



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ९, अंक ६०]

शुक्रवार, डिसेंबर १५, २०२३/अग्रहायण २४, शके १९४५

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असाधारण क्रमांक ११०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 International Sports University (Amendment) Bill, 2023 (L.A. Bill No. LIII of 2023), introduced in the Maharashtra Legislative Assembly on the 15th December 2023, is hereby published under the authority of the Governor.

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

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

L. A. BILL No. LIII OF 2023.

A BILL

to amend the Maharashtra International Sports University Act, 2020.

Mah.
XXXV of
2020.

WHEREAS it is expedient to amend the Maharashtra International Sports University Act, 2020, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-fourth Year of the Republic of India, as follows :—

1. This Act may be called the Maharashtra International Sports Short title. University (Amendment) Act, 2023.

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(१)

Amendment
of section
12 of Mah.
XXXV of
2020.

2. In section 12 of the Maharashtra International Sports University Act, 2020,—

Mah.
XXXV of
2020.

(1) in sub-section (3),—

(a) in clause (a),—

(i) for the word “committee” the words “search-cum-selection committee” shall be substituted;

(ii) for sub-clause (i), the following clause shall be substituted, namely :—

“(i) a member nominated by the Chancellor, who shall be a person of eminence in the sphere of higher education and shall be either an eminent scholar of national repute or a recipient of Padma Award in the field of education or sports ;”;

(iii) after sub-clause (iii), the following sub-clause shall be added, namely :—

“(iv) a member nominated by the Chairman, University Grants Commission.”;

(b) for clause (c), the following clause shall be substituted, namely :—

“(c) The members nominated on the committee shall be persons who are not connected in any manner with the University or any College or any recognized institution of the University.”;

(c) in clause (d), the word “three” shall be deleted ;

(d) in clause (f),—

(i) in sub-clause (i), after the words “a person with” the words “minimum ten years” shall be added ;

(ii) in sub-clause (iv), for the words “educational qualifications” the words “additional educational qualifications” shall be substituted;

(2) in sub-section (4),—

(a) before the existing proviso, the following proviso shall be inserted, namely :—

“Provided that, if a person selected by the Chancellor does not take over the charge of the post of Vice-Chancellor, the Chancellor may select another suitable person from the remaining persons from panel or he may call for a fresh panel either from the same committee or after constitution of a new committee for the purpose, from such new committee :”;

(b) in the existing proviso, for the words “Provided that,” the words “Provided further that,” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Section 12 of the Maharashtra International Sports University Act, 2020 (Mah. XXXV of 2020) provides for eligibility criteria and constitution of the Committee to recommend suitable names to the Chancellor for appointment of Vice-Chancellor.

2. The provisions of the eligibility criteria and constitution of the Committee to recommend suitable names to the Chancellor for appointment of Vice-Chancellor have been modified 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).

3. The Supreme Court has, recently in the cases of *Gambhirdan K Gadhvi Vs. State of Gujarat & Ors.* (Writ Petition (Civil) No. 1525 of 2019) and *Professor (Dr.) Sreejith P.S. v/s Dr. Rajasree M.S. & Ors.* (Civil Appeal Nos. 7634-7635 of 2022), held that the eligibility criteria and procedure for appointment of Vice-Chancellor shall always be as per the relevant UGC Regulations and if the State Act is not at par with the UGC Regulations, must be amended to bring it at par with the applicable UGC Regulations and until then, the said UGC Regulations shall prevail.

4. In view of above, the existing provisions relating to appointment of Vice-Chancellor as contained in said section 12 needs to be amended as per the said UGC Regulations. The Government, therefore, considers it expedient to amend section 12 of the Maharashtra International Sports University Act, 2020, suitably.

5. The Bill seeks to achieve the above objectives.

Nagpur,

Dated the 14th December, 2023.

SANJAY BANSODE,

Minister for Sports and
Youth Welfare.