



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १२, अंक ३]

रविवार, फेब्रुवारी २२, २०२६/फाल्गुन ३, शके १९४७

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असाधारण क्रमांक ३
प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Ordinance, 2026 (Mah. Ord. II of 2026), 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 Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Ordinance, 2026 (Mah. Ord. II of 2026), published under the authority of the Governor).

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 22nd February 2026.

MAHARASHTRA ORDINANCE No. II OF 2026.

AN ORDINANCE

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

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 further to amend the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015, for the purposes hereinafter appearing;

Mah.
XXVIII
of 2015.

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 Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Ordinance, 2026.

(2) It shall come into force at once.

Amendment of section 1 of Mah. XXVIII of 2015.

2. In section 1 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as "the principal Act"), in sub-section (1), for the words "the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees)" the words "the Maharashtra Professional Educational Institutions (Regulation of Admissions) and Unaided Private Professional Educational Institutions (Regulation of Fees)" shall be substituted.

Mah. XXVIII of 2015.

Amendment of section 2 of Mah. XXVIII of 2015.

3. In section 2 of the principal Act,—

(1) after clause (a), the following clause shall be inserted, namely:—

“(a-1) “aided institution” means Private Professional Educational Institution, which is receiving aid or grant-in-aid on account of salaries to its employees from the Central Government, the State Government or the local authority;”;

(2) after clause (b), the following clause shall be inserted, namely:—

“(b-1) “Appellate Authority” means the Appellate Authority constituted under section 15A;”;

(3) after clause (c), the following clause shall be inserted, namely:—

“(c-1) “CET Cell” means the Maharashtra State Common Entrance Test Cell referred in section 10;”;

(4) for clause (g), the following clause shall be substituted, namely:—

“(g) “fees” means the amount determined as fees by the Fees Regulating Authority, having regard to the factors mentioned in section 15; but does not include any charges payable towards use of optional facilities like hostel accommodation, transportation, mess-charges and Students Insurance Fees, etc.;”;

(5) in clause (k), for the words “second year of the course” the words “second or any subsequent year of the course” shall be substituted;

(6) after clause (n), the following clause shall be inserted, namely:—

“(n-1) “Overseas Citizens of India (OCI)” shall have the same meaning as assigned to it in section 7A of the Citizenship Act, 1955 ;”;

57 of 1955.

(7) in clause (q), after sub-clause (iii), the following sub-clause shall be added, namely: -

“(iv) the Ratan Tata Maharashtra State Skills University incorporated under the Maharashtra State Skills University Act, 2021 ; or the self-financed private skills university mentioned in the Schedule to the Maharashtra Private Skills Universities (Establishment and Regulation) Act, 2024 or any college or institution affiliated to those universities;”;

Mah. VII of 2021.

Mah. XXXV of 2024.

(8) after clause (v), the following clause shall be inserted, namely:—

“(v-1) “Selection Committee” means the committee constituted under section 20A;”;

(9) in clause (w), for the words “the students studying” the words “the student seeking admission in the institution or the student studying” shall be substituted;

(10) in clause (x), for the words “grant-in-aid” the words “grant-in-aid on account of salaries to its employees” shall be substituted.

4. In section 6 of the principal Act, in sub-section (1), after the word and figures “Act, 2006” the words “,the Maharashtra State Reservation for Socially and Educationally Backward Classes Act, 2024” shall be inserted.

Mah. XVI of 2024.

Amendment of section 6 of Mah. XXVIII of 2015.

5. After section 6 of the principal Act, the following section shall be inserted, namely:—

Insertion of section 6A Mah. XXVIII of 2015.

“6A. The provisions of sections 3, 4, 5 and 6 in respect of the Regulations of Admissions and section 10 in respect of CET Cell shall *mutatis mutandis* apply to Government institution, Government aided institution and Public University Departments or institutes.”

Manner of admission in Government institution, etc.

6. In Chapter III of the principal Act, in the heading, the words “AND STATE COMMON ENTRANCE TEST CELL” shall be deleted.

Amendment of Heading of Chapter III of Mah. XXVIII of 2015.

7. In section 7 of the principal Act,—

Amendment of section 7 Mah. XXVIII of 2015.

(1) in sub-section (3),—

(i) in clause (a), for the words “of the rank of Chief Secretary or Additional Chief Secretary” the words “not below the rank of Principal Secretary” shall be substituted ;

(ii) in clause (b), for the words “Vice-Chancellor of University” the words “the Vice-Chancellor or the Pro-Vice-Chancellor of a Public University” shall be substituted;

(iii) after clause (b), the following clause shall be inserted, namely:—

“(b-1) A retired Government Officer, not below the rank of Joint Secretary, who has worked in the legal section of Law and Judiciary Department . . . Member”;

(iv) after clause (e), the following clauses shall be inserted, namely:—

“(e-1) the Director of Medical Education and Research . . . Member

(e-2) the Director, AYUSH . . . Member

(e-3) the Director, Art . . . Member”;

(2) in sub-section (4),—

(i) for the brackets and letter “(b)”, the brackets, letters and figure “(b), (b-1)” shall be substituted;

(ii) after the words “the State Government” the words “in the prescribed manner on the recommendation of the Selection Committee” shall be added.

Amendment
of section 8 of
Mah. XXVIII
2015.

8. In section 8 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

“(1) The term of Office of the Chairperson and Member shall be of three years from the date he assumes his office or until he attains the age of seventy years, whichever is earlier:

Provided that, every person who on the date of commencement of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Ordinance, 2026 is serving as Chairperson or Member shall, on and from such commencement, be the Chairperson or, as the case may be, the Member and they shall continue to hold the office on the same terms and conditions on which they were appointed, till completion of their term of office.

Mah.
Ord.II of
2026.

(2) The Chairperson and Member shall be eligible for re-appointment for only one more consecutive term of three years.”

Amendment
of section 9 of
Mah. XXVIII
of 2015.

9. In section 9 of the principal Act,—

(1) in sub-section (1),—

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

“(i) to assist the Government in making rules, to carry out the purposes of this Act;”;

(ii) after clause (iii), the following clauses shall be inserted, namely:—

“(iii-a) to get its budget estimates including revised budget estimates prepared by the Member-Secretary of the Authority and submit it to the Government for its approval;

(iii-b) to maintain its accounts in the manner, as may be prescribed and get it audited by the Chartered Accountant who is the member of the Institute of Chartered Accountants of India;

(iii-c) to establish and recognize Facilitation Centers (FC) and Students Assistance Centers (SAC) to assist and guide students at the CAP process;

(iii-d) to carry out any other ancillary functions;”;

(iii) for clause (iv), the following clauses shall be substituted, namely:—

“(iv) redressal of grievances of the Stake-holders by providing Grievance Redressal mechanism relating to admissions;

(v) to ensure systematic communication related to admissions with the Stake-holders;”;

(2) sub-section (3) shall be deleted;

(3) for sub-section (5), the following sub-sections shall be substituted, namely:—

“(5) (a) In carrying out its functions and duties under this Act, the Authority and the Directorates, as well as every unaided institution shall follow the following procedure, namely:—

(i) Every unaided institution shall submit, electronically the ‘admission approval proposals’ to the concerned Directorate within fifteen days from the cut-off date of admission.

(ii) The concerned Directorate shall scrutinize and certify the admission approval proposal including the discrepancies, if any, and forward its recommendation to the Admissions Regulating Authority, electronically, within fifty days from the date of receipt of the proposal from such institution. A copy of the recommendation of Directorate shall be sent to the concerned institution electronically.

(iii) Every such recommendation received from the Directorate by the Admissions Regulating Authority and admission approval proposal, shall be scrutinized and the decision of the Authority on such proposal shall be taken before the 31st January of every academic year:

Provided that, the Admissions Regulating Authority, having regard to the cut-off date for admission to a particular course of professional education, as decided by the appropriate authority, from time to time, may, after recording the reasons therefor, extend the date for its decision by three months after 31st January of every academic year, at a time but in any case, it shall not exceed beyond the end of that academic year of the respective professional course.

(iv) The Admissions Regulating Authority shall inform its approval to the concerned institution and the university at the earliest.

(v) Any grievance by the stake-holder may be filed before the Admissions Regulating Authority and the Authority shall take decision thereon at the earliest, and in any case before the end of that academic year.

(vi) The Admissions Regulating Authority shall have power to review its own decision, either on its own motion or on the application of a stake-holder, after recording the reasons therefor; but no second review shall be permissible.

(vii) Where the submission of admission approval proposal by electronic mode is not possible in respect of any particular professional course, the proposal with the prior approval of the Admissions Regulating Authority may be filed physically.

(viii) Stake-holders aggrieved by the orders or the decision of the Admissions Regulating Authority may file its Appeal to the Appellate Authority, within fifteen days from the date of receipt of the order of the Admissions Regulating Authority. The Appellate Authority shall dispose of such appeal within thirty days from the date of receipt of such appeal and the decision of the Appellate Authority thereon shall be final.

(b) No act or proceeding of the Admissions Regulating Authority shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution thereof.

(c) The Admissions Regulating Authority shall by regulations, prescribe its procedure regarding scrutiny of admission proposals and grievance redressal mechanism as it deem fit.

(d) The Member-Secretary shall be the administrative head of the office of the authority and shall exercise such other powers as may be entrusted to him by regulations.

(6) The Admissions Regulating Authority may constitute enquiry committees of officers and experts to verify and report to the Authority in respect of admissions.

(7) The number of the enquiry committees under sub-section (6) and the meeting and other allowances to be payable to such members shall be such, as may be specified by the Authority, from time to time.

(8) The Chairperson may invite,—

(i) the Registrar of any public University in the State of Maharashtra as an invitee Member when the business of the Admissions Regulating Authority pertaining to the professional courses concerned with that University is transacted;

(ii) any person or officer from the field of Higher Education, Technical Education, Information Technology, 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 Admissions Regulating Authority, but they shall have no right to vote.”.

Substitution
of section
10 of Mah.
XXVIII 2015.

10. For section 10 of the principal Act, the following shall be substituted, namely:—

“CHAPTER III-A

MAHARASHTRA STATE COMMON ENTRANCE TEST CELL

State
Common
Entrance Test
Cell.

10. (1) There shall be a “Maharashtra State Common Entrance Test Cell” to exercise the powers conferred on, and discharge the functions assigned to it, under this Act. The State CET Cell shall be a body corporate by the name aforesaid having perpetual succession and common seal and shall have power to acquire, hold, and dispose off property both movable and immovable, and to do all things necessary for the purpose of this Act, and may sue or be sued by its name.

(2) The State CET Cell shall consist of,—

(a) an officer not below the rank of Chairperson
the Joint Secretary, deputed as the
Commissioner of State CET Cell by
the Government

(b) six officers not below the rank Members.
of Deputy Director of the State
Government, in the fields of the
Medical, Technical, Agriculture,
Higher Education, Art, AYUSH

(3) The appointment of Chairperson shall be made by the State Government and that of Members under clause (b) of sub-section (2) shall be made by the Director of Medical, Technical, Agriculture, Higher Education, Art and AYUSH, respectively.

(4) A Chairperson or Member of the State CET Cell shall cease to be Chairperson or Member, if he does any act which in the opinion of the State Government or Director is unbecoming of a Chairperson or Member of the State CET Cell.

(5) The Chairperson shall preside over the meetings of the State CET Cell and may adopt its own procedure by regulations, as it deems fit.

Powers and
functions of
State CET
Cell.

10A. (1) Powers and Functions of the State CET Cell shall be,—

(a) to monitor and conduct the Common Entrance Test for admissions to Unaided Professional Educational Institution in an efficient, transparent, smooth and fair manner:

Provided that, the State Government may allow such admissions through CET conducted by the authorities of the Central Government;

(b) to identify and empanel subject experts for setting CET examination questions and their confidential operations;

(c) to take all decisions in respect of conduct of the Common Entrance Test in a fair manner, maintaining the required confidentiality. It shall appoint examiners, evaluators, moderators and persons for assignment of software development required for the conduct of examination, evaluation and result processing, and also appoint persons as service providers required for the conduct of the online or offline examination and shall undertake printing of various documents, etc. It shall exercise financial powers for execution of all activities related to conduct of CETs;

(d) to take all necessary measures for conducting the Common Entrance Tests, adaptable, accountable, credible, error-free, student friendly, secured, tamper proof, transparent and in efficient manner;

(e) to provide trainings, guidelines for testing team and invigilators;

(f) to establish and recognize Facilitation Centers (FC) and Students Assistance Centers (SAC) to assist and guide students at the pre-exam and CET;

(g) to establish Learning and Test Centers (LTCs) in the State for conducting online CET at various locations;

(h) to provide for Grievance Redressal Mechanism relating to CETs;

(i) to prepare before 28th February of every year, its budget estimates of the income and expenditure for next year;

(j) to consider the budget estimates prepared by it and submit them to the Government for approval on or after the date referred in clause (i);

(k) to revise budget estimates as and when necessary and submit it to the Government for approval;

(l) to maintain its accounts in such form and in such manner, as may be prescribed;

(m) to get audited its accounts by the auditor who is member of the Institute of Chartered Accountants of India;

(n) to furnish such reports, returns and statements, as may be required by the Admissions Regulating Authority or the Government;

(o) to ensure the provisions of this Act, Rules and Regulations and directions of the State Government, made thereunder, are followed scrupulously.

(2) The Commissioner of the CET Cell may in an emergency, take such action or decision as he deems fit required.

(3) The Commissioner of the CET Cell may invite any person who in his opinion is an expert in the subject to attend its meeting, if the subject with which the expert is likely to come up for discussion or consideration at such meeting.

(4) The CET Cell may constitute such committees as it thinks necessary for efficient performance of its functions. The number of the Members, its duties and functions and allowances payable to the members for attending meetings may be specified by the regulations.

(5) The CET Cell shall, subject to its budget approved by the Government, exercise financial powers for execution of all activities related to conduct of CET.

(6) The CET Cell shall have such other powers and discharge such other functions and conduct the examination in such manner as may be prescribed.

(7) Admission to every seat shall be made on the basis of merit secured at the Common Entrance Test (CET) followed by Centralized Admission Process of the State, subject to the reservation policy of the State:

Provided that the admission to institutional quota shall be in the manner provided in the first proviso to clause (a) of section 4.”.

Amendment
of section
11 of Mah.
XXVIII of
2015.

11. In section 11 of the principal Act,—

(1) in sub-section (3), for clause (a), the following clause shall be substituted, namely :—

“(a) a retired Judge of District Court or ... Chairperson”;
retired officer of the Government not below the
rank of Secretary

(2) in sub-section (4), after the words “by the Government” the words
“in the prescribed manner on the recommendation of the Selection
Committee” shall be added;

(3) after sub-section (7), the following sub-section shall be inserted,
namely:—

“(7A) The Member-Secretary shall be the administrative head of the office
of the authority and shall exercise such other powers, as may be entrusted to
him by regulations.”.

Amendment
of section
13 of Mah.
XXVIII of
2015.

12. In section 13 of the principal Act,—

(1) in sub-section (1), after clause (v), the following clauses shall be added,
namely:—

“(vi) to lay down the norms for submission of fee proposals, from time
to time;

(vii) to advice the Government, on reference, if any made, relating to
fees.”;

(2) in sub-section (2), for clauses (ii) and (iii), the following clauses shall
be substituted, namely:-

“(ii) to evolve the mechanism for verification of infrastructure facilities
and amenities provided to students by the unaided private professional
educational institution;

(iii) to undertake measure for redressal of grievances relating to fees
and fees proposals;

(iv) to ascertain, verify and ensure that there is no profiteering in
collection of fees.”;

(3) sub-section (3) shall be deleted;

(4) for sub-section (5), the following sub-sections shall be substituted,
namely:—

“(5) The Fees Regulating Authority may constitute inspection
committees of officers and experts to verify and report to the Authority in
respect of the infrastructure facilities and amenities provided by the
institutions as against the fee recovered from the students.

(6) The number of members of the inspection committee under sub-section (5) and the meeting and other allowances to be payable to such members shall be such as may be specified by the Authority, from time to time.

(7) The Fees Regulating Authority shall have the right to cause an inspection or inquiry to be made by such person or persons, as it may direct of any unaided institution and its infrastructures, such as the buildings, hostels, laboratories, libraries, equipment, teaching and other work conducted by any such institution.

(8) The Authority, shall in every case, give due notice to the institution of its intention to cause an inspection or inquiry to be made and the institution shall be entitled to appoint a representative, who shall have the right to be present and be heard of such inspection or inquiry.”.

13. For section 14 of the principal Act, the following section shall be substituted, namely:—

Substitution of section 14 of Mah. XXVIII of 2015.

“**14.** (1) In determining the reasonableness of fees structure, the following provisions shall apply:—

Procedure to be adopted by Fees Regulating Authority.

(a) the Authority shall every year lay down the norms, for submission of fees proposals by the Management of unaided institutions and publish the same on its website well in advance;

(b) the Management of the unaided institution shall submit the fee proposal in the formats specified by the Fees Regulating Authority along with the certified copies of audited accounts of the immediately preceding financial year, and the relevant record and evidence to the Fees Regulating Authority for its approval not later than 31st October of previous academic year. The proposal shall conform to the norms laid down under clause (a) :

Provided that, the Authority may, on sufficient cause being shown, and subject to payment of costs, accept the fees proposal upto 31st December of the previous academic year ;

(c) in the event of non-submission of proposal for revision of fees to the Fees Regulating Authority within the time-limit specified by the Authority, the fees structure as approved by the Authority and applicable during the previous academic year shall continue to apply for the period of next academic year only;

(d) in the event of non-submission of fees proposals for two or more successive academic years, the fees as approved by the Fees Regulating Authority in the immediate past, shall be reduced by twenty per cent. by the Authority;

(e) the Fees Regulating Authority shall establish scrutiny cell for the scrutiny of proposals submitted and different scrutiny cells may be established for different courses;

(f) after considering the report of the scrutiny cell and all other relevant factors, the Fees Regulating Authority shall approve the fees proposal within a period of one hundred and twenty days from the date of receipt of the details of the proposed fees and communicate the decision thereon to the management of the concerned institution;

(g) if the decision of the Fees Regulating Authority on fee proposal is not acceptable to the Management of the unaided institution, it may file a review application with detail reasoning before the Fees Regulating Authority for reviewing its decision, within fifteen days from the date of communication of the decision to be reviewed. The Fees Regulating Authority shall decide such review application before the 31st March of the previous academic year and shall communicate its decision to the concerned Management accordingly ;

(h) the Fees Regulating Authority may prescribe its procedure regarding scrutiny of fees proposals and grievance redressal mechanism as it deems fit.

(2) Pending the decision of the Fees Regulating Authority, the institution shall, with the prior approval of the Authority, may collect the interim or *ad-hoc* fee, as the case may be, till the final determination on the fees proposal.

(3) If an institution intends to apply the fees prescribed by the Fees Regulating Authority for the previous academic year to the students studying in the current academic year without any changes, it may be permitted to do so with the approval of the Fees Regulating Authority, but the institution must submit such a proposal to the Fees Regulating Authority in a timely manner.

(4) The Fees Regulating Authority shall indicate the different heads under which the fees may be levied and collected.

(5) (a) Every unaided institution shall display on its notice board and on its website, the course-wise and head-wise fees (including interim fees and *ad-hoc* fees, as the case may be) as approved by the Fees Regulating Authority in Marathi and English ;

(b) In case of linguistic minority institutions, the display shall also be in the language of the minority to which such, institution belongs ;

(c) The fees so displayed shall be binding on the students and the institution.

(6) (a) No institution shall collect fees amounting to more than one year fees from a candidate in an academic year ;

(b) The collection of fees for more than one year in an academic year shall be construed as collection of capitation fee and such institution shall be liable to be proceeded against in accordance with the provisions of the Maharashtra Educational Institutions (Prohibition of Capitation Fee) Act, 1987 and this Act ;

Mah. VI
of 1988.

(c) If on the receipt of any complaint or otherwise, the Authority is of the opinion after an enquiry that, any institution has charged fees in excess of the fees approved by the Authority such Institution shall be liable to return to such student such excess fees and shall also be liable for the penalty as provided in this Act :

Provided that, where the complainant is the repeater or ex- student of the institution, no such complaint shall be entertained by the authority after the expiry of a period of one year if such complainant has left the instution.

(7) No institution shall withhold mark-sheet, transfer certificate or any other document required by the student for pursuing his studies, without disclosing him reasons in writing.

(8) The fees approved and communicated by the Fees Regulating Authority shall be applicable in respect of the student who is admitted to the unaided institution in that academic year and shall not be revised till the completion of the course of such student in the concerned institution :

Provided that, an unaided institution may, with the prior approval of the Fees Regulating Authority, revise the fees in respect of the second or subsequent year, on the grounds such as revision in taxes, sudden revision in regular expenditure, etc.

14. After section 15 of the principal Act, the following shall be inserted, namely :—

Insertion of
CHAPTER
IV-A in Mah.
XXVIII of
2015.

“CHAPTER IV-A
APPELLATE AUTHORITY

15A. (1) There shall be an Appellate Authority to decide the appeals arising out of the orders or the decisions of the Admission Regulating Authority and Fees Regulating Authority and to discharge the functions assigned to it, under this Act.

Appellate
Authority.

(2) The State Government may, by notification in the *Official Gazette*, constitute an Appellate Authority. The said Authority shall be a body corporate by the name aforesaid having perpetual succession and common seal and shall have power to do all things necessary for the purposes of this Act.

(3) The Appellate Authority shall consist of,—

- | | | |
|--|-------|-------------------|
| (a) a retired Judge of High Court or retired officer of the Government not below the rank of Additional Chief Secretary | | Chairperson |
| (b) a Chartered Accountant of repute who is a member of the Institute of Chartered Accountants of India, for a period of not less than ten years | | Member |
| (c) a Cost Accountant of repute who is a Member of the Institute of Cost and Works Accountants of India, for a period of not less than ten years | | Member |
| (d) an expert of repute from the field of Professional Education | | Member |
| (e) an officer of Technical Education Department | | Member-Secretary. |

(4) The appointment of Chairperson and Members of Appellate Authority under clauses (a), (b), (c) and (d) of sub-section (3) shall be made by the State Government on the recommendation of the Selection Committee.

(5) The Member-Secretary of the Appellate Authority shall be appointed by deputation of an officer not below the rank of Deputy Director from Technical Education Department.

(6) No person who is associated with any private aided or unaided Professional Educational Institution shall be eligible for being Chairman or a Member or experts of the Appellate Authority.

(7) A Chairperson or Member of the Appellate Authority shall cease to be Chairperson or Member, if he does any act which in the opinion of the State Government is unbecoming of a Chairperson or Member of the Appellate Authority.

(8) The Chairperson shall preside over the meetings of the Appellate Authority and may adopt its own procedure by regulations, as it deems fit.

(9) No act or proceeding of the Appellate Authority shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution thereof.

(10) The provisions of section 8 shall *mutatis mutandis* apply in respect of the term of office and conditions of service of Chairperson and Members of the Appellate Authority.

(11) The Government shall provide the staff for smooth functioning of the Appellate Authority.

(12) All the expenses of the Appellate Authority shall be incurred from the funds of Fees Regulating Authority.

Powers and functions of Appellate Authority.

15B. (1) The powers and functions of the Appellate Authority shall be,—

(a) to decide the appeal of the stake holders and final approval thereof.

(b) to prescribe its procedure for deciding an appeal on the order and decisions of Admissions Regulating Authority and Fees Regulating Authority, as it deems fit.

(2) In the discharge of its functions under sub-section (1) and for the purpose deciding appeal under this Act, the Appellate Authority shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely :—

(i) the summoning and enforcing the attendance of any witness and examining him on oath:

(ii) the discovery and production of any document;

(iii) the reception of evidence on affidavits;

(iv) the issue of commission for the examination of the witness.

(3) A stake-holder aggrieved by the orders and decision of Admissions Regulating Authority or Fees Regulating Authority may, file an appeal to the Appellate Authority, within fifteen days from the receipt of the order of the Admissions Regulating Authority or Fees Regulating Authority. The Appellate Authority shall dispose off such appeal within thirty days from the date of receipt of such appeal and the decision of the Appellate Authority thereon shall be final.”.

Substitution of section 16 of Mah. XXVIII of 2015.

15. For section 16 of the principal Act, the following shall be substituted, namely :—

“CHAPTER IV-B

FUNDS OF REGULATING AUTHORITIES AND CET CELL

Funds of Regulating Authorities and CET Cell.

16. (1) There shall be a separate fund for each of the Regulating Authority and CET Cell.

(2) The fund of the said authorities and CET Cell shall consists of,—

(i) processing fees payable by a Private Professional Educational Institution;

(ii) interest on deposit;

(iii) grants from the State Government, Central Government and the University Grants Commission and other Institutions (if any);

(iv) any other moneys including fees, royalties, penalties levied and collected service charges, etc., which may be received by the Regulating Authority and CET Cell.

(3) (i) The Regulating Authorities and the CET Cell may charge processing fees and charges for fixation of fees and processing fees for conducting CET, etc., as may be decided, from time to time by the Authorities and the CET Cell.

(ii) The processing fees for every year may be decided by the concerned authorities and the CET Cell by considering their day to day expenditure including salaries, allowances, administrative expenses, honorarium, infrastructural needs and any other activity in pursuance of its functions.

(4) The concerned authorities and the CET Cell shall open separate bank account in nationalized bank and meet their expenses from the receipts.”.

16. For section 17 of the principal Act, the following section shall be substituted, namely :—

Substitution of section 17 of Mah. XXVIII of 2015.

“**17.** (1) The Regulating Authorities and the CET Cell shall maintain their respective accounts based on the mercantile system of accounts.

Maintenance of accounts.

(2) The accounts of the Regulating Authorities and the CET Cell shall be maintained in such form, as may be prescribed.”.

17. Section 18 of the principal Act shall be re-numbered as sub-section (1) thereof, and,—

Amendment of section 18 of Mah. XXVIII of 2015.

(1) in sub-section (1) as so re-numbered, after the words “Regulating Authorities” the words “and the CET Cell” shall be inserted;

(2) after sub-section (1), as so re-numbered, the following sub-section shall be added, namely :—

“(2) Without prejudice to the provisions of sub-section (1), the annual accounts of the Regulating Authorities and the CET Cell shall be audited by a Member of the Institute of Chartered Accountants of India appointed by the respective Authorities and the CET Cell.”.

18. In section 19 of the principal Act,—

Amendment of section 19 of Mah. XXVIII of 2015.

(1) in the marginal note, after the words “Regulating Authorities” the words “and CET Cell” shall be added ;

(2) after the words “Regulating Authorities” the words “and the CET Cell” shall be inserted.

19. In section 20 of the principal Act,—

Amendment of section 20 of Mah. XXVIII of 2015.

(1) in sub-section (1), for clauses (a) and (b), the following clauses shall be substituted, namely:-

“(a) for the first contravention, which shall not be less than three lakh rupees or twice the amount taken in excess of the fees as determined under this Act, whichever is higher;

(b) for the second or subsequent contravention, which shall not be less than fifteen lakh rupees or thrice the amount taken in excess of the fees as determined under this Act, whichever is higher.”;

(2) in sub-section (3), after the words “shall be cognizable” the words “and with leave of the court, be compoundable” shall be added:

(3) after sub-section (3), the following sub-section shall be inserted, namely :—

“(3A) No court shall take cognizance of an offence punishable under this Act, except upon a complaint in writing made by the Authority or by any officer of duly authorized by the Authority for this purpose.”.

Insertion of
new section
20A in Mah.
XXVIII of
2015.

20. After section 20 of the principal Act, the following sections shall be inserted, namely :—

Selection
Committee.

“20A. (1) There shall be a Selection Committee to recommend the suitable names of the Chairperson and Members of the Admissions Regulating Authority, Fees Regulating Authority and Appellate Authority to the State Government and discharge the functions assigned to it, under this Act.

(2) The Selection Committee shall consist of.—

- | | | |
|---|-------|----------|
| (a) Chief Secretary,
Government of
Maharashtra | | Chairman |
| (b) Additional Chief Secretary
or Principal Secretary,
General Administration
Department | | Member |
| (c) Additional Chief Secretary
or Principal Secretary or
Secretary, Higher and
Technical Education
Department | | Member |
| (d) Additional Chief Secretary
or Principal Secretary or
Secretary, Medical
Education and Drugs
Department | | Member |
| (e) Principal Secretary and
Remembrancer of Legal
Affairs, Law and Judiciary
Department | | Member. |

(3) *Procedure to be followed by the Selection Committee.*— (i) The State Government shall make a reference to the Selection Committee for appointment of the Chairperson and Members of the Authority or when any vacancy in the office of the Chairperson or Member arises or likely to arise in the Authority.

The Selection Committee may, for the purpose of selection of the Chairperson or Member of the Authority, follow such procedure as it may as deem fit.

(ii) The Selection Committee shall make a recommendation to the State Government for the consideration in the form of a panel of not more than three persons separately to fill the vacancy or vacancies referred to by the State Government.

(iii) The Selection Committee shall make its recommendations to the State Government, within a period not exceeding thirty days from the date of reference made under clause (i).

(iv) The notice or agenda, as the case may be, for the meeting of the Selection Committee shall be issued by the convener after fixing the date and venue for such meeting in consultation with the Chairperson of the Selection Committee.

(v) The Secretary of the Higher and Technical Education Department shall be the convener of the Selection Committee.

(vi) The State Government shall consider the recommendations of the Selection Committee for the appointment of the Chairperson and Members of the Authority or to fill the vacancy.”.

21. In section 21 of the principal Act, after the words “office of the authorities” the words “and CET Cell” shall be inserted.

Amendment of section 21 of Mah. XXVIII of 2015.

22. After section 21 of the principal Act, the following sections shall be inserted, namely,—

Insertion of new sections 21A to 21E in Mah. XXVIII of 2015.

“21A. An *ex-officio* Member of the Regulating Authority, who is unable to attend the meeting of the Authority, due to his official work, may authorize his immediate subordinate to attend such meeting and inform the concerned member-secretary of such authorization in advance.

Attendance of *ex-officio* members.

21B. The terms and conditions of service of the employees appointed by the Government and deputed to the Regulating Authorities, or, as the case may be, the CET Cell shall be such, as are applicable to the Government servants:

Appointment of Government employees on deputation.

Provided that, the Regulating Authority may, by order, grant additional benefits to such Government servants, as it may deem fit.

21C. The Chairperson and Members of the Authorities, Officers and Employees of the Regulating Authorities and the CET Cell shall, when acting or purporting to act in pursuance of the provisions of this Act, be deemed to be public servants within the meaning of clause (28) of section 2 of the *Bhartiya Nyaya Sanhita, 2023*.

Chairperson, Members and Officers, etc, to be public servants.

21D. In case of any dispute or difference of opinion between the Admissions Regulating Authority or the CET Cell, as to whether a particular matter pertains to the Regulating Authority or the CET Cell, the matter shall be referred by the Competent Authority, to the Secretary-in-charge of the Higher and Technical Education Department, whose decision thereon shall be final.

Dispute or difference between Admissions Regulating Authority and CET Cell.

21E. In case of any difference of opinion, between the Regulating Authorities, as to whether a particular matter pertains to the Admissions Regulating Authority or the Fees Regulating Authority, the matter shall be referred, by either Member-Secretary to the Secretary-in-charge of the Higher and Technical Education Department, whose decision thereon shall be final.”.

Difference of opinion between Regulating Authorities.

Amendment of section 22 of Mah. XXVIII of 2015. **23.** In section 22, for the words “Regulating Authorities” the words “Regulating Authorities, Appellate Authority and the CET Cell” shall be substituted.

Insertion of new section 22A of Mah. XXVIII of 2015. **24.** After section 22 of the principal Act, the following section shall be inserted, namely :—

Duties of and assistance from Professional Education Institutions. **“22A.** All Professional Education Institutions shall render such help and assist the Regulating Authorities, Appellate Authority and CET Cell as may require to them to perform and discharge their duties and functions under this Act.”.

Power to remove difficulty. **25.** (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Ordinance, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Ordinance, which appears to it to be necessary or expedient for removing the difficulty.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

STATEMENT

The Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015), has been enacted to provide for the regulation of admissions and fees by Unaided Private Professional Educational Institutions in the State of Maharashtra. The said Act provides to constitute Authorities for regulating the admissions and fees in unaided Private Professional Educational Institution and conduct of Centralised Admission Process through Common Entrance Test.

2. Some difficulties were faced while implementing the said Act, therefore, it was considered necessary to undertake review of the provisions of the Act. After such review, the Government considers it expedient to suitably amend various sections of the said Act.

3. The salient features of the amendments are as follows :—

(i) to provide applicability of the said Act, to admissions in Government, Government aided professional educational institutions and professional courses;

(ii) to amend section 6 with a view to allocate seats in the unaided institutions to the students covered by the Maharashtra State Reservation for Socially and Educationally Backward Classes Act, 2024 (Mah. XVI of 2024) ;

(iii) to insert new section 6A with a view to provide manner of admission in Government, Government aided professional educational institutions and professional courses;

(iv) to amend section 8 with a view to provide the term of office of the Chairperson and member shall be of three years or until he attains the age of 70 years, whichever is earlier and he shall be eligible for re-appointment for only one more term of three years;

(v) to substitute section 10 with a view to provide for constitution, powers and functions of the CET Cell.

(vi) to amend section 13 with a view to empower the Fees Regulating Authority to cause an inspection of enquiry of the unaided institutions, so as to ascertain the charging of fees by such institutions is reasonable and just ;

(vii) to substitute section 14 with a view to provide for procedure to be adopted by the Fees Regulating Authority,

(viii) to insert Chapter IV-A with a view to provide provisions for constitution of Appellate Authority to make an appeal against decision of Admissions Regulating Authority regarding admissions and Fees Regulating Authority on fees proposal;

(ix) to insert Chapter IV-B with a view to provide provisions relating to funds for regulating authorities and CET cell ;

(x) to amend section 20 with a view to enhance the penalties for contravention of any of the provisions of the said Act;

(xi) to insert new section 20A with a view to constitute a Selection Committee to recommend the suitable names of the Chairperson and Members of the Authorities to the State Government;

(xii) to insert new sections 21A, 21B, 21C, 21D and 21E with a view to ensure smooth functioning of the Regulating Authorities and CET Cell.

4. 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 further to amend the Maharashtra Unaided Private Professional Educational Institutions Regulation of Admissions and Fees) Act, 2015, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 21st February 2026.

ACHARYA DEVVRAT,
Governor of Maharashtra.

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

B. VENUGOPAL REDDY,
Additional Chief Secretary to Government.