



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष १, अंक ६]

बुधवार, मार्च ११, २०१५/फाल्गुन २०, शके १९३६

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक १६

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 Universities (Amendment) Bill, 2015 (L. A. Bill No. V of 2015), introduced in the Legislative Assembly on the 11th March 2015, is hereby published under the authority of the Governor.

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

M. A. SAYEED,
Principal Secretary and R.L.A.
to Government,
Law and Judiciary Department.

L. A. BILL No. V OF 2015.

A BILL

further to amend the Maharashtra Universities Act, 1994.

WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that
Mah. circumstances existed which rendered it necessary for him to take
XXXV of immediate action further to amend the Maharashtra Universities Act,
1994. 1994, for the purposes hereinafter appearing; and, therefore, promulgated
Mah. the Maharashtra Universities (Amendment) Ordinance, 2015 ;
Ord.IV
of 2015.

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows:—

Short title
and
commencement.

1. (1) This Act may be called the Maharashtra Universities (Amendment) Act, 2015.

(2) It shall be deemed to have come into force on the 4th March, 2015.

Amendment
of section 12
of Mah. XXXV
of 1994.

2. In section 12 of the Maharashtra Universities Act, 1994, (hereinafter referred to as “the principal Act”) in sub-section (7), for the words “a term of not exceeding twelve months” the words “a term of not exceeding eighteen months” shall be substituted.

Mah.
XXXV of
1994.

Repeal of
Mah.Ord. IV of
2015 and
saving.

3. (1) The Maharashtra Universities (Amendment) Ordinance, 2015 is hereby repealed.

Mah.
Ord. IV
of 2015.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act.

STATEMENT OF OBJECTS AND REASONS

Section 12 of the Maharashtra Universities Act, 1994, (Mah.XXXV of 1994) provide for appointment of the Vice-Chancellor. Sub-section (7) of the said section 12 of the said Act, empowered the Chancellor, under the circumstances laid down therein, to appoint any suitable person, to act as the Vice-Chancellor for a term not exceeding, twelve months, in the aggregate.

2. The first Vice-Chancellor of the Gondwana University appointed *vide* Government Notification, dated 27th September 2011, retired due to superannuation, on the 5th March 2014. The Search Committee for recommending the suitable names for the post of Vice-Chancellor could not be constituted as the Management Council and Academic Council of the Gondwana University could not be constituted, at the earliest due to various reasons. Therefore, under the circumstances the Hon'ble Chancellor had appointed the acting Vice-Chancellor on the 6th March 2014. The term of the said acting Vice-Chancellor as provided by the said sub-section (7) of section 12 would have expired on the 5th March 2015. The process of constitution of the Management Council and the Academic Council, though initiated, would take some more time. As such, it was not possible them to appoint the Vice-Chancellor of the said University, in the immediate future.

3. The Government of Maharashtra therefore considered it expedient to extend the said period, provided in the said sub-section (7), so as to provide that the Chancellor may appoint any suitable person to act as Vice-Chancellor for a term not exceeding eighteen months in the aggregate, by suitably amending the Maharashtra Universities Act, 1994.

4. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Universities Act, 1994 (Mah. XXXV of 1994) for the purposes aforesaid, the Maharashtra Universities (Amendment) Ordinance, 2015 (Mah. Ord. IV of 2015) was promulgated by the Governor of Maharashtra on the 4th March 2015.

5. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,
Dated the 9th March 2015.

VINOD TAWDE,
Minister for Higher and
Technical Education.