HIGHER AND TECHNICAL EDUCATION DEPARTMENT
Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 2nd September 2021.

Maharashtra Ordinance No. II of 2021.

AN ORDINANCE
further to amend the Maharashtra State Board of

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 further to amend the Maharashtra State Board of Technical Education
Act, 1997, for the purposes hereinafter appearing ;

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

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

[Translation in English of the Maharashtra State Board of Technical Education (Amendment) Ordinance, 2021 (Mah. Ord. II of 2021), published under the authority of the Governor].
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 :––

1. (1) This Ordinance may be called the Maharashtra State Board of Technical Education (Amendment) Ordinance, 2021.

(2) It shall come into force at once.

2. In section 26 of the Maharashtra State Board of Technical Education Act, 1997 (hereinafter referred to as “the principal Act”),––

(i) in sub-section (3), the following proviso shall be added, namely :––

“Provided that, for the academic year 2021-2022, such application shall be made on or before the 15th September 2021.”;

(ii) in sub-section (4), the following proviso shall be added, namely :––

“Provided that, for the academic year 2021-2022, all such applications received within the prescribed time limit, shall be scrutinized by the Board and be forwarded to the Government on or before the 10th October 2021.”.

3. In section 35 of the principal Act, in sub-section (2), the following proviso shall be added, namely :––

“Provided that, for the academic year 2021-2022, the management desirous of closing down the institution shall apply to the Board on or before the 15th September 2021.”.
STATEMENT

The Maharashtra State Board of Technical Education Act, 1997 (Mah. XXXVIII of 1997), provides for establishment of a State Board to regulate the matters pertaining to Diploma Level Technical Education. Sections 26, 27 and 35 of the said Act prescribes the time limit for making application for permission to open new institution, new course, additional faculties, new subjects, additional divisions, closure of institution and forward the application to Government after scrutiny. Sub-section (3) of said section 26 provides that, the management seeking permission to open a new institution shall apply in the prescribed form to the Board before the last day of October of the year preceding year from which the permission is sought. Sub-section (4) of said section 26 provides that, all such applications received within the aforesaid prescribed time limit, shall be scrutinized by the Board and be forwarded to the Government on or before the last day of December of the year. Sub-section (5) of section 27 provides the procedure for permission for new courses, additional faculties, new subjects and additional divisions. Sub-section (2) of section 35 provides that, the management desirous of closing down the institution shall apply to the Board on or before the last day of the April of the preceding year. However, due to outbreak of the Covid-19 pandemic, it could not be possible to follow the time limit prescribed in the said Act.

2. The whole of India is facing the COVID-19 pandemic which has adversely affected the educational and socio-economic field to a large extent. The pandemic has also created employment related problems for the young generation. Keeping in view of such grave situation and to boost the educational and employment opportunities for young people by providing them skills sets in upcoming areas as proposed from time to time by the Government of India and Government of Maharashtra, it is considered expedient to specify the new time schedule for making application for permission to open new institution, new course, additional faculties, new subjects, additional divisions, closure of institution and forward the application to Government after scrutiny, for the academic year 2021-22. For the purpose, it is considered expedient to amend the sections 26 and 35 of the Maharashtra State Board of Technical Education Act, 1997, 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 further to amend the Maharashtra State Board of Technical Education Act, 1997, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,  
Dated the 2nd September 2021.  
BHAGAT SINGH KOSHYARI,  
Governor of Maharashtra.

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

VIKAS CHANDRA RASTOGI,  
Principal Secretary to Government.