



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष १०, अंक १२]

शनिवार, मार्च १६, २०२४/फाल्गुन २६, शके १९४५

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असाधारण क्रमांक ३३

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) Ordinance, 2024 (Mah. Ord. IV of 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.

(Translation in English of the Maharashtra State Skills University (Amendment) Ordinance, 2024 (Mah. Ord. IV of 2024), Published under the authority of the Governor.)

SKILLS, EMPLOYMENT, ENTREPRENEURSHIP AND INNOVATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 16th March 2024.

MAHARASHTRA ORDINANCE No. IV OF 2024.

AN ORDINANCE

to amend the Maharashtra State Skills University Act, 2021.

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 to amend the Maharashtra State Skills University Act, 2021 for the purposes hereinafter appearing;

Mah.
VII of
2021.

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 :—

Short title and commencement.

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

(2) It shall come into force at once.

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.

STATEMENT

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 is 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 is 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 are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render 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, this Ordinance is promulgated.

Mumbai,
Dated the 16th March 2024.

RAMESH BAIS,
Governor of Maharashtra.

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

OM PRAKASH GUPTA,
Additional Chief Secretary to Government.