



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक २९]

बुधवार, ऑगस्ट ३, २०२२/श्रावण १२, शके १९४४

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ५९

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 Public Universities (Amendment) Ordinance, 2022 (Mah. Ord. VI of 2022), is hereby published under the authority of the Governor.

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

SATISH B. WAGHOLE,

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

[Translation in English of the Maharashtra Public Universities (Amendment) Ordinance, 2022 (Mah. Ord. VI of 2022), Published under the authority of the Governor].

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 3rd August 2022.

MAHARASHTRA ORDINANCE No. VI OF 2022.

AN ORDINANCE

further to amend the Maharashtra Public Universities Act, 2016.

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 Public Universities Act, 2016, for the purposes hereinafter appearing ;

Mah. VI
of 2017.

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 Public Universities (Amendment) Ordinance, 2022.

Short title and
commencement.

(2) It shall come into force at once.

Amendment of
section 109 of
Mah. VI of
2017.

2. In section 109 of the Maharashtra Public Universities Act, 2016,— Mah. VI
of 2017.

(i) in sub-section (3), in clause (g), in the second proviso, in the Table, for clauses (d), (f) and (g), the following clauses shall be substituted, namely :—

- | | |
|---|---|
| “(d) on or before 31st January of the immediately following year after the recommendations of the University. | on or before 17th August 2022. |
| (f) on or before 1st day of May in which compliance report has been received. | on or before 24th August 2022. |
| (g) on or before 15th June of the year in which such new colleges or institutions are proposed to be started. | on or before 1st day of September 2022.”; |

(ii) in sub-section (4), in the second proviso, in the Table, for clause (d), the following clause shall be substituted, namely :—

- | | |
|---|----------------------------------|
| “(d) on or before 15th June of the year in which permission is granted by the State Government. | on or before 17th August 2022.”. |
|---|----------------------------------|

STATEMENT

Section 109 of the Maharashtra Public Universities Act, 2016 (Mah.VI of 2017), provides for the procedure for permission for opening new college or new course, subject, faculty, division or satellite center.

Sub-section (3) of the said section 109 provides for time limits for making application for grant of Letter of Intent for opening new college or institution of higher learning, grant of Letter of Intent by the Government, forwarding of compliance report by the University after scrutiny to the State Government and grant of final approval to open new college or institution.

Sub-section (4) of the said section 109 provides for the time limit for granting permission by the State Government to start a new course, subject, faculty, division or satellite center.

2. Some institutions in Aurangabad region have filed Writ Petitions in the Bombay High Court, Bench at Aurangabad objecting to some of the locations in the annual plan 2022-23 of the Dr. Babasaheb Ambedkar Marathwada University, Aurangabad. The High Court has granted stay to the advertisement dated the 25th April 2022 issued by the Dr. Babasaheb Ambedkar Marathwada University, Aurangabad regarding perspective plan for opening new colleges and also stayed issuance of Letter of Intent by the Government in such cases until further hearing.

In view of the said stay order, the Government has not granted Letter of Intent to the institutions for opening new colleges under the said University.

Moreover certain institutions, who claimed that their proposals meet the requirements, have made representations to the Government for considering their proposals. However, the Government could not consider such proposal due to expiry of time limits specified in the said section 109 therefor.

3. It is therefore, considered expedient to amend the said section 109, suitably, so as to extent the time limit for granting Letter of Intent and subsequent approvals for opening new colleges and new courses in the academic year 2022-2023.

4. 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 Public Universities Act, 2016, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 3rd August 2022.

BHAGAT SINGH KOSHYARI,

Governor of Maharashtra.

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

VIKAS CHANDRA RASTOGI,

Principal Secretary to Government.