



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ४८ (२)]

सोमवार, डिसेंबर २६, २०२२/पौष ५, शके १९४४

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असाधारण क्रमांक १०२

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 Self-financed Universities (Amendment), Bill, 2022 (L.A. Bill No. XXXVII of 2022), introduced in the Maharashtra Legislative Assembly on the 26th December 2022, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

*U/c. Secretary (Legislation) to Government,
Law and Judiciary Department.*

L. A. BILL No. XXXVII OF 2022.

A BILL

to amend the Self-financed Universities Acts.

WHEREAS it is expedient to amend the Self-financed Universities Acts, for the purposes hereinafter appearing ; it is hereby enacted in the Seventy-third Year of the Republic of India as follows :—

1. This Act may be called the Self-financed Universities (Amendment) Act, 2022. Short title.

2. In,—

Mah. XIII
of 2014.

(1) the Amity University Act, 2014 ;

Mah. XIV
of 2014.

(2) the Spicer Adventist University Act, 2014 ;

Amendments
of sections 14
and 36 of
Self-financed
Universities
Acts.

- | | |
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| (3) the FLAME University Act, 2014 ; | Mah. II
of 2015. |
| (4) the Ajeenkya D. Y. Patil University Act, 2014 ; | Mah. III
of 2015. |
| (5) the Sandip University Act, 2015 ; | Mah.
XXXVIII
of 2015. |
| (6) the MIT Art, Design and Technology University Act, 2015 ; | Mah.
XXXIX
of 2015. |
| (7) the Dr. Vishwanath Karad MIT World Peace University Act,
2016 ; | Mah.
XXXV
of 2017. |
| (8) the Symbiosis Skills and Professional University Act, 2017 ; | Mah.
XXXVII
of 2017. |
| (9) the Vishwakarma University Act, 2017 ; | Mah.
XXXVIII
of 2017. |
| (10) the DSK World University Act, 2017 ; | Mah.
XXXIX
of 2017. |
| (11) the Sanjay Ghodawat University, Kolhapur, Act, 2017 ; | Mah. XL
of 2017. |
| (12) the D. Y. Patil International University, Pune Act, 2017 ; | Mah.
LXIII
of 2017. |
| (13) the G. H. Rasoni University, Amravati Act, 2018 ; | Mah.
XXIX
of 2018. |
| (14) the Chhatrapati Shivaji Maharaj University, Panvel Act, 2018 ; | Mah.
XXXII
of 2018. |
| (15) the Vijaybhoomi University, Raigad Act, 2018 ; | Mah.
LXXVII
of 2018. |
| (16) the Somaiya Vidyavihar University, Mumbai Act, 2019 ; | Mah. V
of 2019. |
| (17) the D. Y. Patil University, Pune Act, 2019 ; | Mah. VI
of 2019. |
| (18) the Sri Balaji University, Pune Act, 2019 ; | Mah. XII
of 2019. |
| (19) the Ramdeobaba University, Nagpur Act, 2019 ; | Mah. XIII
of 2019. |
| (20) the MGM University, Aurangabad Act, 2019 ; | Mah.
XXVI
of 2019. |
| (21) the D. Y. Patil Agriculture and Technical University,
Talsande, Kolhapur Act, 2020 ; | Mah.
XXXVI
of 2020. |
| (22) the NICMAR University, Pune Act, 2022 ; | Mah.
XXXVI
of 2022. |
| (23) the Dr. P. A. INAMDAR University, Pune Act, 2022,— | Mah.
XXXVII
of 2022. |

(a) in section 14, in sub-section (1), for the portion beginning with the words “The Vice-Chancellor” and ending with the words “the Governing Body and” the following portion shall be substituted, namely :—

“The Vice-Chancellor shall be appointed by the President, from a panel of three persons, fulfilling such eligibility criteria and on such terms and conditions as may be specified by Statutes, recommended by the Search-cum-Selection Committee constituted as per the rules or regulations framed by the University Grants Commission. The Vice-Chancellor” ;

(b) for section 36, the following section shall be substituted, respectively, namely :—

“ **36.** (1) The university may, from time to time, prepare its fees structure for various courses and programmes and forward it for approval of the Fees Structure Review Committee constituted by the State Government by the Government Resolution, issued from time to time, to review the fees structure, for various courses and programmes of all self-financed universities. Fees Structure
Review
Committee.

Mah.
XXVIII
of 2015.

(2) The procedure to be adopted by the Fees Regulating Authority and factors for determination of fees structure provided in sections 14 and 15 of the Maharashtra Unaided Private Professional Educational Institutions (Regulations of Admissions and Fees) Act, 2015, shall *mutatis mutandis* be followed by the Fees Structure Review Committee while considering the fees structure proposal prepared by the university.

(3) The committee shall consider the fees structure prepared by the university, review it and shall submit its recommendations to the Government after taking into consideration whether the proposed fees is,—

(a) sufficient for,—

(i) generating resources for meeting the recurring expenditure of the university; and

(ii) the savings required for further development of the university; and

(b) not unreasonably excessive.

(4) After receipt of the recommendations under sub-section (3), if the Government is satisfied that the proposed fees structure is sufficient and reasonable, it may approve the fees structure. If the Government is satisfied that the proposed fees structure is not sufficient and unreasonable then, it may reject it and send it back to the committee for its reconsideration. The fees structure approved by the Government shall remain valid until next revision.

(5) The State Government shall not reimburse any fees or shall not take any financial liability for students belonging to the backward classes admitted into the university.

(6) The university shall not charge any fees, by whatever name called, other than that for which it is entitled under sub-section (4).”.

STATEMENT OF OBJECTS AND REASONS

In order to ensure highest standards and quality of the higher education, to meet the needs of the students under the ever changing academic and economic scenario and to create confidence in the minds of the public, the Government of Maharashtra has granted permission to those private institutions that have demonstrated exceptional track record in establishing and running courses of the higher education, to establish self-financed universities in the State. Accordingly number of self-financed universities are established in the State by various Self-financed Universities Acts of the State Legislature.

2. Section 14 of the Self-Financed Universities Acts provides for the appointment of the Vice-Chancellor on the terms and conditions specified by the Statutes from a panel of three persons recommended by the Governing body.

The provisions of the constitution of Selection Committee for appointment of Vice-Chancellor have been modified subsequently by the University Grants Commission *vide* the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018 framed under the University Grants Commission Act, 1956 (3 of 1956).

In view of above, the existing provisions regarding appointment of Vice-Chancellor contained in the Self-Financed Universities Acts needs to be amended suitably so as to make them in consonance with the UGC Regulations.

3. Section 36 of the Self-financed Universities Acts provides for the fees structure and constitution and composition of the Fees Structure Review Committee. There is no uniformity in the provisions of the Self-financed Universities Acts regarding fees structure for various courses and programmes of self-financed universities. In order to bring the uniformity in the provisions of fees structure and to constitute one Fees Structure Review Committee for all self-financed universities and to provide for the procedure to be adopted by the said Committee and factors for determination of fees structure, it is necessary to substitute section 36 of the Self-financed Universities Acts.

4. The Bill seeks to achieve the above objectives.

Nagpur,
Dated the 23rd December 2022.

CHANDRAKANT PATIL,
Minister for Higher and
Technical Education.