



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक ४०(२)]

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असाधारण क्रमांक ७३

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 (Temporary postponement of elections of members of university authorities and other bodies) Bill, 2015 (L. A. Bill No. XXXIV of 2015), introduced in the Maharashtra Legislative Assembly on the 16th July 2015, is hereby published under the authority of the Governor.

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

R. G. BHAGWAT,

Draftsman-cum-Joint Secretary to Government
Law and Judiciary Department.

L. A. BILL No. XXXIV OF 2015.

A BILL

to provide for temporary postponement of elections to authorities and bodies of certain non-agricultural and non-technological Universities in the State of Maharashtra.

Mah. XXXV of 1994. WHEREAS the Maharashtra Universities Act, 1994 provides for constitution of various authorities and bodies of certain non-agricultural and non-technological universities consisting of elected members among others;

Mah. XXXV of 1994. AND WHEREAS with a view to strengthen the non-agricultural and non-technological Universities in the State of Maharashtra and make them able to improve the quality of higher education and research, the Government of Maharashtra considers it expedient to repeal the Maharashtra Universities Act, 1994 and enact a comprehensive law for all non-agricultural and non-technological universities in the State;

AND WHEREAS it is expected that the Bill for enacting of the new Act would be introduced in the State Legislature in the near future;

AND WHEREAS various authorities and bodies of the university would be required to be constituted in accordance with the provisions of the new Act;

AND WHEREAS the term of office of members of authorities and bodies of some universities is due to expire on the 31st August 2015;

AND WHEREAS it is expedient to temporarily postpone the elections to fill in vacancies of the elected members of authorities and bodies of each of such universities;

AND WHEREAS it is necessary to provide for temporary postponement of elections of members of authorities and bodies of such universities for purposes aforesaid; it is hereby enacted in the Sixty-sixth year of Republic of India as follows:-

Short title. 1. This Act may be called the Maharashtra Universities (Temporary postponement of elections of members of university authorities and other bodies) Act, 2015.

Temporary postponement of elections of members of university authorities and other bodies. 2. Notwithstanding anything contained in the Maharashtra Universities Act, 1994 (hereinafter referred to as "the Universities Act") or any Statutes made thereunder, no elections, to the universities mentioned in the Schedule of the Universities Act, for filling in vacancy, caused in any manner whatsoever, of any of the elected members of any of the authorities or bodies, of such university shall be held till 31st August 2016 (hereinafter in this Act referred to as "the said period").

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Consequences of temporary postponement of elections of members of authorities and other bodies of the university. 3. Notwithstanding anything contained in the Universities Act, or any statutes made thereunder, no act or proceedings of any authority or any other body of any of the universities, during the said period shall be invalid merely on the ground that the vacancies occurring on any such authority or body required to be filled in by election are not so filled in.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Universities Act, 1994 (Mah. XXXV of 1994) (hereinafter referred to as "the Universities Act") provides for constitution of various authorities and bodies of certain non-agricultural and non-technological universities in the State of Maharashtra, consisting of elected members among others. Section 42(1) of the said Act provides that the term of every authority shall commence on the 1st September and shall be of five years, irrespective of the date on which a member has entered upon his office.

2. With a view to strengthen the non-agricultural and non-technological universities in the State of Maharashtra and make them able to improve the quality of higher education and research, the Government of Maharashtra considers it expedient to repeal the Maharashtra Universities Act, 1994 (Mah. XXXV of 1994) and enact a comprehensive law and has appointed various Committees for this purpose. It is expected that the Bill in respect of the new Act would be introduced in the State Legislature in the near future. On enactment of the new law, all authorities and bodies of the university will be required to be constituted in accordance with the provisions of such new Act.

3. As per section 42(2) of the Universities Act, the process of election and nomination is required to be commenced three months before 31st August of the year on which the actual vacancy occurs and is required to be completed before 31st December in that year.

4. It is therefore considered expedient to provide for temporary postponement of elections of members of authorities and bodies of such universities till 31st August 2016. It is also necessary to provide that no act or proceedings of any authority or body of any of the universities during this period shall be invalid merely on the ground that vacancies occurring on any such authority or body required to be filled in by election are not so filled in.

5. The Bill is intended to achieve the above objectives.

Mumbai,
Dated the 15th July 2015.

VINOD TAWDE,
Minister for Higher and
Technical Education.