

L. A. BILL No. XIV OF 2023.

A BILL

*to amend the Maharashtra Unaided Private Professional
Educational Institutions (Regulation of Admissions and
Fees) Act, 2015.*

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**(As passed by the Legislative Assembly on the 23rd March,
2023.)**

WHEREAS it is expedient to amend the Maharashtra Unaided Private
Professional Educational Institutions (Regulation of Admissions and Fees)
Act, 2015, for the purposes hereinafter appearing; it is hereby enacted in
the Seventy-fourth Year of the Republic of India, as follows :—

Mah.
XXVIII 10
of 2015.

Short title.

1. This Act may be called the Maharashtra Unaided Private
Professional Educational Institutions (Regulation of Admissions and Fees)
(Amendment) Act, 2023.

Amendment of section 11 of Mah. XXVIII of 2015.	<p>2. In section 11 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015,-</p> <p>(1) in sub-section (3),-</p> <p>(a) for clauses (c) and (d), the following clauses shall be substituted, namely :-</p> <p>“(c) two Chartered Accountants of repute who are members of the Institute of Chartered Accountants of India, for a period of not less than ten years .. Member</p> <p>(d) two Cost Accountants of repute who are members of the Institute of Cost and Works Accountants of India, for a period of not less than ten years, or the financial experts of repute .. Member”;</p> <p>(b) clause (f) shall be deleted;</p> <p>(c) after clause (h), the following clauses shall be inserted, namely:-</p> <p>“(h-1) the Commissioner, Medical Education .. Member</p> <p>(h-2) the Director, Directorate of AYUSH, Maharashtra State .. Member”;</p> <p>(d) for clause (j), the following clause shall be substituted, namely:-</p> <p>“(j) an officer of the State Government not below the rank of Joint Secretary. .. Member-Secretary.”;</p> <p>(2) after sub-section (4), the following sub-sections shall be inserted, namely:-</p> <p>“(4A) The Chairperson may invite the Registrar of any University in the State of Maharashtra as an invitee member when the business of the Fees Regulating Authority pertaining to the professional courses concerned with that University is transacted.</p> <p>(4B) The Chairperson may also invite any person or officer from the field of Higher Education, Technical Education, Medical and Health Science, Architecture, Agriculture, Ayurved Medicine, Homeopathy, Dental, Nursing or Pharmacy Education for obtaining their expert opinion. Such expert invitees may participate in the proceedings of the meetings of the Fees Regulating Authority, but they shall have no right to vote.”;</p> <p>(3) in sub-section (5), for the word “member”, the words “member or experts” shall be substituted.</p>	<p>Mah. XXVIII of 2015.</p> <p>5</p> <p>10</p> <p>15</p> <p>20</p> <p>25</p> <p>30</p> <p>35</p>
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STATEMENT OF OBJECTS AND REASONS

Section 11 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015) provides for constitution of the Fee Regulating Authority to determine reasonableness of fees structure of the professional education imparted by the Unaided Private Professional Educational Institutions. The said Authority consists of a Chairperson who is a retired judge of High Court or retired officer of the Government of the rank of Chief Secretary and members who are an eminent educationist, one Chartered Accountant, one Cost Accountant, an expert in professional education and other official members.

2. The said Authority while deciding the proposals and finalizing the reasonableness of fees structure has to primarily consider the income and expenditure incurred by the institution during the preceding year, estimated budget for current academic year, sanctioned intake capacity, etc.

The Authority primarily requires the assistance of the Chartered Accountant and the Cost Accountant to scrutinize individual proposals and assess the correctness of the factual statement made about income and expenditure by each institution. Hence, additional one Chartered Accountant and one Cost Accountant member have been proposed to be appointed on the said Authority.

3. The Government also considers it necessary to appoint the Commissioner, Medical Education and the Director, Directorate of AYUSH, Maharashtra State, as members of the Authority.

It is also proposed to provide that the Chairperson may invite the Registrar of any university in the State of Maharashtra and the experts from various fields of professional education, such as Higher Education, Technical Education, Medical and Health Science, etc., to give advice to the Authority.

4. For the above purposes, the Government considers it expedient to amend section 11 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015, suitably.

5. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 20th March, 2023.

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

*ANNEXURE TO THE L.A. BILL No. XIV OF 2023 – THE
MAHARASHTRA UNAIDED PRIVATE PROFESSIONAL EDUCATIONAL
INSTITUTIONS (REGULATION OF ADMISSIONS AND FEES)
(AMENDMENT) BILL, 2023.*

**(Extracts from the Maharashtra Unaided Private Professional
Educational Institutions Regulation of Admissions and Fees Act, 2015.)**

(Mah. XXVIII of 2015)

1. to 10.	*	*	*	*	
11. (1) and (2)	*	*	*	*	Fees Regulating Authority.
	(3) The Authority shall consist of, —				
	(a) and (b)				
	(c) a Chartered Accountant of repute who is a Member . . Member of the Institute of Chartered Accountants of India, for a period of not less than ten years				
	(d) a Cost Accountant of repute who is a Member. . Member of the Institute of Cost and Works Accountants of India for a period of not less than ten years, or a financial expert of repute				
	*	*	*	*	
	(e)				
	(f) the Registrar, Maharashtra University of Health . . Member Sciences, Nashik				
	*	*	*	*	
	(g) to (i)				
	(j) an Officer of the State Government not below. . Secretary. the rank of Joint Secretary.				
(4)	*	*	*	*	
(5) No person who is associated with any private aided or unaided Professional Educational Institution shall be eligible for being a member of the Fees Regulating Authority.					
	*	*	*	*	
(6) to (8)					
12. to 26.	*	*	*	*	

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

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

**[A Bill to amend the Maharashtra Unaided
Private Professional Educational
Institutions (Regulation of Admissions and
Fees) Act, 2015.]**

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

**[As Passed by the Legislative Assembly
on the 23rd March, 2023.]**

**RAJENDRA BHAGWAT,
Principal Secretary,
Maharashtra Legislative Assembly.**