

L. A. BILL No. XLVI OF 2023.

A BILL

further to amend the Maharashtra Public Universities Act, 2016.

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

5 AND WHEREAS the Governor of Maharashtra was satisfied that
circumstances existed which rendered it necessary for him to take immediate
action further to amend the Maharashtra Public Universities Act, 2016, for
the purposes hereinafter appearing ; and, therefore, promulgated the
Maharashtra Public Universities (Amendment) Ordinance, 2023, on the 20th
10 October 2023 ;

Mah. VI
of 2017.
Mah.
Ord.
VIII of
2023.

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

Short title and commencement. **1. (1)** This Act may be called the Maharashtra Public Universities (Amendment) Act, 2023. 5
(2) It shall be deemed to have come into force on the 20th October 2023.

Amendment of section 109 of Mah.VI of 2017. **2.** In section 109 of the Maharashtra Public Universities Act, 2016 (hereinafter referred to as “the principal Act”),— Mah. VI of 2017.

(1) in sub-section **(3)**, in clause **(g)**, for the second proviso and the Table, the following proviso and the Table shall be substituted, namely:— 10

“Provided further that, with a view to extend the dates of, making application for seeking Letter of Intent for opening new college or institution of higher learning, scrutiny of application by Board of Deans and forwarding the same to the State Government and grant of Letter of Intent by the State Government for the academic year 2024-2025, the day or dates referred to in clauses **(a)**, **(c)** and **(d)** of sub-section **(3)**, as specified in column **(2)** of the Table given below, shall be read as provided in column **(3)** of the said Table:— 15

TABLE

Clauses	Day or date provided in existing provision	Day or date provided for Academic Year 2024-25	
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	
(a)	before the last day of September of the year preceding the year in which the permission is sought	on or before the 15th November 2023;	25
(c)	on or before the 30th day of November of the year in which such application is received by the university	on or before the 31st December 2023 ;	30
(d)	on or before the 31st January of the immediately following year after the recommendations of the university	on or before the 15th February 2024.”;	

(2) in sub-section **(4)**, in clause **(d)**, for the second proviso and the Table, the following proviso and the Table shall be substituted, namely:— 35

“Provided further that, with a view to extend the date of making application, for seeking permission to start a new course of study, subjects, faculties, additional divisions or satellite centers to the State Government for the academic year 2024-2025, the day referred to in clause **(a)** of sub-section **(4)**, as specified in column **(2)** of the Table given below, shall be read as provided in column **(3)** of the said Table :— 40

TABLE

Clause	Day provided in existing provision	Date provided for Academic Year 2024-25
(1)	(2)	(3)
5	(a) before the last day of September of the year preceding the year in which the permission is sought	on or before 15th November 2023.”.

10 **3.** In SCHEDULE A appended to the principal Act, in PART I, in entry at serial No. 4,—

Amendment of Schedule A of Mah. VI of 2017.

(1) in column (1), for the words “Dr. Babasaheb Ambedkar Marathwada University, Aurangabad” the words “Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajnagar” shall be substituted;

15 (2) in column (2),—

(i) in entry (1), for the word “Aurangabad” the words “Chhatrapati Sambhajnagar” shall be substituted;

(ii) in entry (4), for the word “Osmanabad” the word “Dharashiv” shall be substituted.

Mah. Ord. 20 VIII of 2023.

4. (1) The Maharashtra Public Universities (Amendment) Ordinance, 2023, is hereby repealed.

Repeal of Mah. Ord. VIII of 2023 and saving.

(2) Notwithstanding such appeal, 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, as amended by this Act.

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STATEMENT OF OBJECTS AND REASONS

Sub-section (3) of section 109 of the Maharashtra Public Universities Act, 2016 (Mah.VI of 2017) provides for time limit for making application for grant of Letter of Intent for opening a 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 for opening 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. The Government had received various representations that sufficient time was not available after finalization of perspective plan of various universities for submission of proposals to the universities for permission to start a new college, new course, etc., for the academic year 2024-25 due to continuous holidays. Such representations contained requests for extension of dates for applying to start a new college, new course, etc., and for subsequent procedure therefor.

Hence, it was considered expedient to specify the new time schedule for applying to start a new college, new course, etc., for the academic year 2024-25, for scrutiny of such application by the Board of Deans and to forward the same to the State Government and grant of a Letter of Intent by the State Government.

3. It was also considered expedient to substitute the name of the "Dr. Babasaheb Ambedkar Marathwada University, Aurangabad" as "Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajnagar" and references of districts 'Aurangabad' and 'Osmanabad', as 'Chhatrapati Sambhajnagar' and 'Dharashiv', contained in Part I of Schedule A of the said Act, respectively, in view of change of names of the said revenue areas by the Government of Maharashtra.

4. For the above purposes, it was considered expedient to amend section 109 and Schedule A appended to the said Act, suitably.

5. 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 Public Universities Act, 2016, for the purposes aforesaid, the Maharashtra Public Universities (Amendment) Ordinance, 2023 (Mah. Ord. VIII of 2023), was promulgated by the Governor of Maharashtra on the 20th October 2023.

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

Mumbai,
Dated the 1st November 2023.

CHANDRAKANT (DADA) PATIL,
Minister for Higher
and Technical Education.

**ANNEXURE TO THE L.A. BILL No. XLVI OF 2023
THE MAHARASHTRA PUBLIC UNIVERSITIES
(AMENDMENT) BILL, 2023.**

(Extracts from the Maharashtra Public Universities Act, 2016)

(Mah. VI of 2017)

1. to 108.	**	**	**	**	
109. (1) and (2)	**	**	**	**	Procedure for permission for opening new college or new course, subject, faculty, division.
(3) (a) to (f)	**	**	**	**	

(g) after considering the report of the university under clause (f), the State Government may grant final approval to such management as it may consider fit and proper in its absolute discretion, taking into account the State Government's budgetary resources, and other relevant factors, the suitability of management seeking permission to open new institution, etc. The final approval under this clause may be granted on or before 15th June, of the year in which such new college or institutions are proposed to be started. Such approval from the State Government shall be communicated to the university. Approvals granted thereafter shall be given effect by the university only in the subsequent academic year :

Provided however that, in exceptional cases and for the reasons to be recorded in writing any compliance report on the Letter of Intent, which is not recommended by the university, may be approved by the State Government.

“ Provided further that, with a view to extend the dates of making application for seeking Letter of Intent for opening new college or institution of higher learning, scrutiny of application by the Board of Deans and forwarding the same to the State Government and grant of Letter of Intent by the State Government, for the academic year 2023-2024, the day or dates referred to in clauses (a), (c) and (d) of sub-section (3) as specified in column (2) of the Table given below, shall be read as day or dates as provided in column (3) of the said Table:—

TABLE

Clauses	Day or dates provided in existing provision	Day or dates provided for Academic Year 2023-24
(1)	(2)	(3)
(a)	before the last day of September of the year preceding the year in which the Letter of Intent is sought.	on or before 15th January 2023.
(c)	on or before 30th of November of the year in which such application is received by the university.	on or before 28th February 2023.
(d)	on or before 31st January of the immediately following year after the recommendations of the university.	on or before 1st April 2023.";

(4) (a) to (c)	**	**	**	**	
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(d) out of the applications recommended by the university, the State Government may grant permission on or before 15th June of the year to

such institutions as it may consider fit and proper in its absolute discretion, taking into account other relevant factors, the budgetary resources of the State Government and other relevant factors, the suitability of the management seeking permission, etc. The permission shall be communicated by the State Government to the university, on or before the date specified in this clause :

Provided however that, in exceptional cases and for the reasons to be recorded in writing any application not recommended by the university may be approved by the State Government.

"Provided further that, with a view to extend the date of making application for seeking permission to start a new course of study, subjects, faculties, additional divisions or satellite centers for the academic year 2023-24, the day or date referred to in clause (a) of sub-section (4) as specified in column (2) of the Table given below, shall be read as day or date as provided in column (3) of the said Table:—

TABLE

Clauses (1)	Day or dates provided in existing provision (2)	Day or dates provided for Academic Year 2023-24 (3)
(a)	before the last day of September of the year preceding the year in which the permission is sought.	on or before 15th January 2023.";
(5) to (9)	** **	** **

110. to 148.

SCHEDULE A

PART I

	Name of the University (1)	University Area (2)
1. to 3.	** **	** **
4.	The Dr. Babasaheb Ambedkar Marathwada University, Aurangabad	Districts of- (1) Aurangabad (2) Jalna (3) Beed (4) Osmanabad
5. to 11.	** **	** **
SCHEDULE B	** **	** **
PART I and II	** **	** **

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XLVI OF 2023.]

**[A BILL further to amend the Maharashtra
Public Universities Act, 2016.]**

**[SHRI CHANDRAKANT (DADA) PATIL,
Minister for Higher and
Technical Education.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.**