

L. A. Bill No. LXXV OF 2025.

A BILL

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

5 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 further to amend the Maharashtra Unaided Private Professional
Educational Institutions (Regulation of Admissions and Fees) Act, 2015, for the
purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra
Unaided Private Professional Educational Institutions (Regulation of Admission
and Fees) (Amendment) Ordinance, 2025, on the 25th June 2025 ;

Mah.
XXVIII
of 2015.

10

Mah.
Ord. VI
of 2025.

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

Short title and commencement. **1.** (1) This Act may be called the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Act, 2025. 5

(2) It shall be deemed to have come into force on the 25th June 2025.

Amendment of section 2 of Mah. XXVIII of 2015. **2.** In section 2 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as “the principal Act”), for clause (n), the following clause shall be substituted, namely :— 10 Mah. XXVIII of 2015.

“(n) “Non-Resident Indian (NRI)” means, a person who is “not ordinary resident” as defined under sub-section (6) of section 6 of the Income Tax Act, 1961 and has been issued a Non-Resident Indian certificate accordingly by an Indian Mission or Post abroad and includes his child or ward as defined in the Guardians and Wards Act, 1890 ;”. 15 43 of 1961. 8 of 1890.

Repeal of Mah. Ord. VI of 2025 and saving. **3.** (1) The Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Ordinance, 2025, is hereby repealed. 20 Mah. Ord. VI of 2025.

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

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015), provides for regulation of admissions and fees by Unaided Private Professional Educational Institutions in the State of Maharashtra and for matters connected therewith or incidental thereto.

2. The Act, *inter-alia*, provides for allocation of the seats for admission to professional educational courses under the Non-Resident Indian (NRI) quota. The term “Non-Resident Indian (NRI)” is defined in clause (n) of section 2 of the said Act.

3. It was observed that, the genuine NRI candidates are often deprived of the opportunity to seek admission in professional educational courses under the Non-Resident Indian (NRI) quota in the State of Maharashtra. Therefore, it was considered expedient to amend the definition of the term “Non-Resident Indian (NRI)” in the said Act, with a view to bring the same in consonance with the law laid down by the Hon’ble Supreme Court in the case of P. A. Inamdar, wherein it has been observed that—

“It was also pointed out that people of Indian origin, who have migrated to other countries, have a desire to bring back their children to their own country as they not only get education but also get reunited with Indian cultural ethos by virtue of being here. They also wish the money which they would be spending elsewhere on education of their children should rather reach their own motherland. A limited reservation of such seats, not exceeding 15%, in our opinion, may be available to NRIs depending on the discretion of the management subject to two conditions. First, such seats should be utilized *bona fide* by the NRIs only and for their children or wards. Secondly, within this quota, the merit should not be given a complete go-by.”.

4. The process for admission to various professional educational courses in the State of Maharashtra for the academic year 2025-2026 will start in the immediate future. It was, therefore, considered expedient to amend the said Act, immediately.

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 Unaided Private Professional Educational Institutions (Regulation Admissions and Fees) Act, 2015, for the purposes aforesaid, the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Ordinance, 2025 (Mah. Ord. VI of 2025), was promulgated by the Governor of Maharashtra on the 25th June 2025.

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

Mumbai,
Dated the 3rd July, 2025.

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

**ANNEXURE TO THE L. A. BILL No. LXXV OF 2025 – THE
MAHARASHTRA UNAIDED PRIVATE PROFESSIONAL
EDUCATIONAL INSTITUTIONS (REGULATION OF ADMISSIONS
AND FEES) (AMENDMENT) BILL, 2025.**

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

(Mah. XXVIII of 2015)

1. * * * *

2. In this Act, unless the context otherwise requires,— Definitions.

(a) to (m) * * * *

(n) “Non-Resident Indian (NRI)” means a person who is “not ordinarily resident” under sub-section (6) of section 6 of the Income Tax Act, 1961 and includes a person resident outside India under clause (w) of section 2 of the Foreign Exchange Management Act, 1999, and also includes his child or ward;

(o) to (y) * * * *

3. to 26. * * * *

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. LXXV OF 2025.]

**[A Bill further 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.]**

**JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.**