

L. A. BILL No. XVI OF 2026.

A BILL

*further to amend the Maharashtra Self-financed Schools
(Establishment and Regulation) Act, 2012.*

5 **(As Passed by the Legislative Assembly on the 17th March, 2026.)**

Mah. I of 2013. WHEREAS it is expedient further to amend the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012, for the purposes hereinafter appearing; it is hereby enacted in the Seventy- seventh Year of the Republic of India, as follows :—

10 **1.** This Act may be called the Maharashtra Self-financed Schools (Establishment and Regulation) (Amendment) Act, 2026. Short title.

Mah. I of 2013. **2.** In the preamble of the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (hereinafter referred to as “the principal Act”), the words “to upper-primary or secondary or higher secondary school, as the case may be,” shall be deleted. Amendment to preamble of Mah. I of 2013.

15 **3.** In section 2 of the principal Act, in sub-section (1),—
(a) after clause (1-a), the following clause shall be inserted, namely :— Amendment of section 2 of Mah. I of 2013.

“(2-a) “Commissioner” means the Commissioner of Education, Maharashtra State;”;

(b) for clause (i), the following clause shall be substituted, namely:—

“(i) “registered trust” means a public trust for charitable purposes registered under the provisions of the Indian Trusts Act, 1882, the Maharashtra Public Trusts Act or any other law for the time being in force;”;

(c) for clause (p), the following clause shall be substituted, namely :—

“(p) “up-gradation of school” means up-gradation of a recognised primary school to upper-primary school, upper-primary school to secondary school or secondary school to higher secondary school or *vice versa*.”.

Amendment
of section 3
of Mah. I of
2013.

4. In section 3 of the principal Act,—

(a) in sub-section (1), for the words “such as primary or upper-primary or secondary or higher secondary, or up-gradation of the existing school to upper-primary or secondary, or higher secondary school, as the case may be” the words “such as primary or secondary or secondary and higher secondary or up-gradation of the existing school” shall be substituted;

(b) sub-section (4) shall be deleted.

Amendment
of section 13
of Mah. I of
2013.

5. In section 13 of the principal Act, in sub-section (2), for the words “be punished with fine which shall not be less than five lakh rupees but which may extend to ten lakh rupees” the words “be punished with fine which shall not be less than ten lakh rupees but which may extend to twenty lakh rupees” shall be substituted.

Amendment
of section 18
of Mah. I of
2013.

6. In section 18 of the principal Act, after the words “the State Government” the words “, the Commissioner” shall be inserted.

Amendment
of section 20
of Mah. I of
2013.

7. In section 20 of the principal Act, for the words and figures “section 21 of the Indian Penal Code” the words, figures and brackets “section 2 (28) of the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

Amendment
of
SCHEDULE
A of Mah. I of
2013.

8. In SCHEDULE A appended to the principal Act,—

(a) in entry (2), for the words “Primary or Upper-primary or Secondary or Higher Secondary” the words “Primary or Secondary or Secondary and Higher Secondary” shall be substituted;

(b) in entry (5), for the words “Primary to Upper- Primary or Upper-Primary to Secondary or Secondary to Higher Secondary” the words “Primary to Upper-Primary or Upper-Primary to Secondary or Secondary to Higher Secondary or *vice versa*” shall be substituted.

Amendment
of
SCHEDULE
C of Mah. I of
2013.

9. In SCHEDULE C appended to the principal Act,—

(a) in entry (a), for the words “primary or upper-primary or secondary or higher secondary school” the words “primary or secondary or secondary and higher secondary school” shall be substituted;

(b) in entry (c), for the words “upper-primary, secondary or higher secondary school, as the case may be” the words “upper-primary, secondary or higher secondary school, as the case may be, or *vice versa*” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (Mah. I of 2013) has been enacted to make provisions to establish a new school including provision for up-gradation of existing school on self-financed basis, to make suitable provisions with regard to requirements and norms for establishing such new school or up-gradation of existing school, for creating endowment fund and for matters connected therewith or incidental thereto.

2. While implementing the provisions of the Act, the Government faces some technical problems and practical difficulties. With a view to overcome such problems and difficulties, the Government considers it expedient to make suitable amendments in the said Act.

3. (a) The Government has established the office of the Commissioner of Education, Maharashtra State to oversee the administration of the School Education Department at the field level and has entrusted with the Commissioner of Education to act as a Chairperson of the State Level Committee. Therefore it is proposed to insert a new definition of the term "Commissioner" and its consequential amendments thereto.

(b) Under the existing provision the charitable trusts which are registered under the provisions of the Maharashtra Public Trusts Act (XXIX of 1950) are eligible to apply for establishing a new school in the State. So as to allow the trusts which are registered under the Indian Trusts Act, 1882 (2 of 1882) and any other law for the time being in force to establish the school under the said Act it is proposed to amend the definition of the term "registered trust".

(c) Under the existing provisions of the said Act up-gradation of school is permissible for adding upper primary or secondary or higher secondary standards to the existing school and there is no provision to allow the existing school to add lower standards to the secondary or higher secondary schools. So as to allow the existing schools to add lower standards to the secondary or higher secondary schools, it is proposed to make necessary amendments in the said Act.

(d) Sub-section (4) of section 3 of the said Act provides for the exemption from condition of land required for up-gradation of schools as specified in entry (12) of Schedule A. Such provision creates practical difficulties in fulfilling infrastructure norms such as classrooms, laboratory, library, sanitation facilities etc. It is therefore proposed to delete the said sub-section (4).

(e) It is also proposed to increase the amount of fine provided in sub-section (2) of section 13 of the said Act in case of failure to give notice as required under sub-section (1) of said section 13.

4. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 11th March, 2026.

DADAJI BHUSE,
Minister for School Education.

*ANNEXURE TO THE L. A. BILL No. XVI OF 2026 —
THE MAHARASHTRA SELF-FINANCED SCHOOLS
(ESTABLISHMENT AND REGULATION) (AMENDMENT)
BILL, 2026.*

*[Extracts from the Maharashtra Self-financed Schools
(Establishment and Regulation) Act, 2012.]*

(Mah. I of 2013)

WHEREAS, it is expedient to make provisions for giving permission to establish a new school including permission for up-gradation of the existing school to upper-primary or secondary or higher secondary school, as the case may be, on self-financed basis, to make suitable provisions with regard to requirements and norms for establishing such new school, or up-gradation of existing school, for inviting applications therefor, to provide procedure to scrutinize such applications for creating an endowment fund and to provide for matters connected therewith or incidental thereto; it is hereby enacted in the Sixty-third Year of the Republic of India as follows :—

- 1.** * * * * *
- 2.** (1) In this Act, unless the context otherwise requires,— Definitions.
- (1-a) “Authority” means the State Level Authority and Field Level Authorities appointed under sub-section (1) of section 6 of the Act ;
- (a) to (h) * * * *
- (i) “registered trust” means a public trust for charitable purposes registered under the provisions of the Maharashtra Public Trusts Act ;
- (j) to (o) * * * *
- (p) “up-gradation of school” means up-gradation of a recognised primary school to upper-primary school, upper-primary school to secondary school or secondary school to higher secondary school.
- (2) * * * *
- 3.** (1) Any registered company or a registered trust or a registered society or a local authority desirous of establishing a new school, such as primary or upper-primary or secondary or higher secondary, or up-gradation of the existing school to upper-primary or secondary, or higher secondary school, as the case may be, shall submit the application online in the format as provided in Schedule A alongwith the documents as specified in Schedule B. The application shall be accompanied with such fees as the State Government may by order, specify, from time to time. Application to establish new school or up-gradation of existing school.
- (1A) * * * *
- (2) and (3) * * * *
- (4) The condition regarding area of land specified in entry (12) of Schedule A, shall not be applicable for the proposals of up-gradation of schools having complied with the norms and standards required under the Right of Children to Free and Compulsory Education Act, 2009.
- (5) * * * *
- 4. to 12.** * * * *

No school under this Act to be closed down. **13.** (1) Save as otherwise provided in this Act, no school established or up-graded under this Act shall be closed down or discontinued, unless a notice of not less than eighteen months indicating the intention of the management of the school to do so, has been given by the secretary or manager or any person who is managing the affairs of the school, by whatever designation called, to the concerned Director and the State Government. On receipt of such notice, the Director may, if in his discretion he so desires, give the secretary, manager or the person who is managing the affairs of the school, as the case may be, an opportunity of being heard in person. Thereafter, if the Director is of the opinion that the closing down or discontinuation of school is justified, he shall report to the State Government shall take appropriate action to accommodate affected students. The Government shall take appropriate actions to accommodate such affected students to other available neighbourhood schools.

(2) If any such secretary, manager or person who is managing the affairs of the school fails to give notice as required under sub-section (1), he shall, on conviction, be punished with fine which shall not be less than five lakh rupees but which may extend to ten lakh rupees.

14. to 17. * * * *

Finality of orders. **18.** Save as otherwise expressly provided in this Act, every decision taken, order passed or notice, directions issued by the State Government or the concerned Director shall be final.

19. * * * *

officers, etc. to be public servants. **20.** Every officer or servant acting under the provisions of this Act or the rules shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

21. to 24. * * * *

SCHEDULE A

(See section 3)

FORM OF APPLICATION

(1) * * * *

(2) Application for opening of new school : or Primary or Upper-primary or Secondary or Higher Secondary either separately or in combination with one or more of them :

(3) and (4) * * * *

(5) Up-gradation of existing school : Primary to Upper Primary or Upper Primary to Secondary or Secondary to Higher Secondary (give DISE or SEMIS number of existing school) :

(6) to (20) * * * *

SCHEDULE B * * * *

SCHEDULE C

[See section 4(I)]

(a) for establishing a new primary or upper-primary or secondary or higher secondary school, as the case may be,—	(i) in village panchayat area	Rupees minimum two lakh,
	(ii) in Municipal Council, Nagar Panchayat or Industrial Township area	Rupees minimum three lakh,
	(iii) in Municipal Corporation area	Rupees minimum five lakh,
	(iv) in Mumbai and Mumbai suburban area	Rupees minimum seven lakh;
(b) *	* *	*
(c) for up-gradation of school to upper-primary, secondary or higher secondary school, as the case may be,—	(i) in village panchayat area	Rupees minimum two lakh (for each up-gradation),
	(ii) in Municipal Council, Nagar Panchayat or Industrial Township area	Rupees minimum three lakh (for each up-gradation),
	(iii) in Municipal Corporation area	Rupees minimum five lakh (for each up-gradation),
	(iv) in Mumbai and Mumbai suburban area	Rupees minimum seven lakh (for each up-gradation).

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XVI OF 2026.]

**[A Bill further to amend the
Maharashtra Self-financed Schools
(Establishment and Regulation)
Act, 2012.]**

[SHRI DADAJI BHUSE,
Minister for School Education.]

**(As Passed by the Legislative Assembly
on the 17th March, 2026.)**

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.