



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १०, अंक १४]

शनिवार, जून २९, २०२४/आषाढ ८, शके १९४६

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असाधारण क्रमांक ४२

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 State Skills University (Amendment) Bill, 2024 (L. C. Bill No. III of 2024), introduced in the Maharashtra Legislative Council on the 29th June 2024, 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. C. BILL No. III OF 2024.

A BILL

to amend the Maharashtra State Skills University Act, 2021.

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

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to amend the Maharashtra State Skills University Act, 2021 for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra State Skills University (Amendment) Ordinance, 2024 on the 16th March 2024 ;

Mah.
VII of
2021.
Mah.
Ord. IV
of 2024.

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

Short title and commencement.

1. (1) This Act may be called the Maharashtra State Skills University (Amendment) Act, 2024.

(2) It shall be deemed to have come into force on the 16th March 2024.

Amendment of section 12 of Mah. VII of 2021.

2. In section 12 of the Maharashtra State Skills University Act, 2021 (hereinafter referred to as “the principal Act”), in sub-section (3),—

Mah. VII of 2021.

(1) in clause (a),—

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

(b) for sub-clause (i), the following sub-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;”;

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

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

(2) in clause (f),—

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

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

“(i) be a person possessing highest level of competence, integrity, morals and institutional commitment;

(ii) be an eminent and distinguished academician and an administrator of high calibre with experience in skill education or employability based education or entrepreneurship promotion holding doctoral degree;

(ii-a) a minimum of ten years of experience as a Professor in any University or ten years of experience in a reputed research or academic administrative organisation with proof of having demonstrated academic leadership;”;

(c) in sub-clause (iv), for the words “educational qualification” the words “additional educational qualifications” shall be substituted.

Amendment of section 81 of Mah. VII of 2021.

3. In section 81 of the principal Act, for the words “two years, or until new appointment of officers of the university are made as per the Act” the words “three years, or until new appointment of officers of the university are made as per the Act, whichever is earlier ” shall be substituted.

Mah.
Ord. IV
of 2024.

4. (1) The Maharashtra State Skills University (Amendment) Ordinance, 2024, is hereby repealed.

Repeal of
Mah. Ord. IV
of 2024 and
saving.

(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, as the case may be, issued under the corresponding provisions of the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 12 of the Maharashtra State Skills University Act, 2021 (Mah. VII of 2021) provides for eligibility criteria of Vice-Chancellor and constitution of the committee to recommend suitable names to the Chancellor for appointment of Vice-Chancellor.

2. The provisions of the eligibility criteria of Vice-Chancellor 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. It was also considered expedient to enhance the tenure of first officers of the university nominated by the Government upto three years instead of two years on the lines of similar provisions of the Dr. Babasaheb Ambedkar Technological University Act, 2014 (Mah. XXIX of 2014).

5. For the above purposes, it was considered expedient to amend sections 12 and 81 of the Maharashtra State Skills University Act, 2021, suitably.

6. 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 to amend the Maharashtra State Skills University Act, 2021 (Mah. VII of 2021), for the purposes aforesaid, the Maharashtra State Skills University (Amendment) Ordinance, 2024 (Mah. Ord. IV of 2024), was promulgated by the Governor of Maharashtra on the 16th March 2024.

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

Mumbai,
Dated the 24th June 2024.

MANGAL PRABHAT LODHA,
Minister for Skills, Employment
Entrepreneurship and Innovation.