

Maharashtra Universities (Second Amendment) Act, 2013

17 OF 2013

[13 August 2013]

CONTENTS

1. Short title and commencement
2. Amendment of section 82 of Man. XXXV of 1994
3. Repeal of Mah. Ord. IX of 2013 and saving

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An Act further to amend the Maharashtra Universities Act, 1994.

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 Universities Act, 1994, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Universities (Second Amendment) Ordinance, 2013 on 21st June 2013 ;

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

1. Short title and commencement :-

(1) This Act may be called the Maharashtra Universities (Second Amendment) Act, 2013.

(2) It shall be deemed to have come into force on the 21st June 2013.

2. Amendment of section 82 of Man. XXXV of 1994 :-

In section 82 of the Maharashtra Universities Act, 1994 (hereinafter referred to as " the principal Act") after sub-section (5A), the following subsections shall be inserted, namely :-

"(5B) Notwithstanding anything contained in this Act or any other law for the time being in force, on and from the date of commencement of the Maharashtra Universities (Second Amendment) Act, 2013,-

(a) no management shall establish or open a new college or an institution of higher learning in the State, except with the prior permission of the State Government;

(b) no management shall start a new course of study, subject, faculty or additional division, except with the prior permission of the State Government.

Explanation.-For the purposes of this sub-section, the expressions "establish or open a new college or an institution of higher learning" and "start a new course of study, subject, faculty or additional division", shall include establishing or opening of any such college or an institution of higher learning, and starting of any such course of study, subject, faculty or additional division, on the basis of no grant-in-aid from the State Government.

(5C) Notwithstanding anything contained in the second proviso to sub-section (5), for the academic year 2013-2014, such permission from the State Government shall be communicated to the university on or before the 15th July 2013 and shall be given effect by the university in the same academic year."

3. Repeal of Mah. Ord. IX of 2013 and saving :-

(1) The Maharashtra Universities (Second Amendment) Ordinance, 2013, is hereby repealed.

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