

L. A. BILL No. XIV OF 2021.

A BILL

further to amend the Maharashtra Public Universities Act, 2016.

(As passed by the Legislative Assembly on the 5th July 2021.)

Mah. VI 5 **WHEREAS** it is expedient further to amend the Maharashtra Public
of 2017. Universities Act, 2016, for the purposes hereinafter appearing; it is hereby
enacted in the Seventy-second Year of the Republic of India as follows :-

1. This Act may be called the Maharashtra Public Universities Short title.
(Amendment) Act, 2021.

Mah. VI 10 **2.** In section 109 of the Maharashtra Public Universities Act, 2016, in Amendment
of 2017. sub-section (3),— of section 109
of Mah. VI of
2017.

(i) in clause (f), after the second proviso, the following proviso shall
be added, namely :—

15 “Provided further that, for the academic year 2021-2022, the
compliance report received by the University within the prescribed

time limit, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of the Management Council on or before 31st July 2021;” ;

(ii) in clause (g), for the second proviso, the following proviso shall be substituted, namely :—

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“Provided further that, for the academic year 2021-2022, the final approval under this clause may be granted on or before 31st August 2021.”.

STATEMENT OF OBJECTS AND REASONS

Due to the outbreak of pandemic covid-19 decease, social and economic activities in the State including functioning of the universities has come to a standstill, in the light of declaration of lockdown in the State since 14th April 2021.

2. As per the existing provisions of the Maharashtra Public Universities Act, 2016 (Mah. VI of 2017), time limit is prescribed for making application for Letter of Intent for opening a new college or institution, scrutiny of application, granting the Letter of Intent, compliance of the conditions of Letter of Intent, etc. Clause (f) of sub-section (3) of section 109 of the Maharashtra Public Universities Act, 2016, provides that, compliance report received within the timelimit, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of the Management Council on or before, 1st day of May in which the compliance report has been received. Clause (g) of said sub-section (3) provides that, the State Government after considering the report of the university, may grant final approval to such management as it may consider fit and proper on or before 15th June of the year in which such new college or institutions are proposed to be started. However, due to outbreak of pandemic covid-19, it is not possible to follow the time limit as provided in the said Act.

Therefore, it is necessary to extend the date of forwarding the compliance report to the State Government with the approval of the Management Council and to extend the date of granting the final approval to start the new college or institutions by the Government. For the purpose it is considered expedient to amend section 109 of the Maharashtra Public Universities Act, 2016, suitably.

3. The Bill seeks to achieve the above objectives.

Mumbai,

UDAY SAMANT,

Dated the 4th July, 2021.

Minister for Higher and Technical Education.

*ANNEXURE TO THE L. A. BILL No. XIV OF 2021—THE
MAHARASHTRA PUBLIC UNIVERSITY (AMENDMENT) BILL, 2021.*

(Extracts from the Maharashtra Public University 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 (e)	*	*	*	*	

(f) such compliance report received within aforesaid time-limit, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of the Management Council on or before, 1st day of May in which the compliance report has been received. The recommendation of the Board of Deans and approved by the Management Council shall be duly supported by relevant reasons as are deemed appropriate by Management Council :

Provided that, if the management fails to comply with the conditions of Letter of Intent, within the time limit as specified in clause (e), the Letter of Intent shall be deemed to have been lapsed :

Provided however that, in exceptional cases and reasons to be recorded in writing, the State Government may, on application by the management duly proceed by the university, extend from time to time, the validity of Letter of Intent for further period which shall not exceed twelve months in the aggregate ;

(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, for the academic year 2020-2021, with a view to extend the date of forwarding the compliance report received from management to the State Government and the last date to grant that final approval to start the new College or Institution by the Government, for the academic year 2020-2021, the dates referred to in clauses (f) and (g) of sub-

section (3), as specified in column (2) of the Table hereto, shall be read as provided in column in column (3) of the said Table :—

Clauses	Date in existing provision	Date for Academic Year 2020-21			
(1)	(2)	(3)			
(f)	On or before 1st day of May	On or before 30th June 2020			
(g)	On or before 15th June	On or before 31st July 2020.			
(4) to (9)	*	*	*	*	*
110. to 148.	*	*	*	*	*
SCHEDULE	*	*	*	*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XIV OF 2021.]

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

[SHRI UDAY SAMANT,
Minister for Higher and
Technical Education.]

**[As passed by the Legislative Assembly
on the 5th July 2021.]**

RAJENDRA BHAGWAT,
Secretary,
Maharashtra Legislative Assembly.