by the University is not eligible for appointment as a Vice-Chancellor of the University. With a view to ensure that there is a wider choice of eligible candidates, the Government considers it expedient also to provide that a professor of law in a college on a post approved by the University, for being eligible to be appointed on the post of the Vice-Chancellor.

It is also considered expedient to provide that the Vice-Chancellor shall hold office for a term of five years which shall be renewable for a term of five years by a resolution to that effect by the Executive Council or till he attains the age of sixty-five years, whichever is earlier. It is accordingly, proposed to amend the Maharashtra National Law University Act, 2014 (Mah. VI of 2014), suitably.

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 to amend the Maharashtra National Law University Act, 2014 (Mah. VI of 2014), for the purpose aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 7th November 2015.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

SANJAY CHAHANDE,
Principal Secretary to Government.