RNI No. MAHBIL /2009/40123



महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच—अ

वर्ष ७, अंक ३] शुक्रवार, मार्च ५, २०२१/फाल्गुन १४, शके १९४२ [पृष्ठे ५९, किंमत : रुपये ३६.००

असाधारण क्रमांक ५

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद).

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the 5th March, 2021 is published under Rule 117 of the Maharashtra Legislative Assembly Rules :—

L. A. BILL No. V OF 2021.

A BILL

to establish and incorporate the Maharashtra State Skills University, in the State of Maharashtra, a specialized University first of its kind, to create highly skilled and employable youth, to encourage job creation and to promote delivery of high quality skill education, startups, incubation, employability, training, counselling, apprenticeship, on-job training, and placements in an integrated manner with industry partnership, to promote inclusive growth by facilitating employment and providing self-employment guidance for the youth to enhance their incomes, to support the economically backward communities in terms of providing skill development, employment, entrepreneurship and self-employment opportunities and to provide a job-ready workforce to the industry thus reducing unemployment and ultimately propelling the economic growth of the State and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to establish and incorporate the Maharashtra State Skills University, in the State of Maharashtra, a specialized University first of its kind, to create highly skilled and employable youth, to encourage job creation and to promote delivery of high quality skill education, startups, incubation, employability, training, counselling, apprenticeship, on-job training, and placements in an integrated manner with industry partnership, to promote inclusive growth by facilitating employment and providing self-employment guidance for the youth to enhance their incomes, to support the economically backward communities in terms of providing skill development, employment, entrepreneurship and self-employment opportunities and to provide a job-ready workforce to the industry thus reducing unemployment

and ultimately propelling the economic growth of the State and for matters connected therewith or incidental thereto, it is hereby enacted in the Seventy-second Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

1. *(1)* This Act may be called the Maharashtra State Skills University Act, 2021.

(2) It extends to the whole of the State of Maharashtra.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions.

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

(a) " Academic Council " means the Academic Council of the University constituted under section 26 ;

(b) " academic staff " means such categories of staff as are designated as academic staff by Ordinances ;

(c) " academic quality " means the quality of skill education, teaching and learning and includes physical infrastructure, human resources (including faculty and trainers), administration, curricula, skill training, admission, assessment and evaluation procedures, governance structures, and students job placements ;

(d) " accreditation ", with its grammatical variations means the process of quality control and quality enhancement in skill education, whereby, as a result of evaluation or assessment or by any other scientific method, an institution of skill education or training establishment is recognized by it as conforming to specific parameters of academic quality and benchmarking of such academic quality determined by the University ;

(e) " affiliation ", with its grammatical variations, includes, in relation to an institution of skill education or training establishments either Government, Semi-Government or industry owned, recognition of such institution and training establishment by, association of such institution and training establishment with, and admission of such institution and training establishments to the privileges of the University ;

(f) " affiliated college " means a college, which is under the management of any authority other than a University and is affiliated to the University ;

(g) " apprenticeship " means a course of training in any industry or establishment undergone in pursuance of a contract of apprenticeship and under prescribed terms and conditions which may be different for different categories of apprentices ;

(h) " authorities " means the authorities of the University as specified by or under this Act ;

(i) " Board of Studies " means the Board of Studies of a Skill Department of the University constituted under section 29 ;

(j) " campus " means the campus of the University including work based facilities and hub and spoke centres as may be established by it at any place within State ;

(k) " centre " means a skill centre which provides skill development and vocational education programs to students, youth and other stakeholders ;

(l) " centre of excellence " means the state-of the art training or research centre established in collaboration with industry association or for the benefit of the industry and society, to provide all types of upskilling to students, in-service employees, working professionals and to undertake joint projects ;

(m) " certificate " means such award granted by the University certifying that the recipient has successfully completed a course of study of appropriate duration as prescribed by Statutes ;

(n) " Chancellor " means the Chancellor of the University ;

(o) " choice based credit system " means the curricular system that offers multiple interdisciplinary choices for students to select from the courses (core, elective or minor or skill-enhancement courses) to accumulate credits as prescribed in Statutes ;

(p) " college " means a college or other academic institution established or maintained by, or admitted to the privileges of the University ;

(q) " competency " means the ability to use acquired knowledge and learning and development of character for performing a job role successfully or efficiently ;

(r) " credit framework " means the framework, developed by the University, built on measured units of education, skills and learning credits for a student to achieve the competency for performing a job role successfully or efficiently ;

(s) " curriculum package " means the competency based curriculum package consisting of syllabus, textbooks, student's manual, trainers guide, training manual, assessment and evaluation guidelines and all such material, including electronic material, required to impart skill education, employment and entrepreneurship and teaching to prepare a student to acquire the performance outcomes, skill and competencies required of a person engaged or likely to be engaged, in a particular job role ;

(t) " Department " means Skill Development, Employment and Entrepreneurship Department, Government of Maharashtra ;

(u) " Director of Vocational Education and Training " means Director of Vocational Education and Training, Department of Skill Development, Employment and Entrepreneurship ;

(v) " employee " means any person appointed by the University and includes teachers, officers, administrative and other staff of the University ;

(w) " fee " means tuition fees, other fees and charges including developmental charges collected by the University or its colleges, institutions, skill centres or study centres, as the case may be, from the students by whatsoever name it may be called ;

(x) " fund " means the University fund referred to in section 66 ;

(y) " Governing Council " means the Governing Council of the University constituted under section 24 ;

(z) " Government " or " State Government " means the Government of Maharashtra ;

(za) " industry partner " means an individual, or a trust established under the Indian Trusts Act, 1882, or company established under the Companies Act, 2013, or society formed and registered under the Societies Registration Act, 1860, or a combination of one or more of such industry partner, and providing, in partnership with the State Government, funds for capital investment for establishment of the University and for its maintenance ; 2 of 1882. 18 of 2013. 21 of 1860.

(zb) " institution " means an academic institution of higher learning, or research centre, or any organization imparting skill courses, not being a college, and not associated with any other university ;

(zc) " knowledge partner " means an institution or university specialized in or having experience and expertise in skill development or skill based education which has been recognized by the University for mentoring and supporting the University in conducting all its activities and academic programmes ;

(zd) " notification " means a notification published in the *Official Gazette* ;

(ze) " on-job training " a technique wherein students or employees are given direct instructions to perform their jobs on the actual work floor ;

(zf) " open education ", " online education " and " distance education " means education imparted by combination of any two or more means of communication, *viz.* broadcasting, telecasting, Information Communication Technology, online, contact programmes and any other such blended methodology ;

(zg) " *Official Gazette* " means the Maharashtra Government Gazette ;

(zh) " prescribed " means prescribed by Statutes or Ordinances or Regulations, as the case may be, made by or under this Act ;

(zi) " recognized institution " means institution granted recognition by the University for the purpose of conducting various courses of the University ;

(zj) " regional centre " means a regional centre established or maintained by the University for the purpose of conducting various courses of the University and co-ordinating and supervising the work of study centres in any region and for performing such other functions as may be conferred on such centre by the Governing Council ;

(zk) " regulatory body " means a body established by the Central Government or State Government for laying down norms and conditions for ensuring academic standards of skill education ;

(zl) " section " means a section of this Act ;

(zm) " Skill Department " means the Skill Department established by the University for teaching a particular subject or a group of subjects ;

(zn) " skill centre " means a training centre established by the University or extended to the University by industry corporates, industry associations, companies and practitioners to provide skill training for the benefit of the industry, students, local population and all stakeholders ;

(zo) " Statutes ", " Ordinances " and " Regulations " means, respectively, the Statutes, Ordinances and Regulations of the University made under this Act ;

(zp) " student " means a person enrolled in the University for taking a program of study for a degree, diploma or other academic distinction instituted by the University or affiliated, autonomous colleges or recognized institutions or centres of the University ;

(zq) " study centre " means a centre established and maintained or recognized by the University for the purpose of advising, career guidance and counselling or for rendering any other assistance required by the students in the context of all the courses including open, distance and online education offered by the University ;

(zr) " teachers of the University " means Professors, Associate Professors, Assistant Professors, Adjunct Professors, Industry Experts or Resource Persons and such other persons as may be appointed for imparting education, skills, practical training, guide research or render guidance in any form in the University or in any campus, college or institution or regional centres, skill centres and study centres, maintained by the University and are designated as teachers by Ordinances ;

(zs) " University " means the Maharashtra State Skills University established and incorporated as a University under this Act ;

(zt) " Vice-Chancellor " means the Vice-Chancellor of the University.

CHAPTER II

UNIVERSITY

Establishment of University.

3. *(1)* There shall be established a University by the name of the " Maharashtra State Skills University ".

(2) The University shall be a body corporate, by the name specified in sub-section (*1*) and shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer or dispose of any movable or immovable property, which may vest in or may be acquired by it for the purpose of the University, and to contract and do all other things necessary for the purposes of this Act:

Provided that, no such lease, sale or transfer of such property shall be made without the valuation made thereof by the approved valuer appointed by the University and without the prior consent of the Government.

(4) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar or any other person authorized in this behalf, and all process in suits and proceedings shall be issued to and served on the Registrar.

(5) The headquarter of the University shall be on such place as may be notified by the Government in the *Official Gazette*. The University may establish and maintain campuses, colleges, regional centres, skill centres and study centres at such other places as it may deem fit:

Provided that, the University may, with the prior approval of the Government and approval of the University Grants Commission, also establish campuses, skill centres and study centres outside State.

Jurisdiction of University, regional centres and skill centres.

4. *(1)* The jurisdiction of the University shall extend to the whole of the State of Maharashtra.

(2) On and from the date of commencement of this Act, all existing colleges, autonomous institutions and centres imparting education at degree and above level in various skill courses, previously admitted to the privileges of or affiliated to other universities shall have the option to be admitted to the privileges of or affiliated to the Maharashtra State Skills University established under this Act.

(3) Any new society, association or sponsoring body in the State of Maharashtra seeking affiliation or recognition by the University to the college or institution or centre started or conducted by it, imparting skill education, need not seek the permission of any other university constituted under the Maharashtra Public Universities Act, 2016, in the area of which the college or the institution, as the case may be, is to be or is located. On an application of any such society or association or body, the University may, notwithstanding anything contained in any other law for the time being in force, grant the affiliation, with the previous sanction of the State Government, or the recognition, as the case may be, without seeking permission of any other university in the area of which the college or institution is to be or is located. Mah. VI of 2017.

(4) If any educational institution or centre affiliated to or recognized or admitted to the privileges of any other university established by law, seeks to be associated with, or be admitted to the privileges of the University, such association or admission may be permitted with the sanction of the State Government and consent of the university concerned.

Objects of University.

5. The objects of the University shall be to,—

(a) to emerge as the foremost institution of quality in skill education recognised by industry, industry associations, etc. nationally and internationally ;

(b) to develop qualified youth with skill proficiencies and competencies at different levels built on national principles of skill education or as deemed appropriate by the University ;

(c) to promote skill education including employment and entrepreneurship in an integrated and holistic manner with higher education so as to ensure pathways for progression and mobility across forms of education and skills ;

(d) to provide learning, teaching, capacity, capability and skills development and entrepreneurial training, covering a wide spectrum of domains and specializations as may be relevant from time to time in the

fields in which future jobs are going to be created such as automotive, apparel and furnishing, aviation and aerospace, media and entertainment, film, capital goods, communication, design, technology, management and entrepreneurship, business, banking and insurance, healthcare, hospitality, logistics, sports, travel and tourism, life sciences applied and creative arts, humanities, data science and artificial intelligence, e-business, retail, analytics, agri-business, related to Industry 4.0 and any other fields of study including the imparting of skills that have employment potentiality ;

(e) to provide opportunities for flexible learning systems and provide a medium for lifelong learning and skill development with employability ;

(f) to engage and promote constant engagement with industry to understand the skilled manpower needs of industry and build partnerships for youth to learn in a practical and real-world environment ;

(g) to develop competent, skilled and capable youth imbued with skills, learning and the spirit of entrepreneurship and entrepreneurship to meet the skilled employment needs of the country and the world ;

(h) to promote and maintain transparency of the highest order in matters of admission, appointments, evaluation, accreditation, administration and finance ;

(i) to establish state-of-the-art facilities for education, skills training and entrepreneurship development ;

(j) to carry out teaching, skilling, up-skilling, re-skilling and research and offer continuing quality education programmes ;

(k) to start skills development programs, soft skills, courses in new and emerging areas with innovative approaches ;

(l) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examinations, or any other methods of evaluation ;

(m) to provide skill development and training through a variety of programs leading to gainful employment and entrepreneurship ;

(n) to establish links, collaborations and partnerships with other institutions, industry and industry associations in India and abroad ;

(o) to establish links with industry partner for capital investment for establishment of the University and for its maintenance ;

(p) to establish innovative approaches for creation of seamlessness in academic structures, learning time-frames, and working and continuous evaluation processes for nurturing and cultivation of creativity and entrepreneurship ;

(q) to aim at reaching the unreached by using latest information communication technology to deliver education, training and teaching resources to learners ;

(r) to provide a teaching learning pedagogy which combines multiple forms of education and learning pedagogy and course delivery (blended or distance or open or online or skill or other) and thus provide a 'Virtual Campus' where students will come together with experienced faculty and industry members to develop and evolve ;

(s) to provide learning opportunities to wide range of learners representing diverse backgrounds, age groups and socio-economic status and geographic location through a self-paced, self-styled, face to face and online learning environment ;

(t) to collaborate with other colleges, universities, research institutions, profit and non-profit organizations, corporates, industry, industry associations, professional associations or other organizations in India or overseas to conceptualize, design, develop and offer specific education and research programmes, training programmes, skilling and exchange programmes for students, faculty members and others ;

(u) to provide a teaching learning pedagogy focused on hands-on training, professional and skill based training in line with market needs ;

(v) to conduct research in labour market requirements in order to understand emerging trends and offer suitable curricula, courses and programs ;

(w) to undertake collaborative research and advocacy with any organizations in India or overseas for promoting innovative models of education, research, training and skill development including employment and entrepreneurship ;

(x) to design and deliver high quality training, capacity building and development systems for teachers, administrators and working professionals ;

(y) to collaborate with other institutes, industries businesses, universities or labs or agencies or organizations of repute from other States of India or foreign countries to offer joint programmes or courses or research or exchange faculty or information or share practices and give or receive equipment or resources or grants or consultancy for benefit of students ;

(z) to offer mechanism and facility for recognition of prior learning ;

(za) to offer mechanism and facility of credit banking or transfer system to create options of multi-entry and exit and opportunities for movement across Universities or domains or sectors ;

(zb) to provide students an opportunity of life long and continuous training through the University courses offered through conventional or blended or distance or open or online education and other education delivery models suitable for different pedagogical approaches and systems ;

(zc) to provide education, training and skill development opportunities to the informal sector and unorganized workforce in order to build productivity ;

(zd) to provide flexible and modular learning pathways thereby enabling multi entry and exit option ;

(ze) to provide vertical mobility to students undergoing technical, vocational and skill based education and training by offering Diploma, Bachelor, Masters and Doctoral programs in high growth sectors and offer various specializations to prepare the youth towards gainful employment and entrepreneurship ;

(zf) to provide a flexible and open system of learning ;

(zg) to conduct pedagogical and skill enhancement training and development programs for faculty and trainers who are involved in imparting vocational education and skill training ;

(zh) to provide professional and development services to the industry, organizations, agencies and the society at large ;

(zi) to undertake skill assessments for the students studying in the University as well as for other students, agencies, training providers, institutions, industry and organizations ;

(zj) to do research in the pedagogy of skill assessments, online assessments, computerized assessments or tests and develop required software, hardware solutions or other systems or processes for carrying, out assessments or tests ;

(zk) to use modern and post-modern processes, mechanisms and technologies for governance and management of learning, teaching, researching, evaluating, developing, organizing and creating socio-economic wealth for individuals and society for Twenty-first Century ;

(zl) to provide professional and development services to the industry and public organizations and society ;

(zm) to encourage industrial and industrial associations participation through establishment of innovation labs, in-service training centres, workshops and active participation in all aspects of governance, curricula design, skill training, placements, internships, consultancy, joint projects, etc ;

(zn) to establish campuses, regional centres, skill centres, community colleges, study centres, information centres, test or examination centres, centres of excellence, etc., at various locations in the State to facilitate delivery, student services and dissemination of education, consultancy, information and skill training with the permission of competent regulatory body ;

(zo) to liaison or collaborate with various ministries, State bodies, departments, agencies or other statutory bodies at state, national, international level in order to understand education and skilling needs and to impart programmes accordingly ;

(zp) to interact with industries for participation in curricula development, teacher training, practical, research, on-job training, skill assessments certifications, etc. ;

(*zq*) to engage and promote knowledge partner for monitoring and supporting the University in conducting all its activities and academic programmes ;

(zr) to undertake necessary or expedient action to pursue and promote the objectives of the University ;

(zs) to ensure that the standard of the degree, diplomas, certificates and other academic distinctions conferred by a University are not lower than those laid down by the competent regulatory body.

6. The University shall have the following powers and duties, namely :— Powers and functions of University.

(a) to provide facilities and promote trainings, studies and research in emerging areas of skills, including new emerging areas in which future jobs are going to be created such as automotive, apparel and furnishing, aviation and aerospace, media and entertainment, film, capital goods,

communication, design, technology, management and entrepreneurship, business, banking and insurance, healthcare, hospitality, logistics, sports, travel and tourism, life sciences applied and creative arts, humanities, data science and artificial intelligence, e-business, retail, analytics, agri-business, related to Industry 4.0 and any other fields of study including the imparting of skills that have employment potentiality ;

(b) to develop curriculum packages and credit frameworks for different levels in accordance with the National Occupational Standards as specified by the National Skill Qualification Framework or as may be defined by the University ;

(c) to define norms and parameters of skill education, teaching and instruction, consistent with the credit framework and curriculum packages, as the University may deem fit ;

(d) to define norms and parameters of skill education, teaching and instruction, consistent with the credit framework and curriculum packages, in such skills and allied areas as the Skills University may deem fit ;

(e) to determine standards of admission to the University, which may include an entrance examination, evaluation or any other method of testing ;

(f) to demand and receive payment of fees and other charges ;

(g) to facilitate instruction, in accordance with the credit framework and curriculum packages, in such skills and allied areas as the University may deem fit, for the dissemination of knowledge and skills training and consistent with its objects ;

(h) to award degrees, diplomas, certificates and other distinctions, as the case may be ;

(i) to define norms of, examination or any other measure of assessment of knowledge and competency of a student of, or admission to, the University or colleges, institutions of skill education, training establishments and research centres affiliated to it ;

(j) to hold examinations or other assessments of knowledge or competency, or accredit the examination or other assessment systems affiliated to it, as the University may, from time to time, determine ;

(k) to establish, maintain or recognise, colleges, institutions, training establishments and research centres and affiliate such colleges, institutions, training establishments and research centres, in such manner and in accordance with such parameters as may be specified by its Statutes ;

(l) to admit to its privileges any college or institution in the State subject to such conditions as may be laid down by the Statutes:

Provided that no college or institution shall be so admitted except with the prior approval of the State Government ;

(m) to confer autonomous status on a college or an institution in the manner laid down by the Statutes ;

(n) to recognise industries, companies, national and international partners (as skill knowledge providers) for purposes of practical training of students in skills, and to define norms for recognition of competency attained by a student in such practical training in industry for the purpose of earning credits ;

(o) to define norms and measures of assessment for recognition of prior learning and competency in skills, based on relevant experience at work or in industry ; and to assign credits for such prior learning or competency in accordance with the credit framework ;

(p) to lay down norms for transfer of credits to promote new learning opportunities without compromising on learning outcomes ;

(q) to introduce semester system, continuous evaluation and choice-based credit system enabling credit transfer and joint degree or dual degree programmes with other universities and academic institutions ;

(r) to admit foreign students to the University as per the policy and schemes of the Government of India and the procedure approved by the Governing Council ;

(s) to deliver blended or distance or open or online degrees in skill education with prior permission of competent authority ;

(t) to institute skill education, teaching or other academic positions, required by the University, with such qualifications and designations as it may deem fit, and to appoint persons on tenure, term or otherwise to such positions as may be prescribed ;

(u) to appoint persons working or having significant experience of working, in any other university or educational institution or any industry, possessing the required knowledge or competency, as adjunct, guest or visiting faculty of the University on such terms and for such duration as such University may decide ;

(v) to lay down parameters for assessment certification and accreditation of skill educators and training providers in accordance with the norms prescribed, or in their absence, such norms as may be determined by the University ;

(w) to create administrative and other non-teaching posts and to make appointments thereto with the permission of the Governing Council ;

(x) to determine, specify and receive payment of fees and other charges, as the University may deem fit, from students and any other person, institution, industry or body corporate for instructions and other services, including training, consultancy and advisory services, provided by such University ;

(y) to hold, manage and dispose of any property belonging to, or vested in, the University in such manner as the University may deem fit for attainment of its objects:

Provided that where land for the University has been provided free of cost or at subsidized cost by the State Government, such land may be disposed of only with the prior approval of the State Government ;

(z) to purchase or to take on lease or leave and license any land or building, premises or infrastructure which may be necessary or convenient as the University may deem fit for attainment of its objects ;

(za) to receive gifts, grants, donations or benefactions from the Central Government and the State Government and to receive bequests, donations and transfer of movable or immovable properties from testators, donors or transferors, as the case may be ;

(zb) to borrow with the previous approval of the State Government, on the security of the property of the University, money for the purposes of the University ;

(zc) to invest the funds of the University in or upon such securities and transpose any investment from time to time in the nationalized banks in the interest of the University ;

(zd) to establish and maintain such infrastructure, including campuses, regional centres, skill centres and study centres within the territories of the State of Maharashtra, as may be necessary for attainment of its objects ;

(ze) to undertake, or cause to be undertaken, such studies for assessment of skill needs as may be required in the future and to prepare and maintain a database of skills assessment and requirements in terms of the emerging employment market, as the case may be, relevant to the instructions imparted or proposed to be imparted in the University ;

(zf) to institute and award fellowships, scholarships, exhibitions, prizes and medals ;

(zg) to collaborate with any other university or institution of national importance in offering joint degree programmes for bridging skill education with higher education ;

(zh) to promote international collaboration in education with institutions of education for the purpose of developing competency, knowledge and ability to global standards and award joint degrees with prior permission of competent authority ;

(zi) to promote a spirit of entrepreneurship in skills amongst youth ;

(zj) to promote career guidance and counselling among the youth ;

(zk) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

University to be open to all caste, creed, race or class.

7. *(1)* No citizen of India shall be excluded from any office of the University or from membership of any of its authorities, bodies or committees, or from appointment to any post, or from admission to any degree, diploma, certificate or other academic distinction or course of study on the ground only of sex, race, creed, class, caste, place of birth, religious belief or profession or political or other opinion:

Provided that, the University may establish, maintain, accredit or recognize any college or institution exclusively for women, reserved for women or reserved for person with disability.

(2) The University shall adopt Government policy and orders issued, from time to time, in regard to the reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, person with disability for appointment to different posts of teachers and non-teaching employees and for the purpose of admission of students in the affiliated or conducted or community colleges, university departments, university institutions or recognized institutions.

(3) The University shall adopt with the general policy of the State Government in regard to the welfare of various categories of weaker sections of the society, minorities, women and persons with disability as directed by the State Government, from time to time.

Control of State Government on University.

8. *(1)* Without prior approval of the State Government, the University shall not,—

(a) create new posts of teachers, officers or other employees ;

(b) revise the pay, allowances, post-retirement benefits and other benefits of its teachers, officers and other employees ;

(c) grant any special pay, allowance or other extra remuneration of any description whatsoever, including ex-gratia payment or other benefits having financial implications, to any of its teachers, officers or other employees ;

(d) divert any earmarked funds received for any purpose other than that for which it was received ;

(e) transfer by sale or lease of immovable property ;

(f) incur expenditure on any development work from the funds received from the State Government or University Grants Commission or any person or body for the purposes other than the purposes for which the funds are received ;

(g) take any decision regarding affiliated colleges resulting in increased financial liability, direct or indirect, for the State Government.

(2) The University shall be competent to incur expenditure, in consonance with the policies and directives of the State Government issued from time to time, from the funds received from,—

(a) various funding agencies without any share or contribution from the State Government ;

(b) contributions received from individuals, industries, institutions, organizations or any person whosoever, to further the objectives of the University ;

(c) contributions or fees for academic or other services offered by the University for aided and self-supporting academic programs ;

(d) development fund, or any other fund established by the University ; for the purposes of,—

(i) creation of posts in various cadres ;

(ii) granting pay, allowances and other benefits to the posts created through its own funds, provided that, those posts are not held by such persons, who are holding the posts for which Government contribution is received ;

(iii) starting any academic programs on self-supporting basis ;

(iv) granting remunerations or incentives to its employees for performing any task assigned to them other than their regular duties and responsibilities ;

(v) incurring expenditure on any development work and on welfare activities of its students and employees :

Provided that, there is no financial liability, direct or indirect, immediate or in future, on the State Government.

(3) The State Government may, in accordance with the provisions contained in this Act, for the purpose of securing and maintaining uniform standards in the University, by notification in the *Official Gazette*, prescribe a Standard Code providing for the classification, manner and mode of selection, appointment, induction and advance training, field exposure, deputation and reservation of post in favor of members of the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, duties, workload, pay, allowances, post-retirement benefits, other benefits, conduct and disciplinary matters and other conditions of service of the officers, teachers and other employees of the University and the teachers and other employees in the affiliated colleges and recognized institutions (other than those managed and maintained by the State Government, Central Government and the local authorities) and the provisions for absorption of teachers and employees in the University departments, affiliated or conducted colleges and institutions who are aided and rendered surplus. However, the unaided teachers and employees who are rendered surplus in the University Departments affiliated or conducted colleges and institutions shall not be eligible, for absorption at the aided vacancies in the University affiliated or conducted colleges and institutions. Where such Code is prescribed, the provisions made in the Code shall prevail, and the provisions made in the Statutes, Ordinances and Regulations made under this Act, for matters included in the Code shall, to the extent to which they are inconsistent with the provisions of the Code, be invalid.

(4) The qualifications and experience for the purpose of appointment of non-teaching employees in the University, affiliated colleges and recognized institutions (other than those managed and maintained by the State Government, Central Government and the local authorities) shall be as may be specified by the Government, by an order published in the *Official Gazette*.

(5) Notwithstanding anything contained in this Act, if the circumstances so require and the State Government considers it necessary to do so, it may appoint, on deputation, a suitable person possessing the requisite qualifications to perform the duties of the Registrar, Finance and Accounts Officer or the Director of the Board of Assessment and Evaluation, for a period of not more than one year at a time and not more than three years in the aggregate.

(6) The State Government through the Director, Vocational Education and Training, or any officer not below the rank of Joint Director, shall have right to cause inspection of any affiliated, conducted, or autonomous college, recognized institution or University department or campus or regional centre or study centre.

(7) In case of failure of the University to exercise powers or perform duties specified in section 6, or where the University has not exercised such powers or performed such duties adequately, or where there has been a failure to comply with any order issued by the State Government, or under any other circumstances as the State Government may deem fit, the State Government may issue a directive to the University for proper exercise of such powers or performance of such duties or comply with the order ; and it shall be the duty of the University to comply with such direction. In case the University fails to comply with the directives, the State Government shall call upon the University to give reasons in writing so as to why the directives were not complied with. If the State Government is not satisfied with the explanation, it may refer the matter to the Chancellor for taking necessary action under sub-section *(3)* of section 10.

(8) The State Government shall carry out test audit or full audit of the accounts of a University, college, school, institution, campus, regional centre and study centre, regularly at such intervals as it may deem fit.

State Government to review work and progress of University.

9. *(1)* The State Government may, from time to time, appoint one or more persons to review the work and progress of the University, including colleges, institutions, schools, campuses, regional centres maintained by it, and to submit a report thereon ; and upon receipt of that report, the State Government may, after obtaining the views of the Governing Council thereon through the Vice-Chancellor, take such action and issue such directions, as it considers necessary, in respect of any of the matters dealt with in the report and the University shall abide by such action and be bound to comply with such directions.

(2) The State Government shall have the right to cause an inspection to be made by such person or persons, as it may direct, of the University, its buildings, libraries, laboratories and equipment, and of any college, institution, school, campus, regional centre or study centre maintained by the University ; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, colleges, institutions, schools, campuses, regional centres or study centres.

(3) The State Government shall, in every matter referred to in sub-section *(2)*, give notice of its intention to cause an inspection or inquiry to be made, to the University, and the University shall have the right to make such representations to the State Government, as it may consider necessary.

(4) After considering the representations, if any, made by the University, the State Government may cause to be made such inspection or inquiry as is referred to in sub-section *(3)*.

(5) Where any inspection or inquiry has been caused to be made by the State Government, the University shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.

(6) The State Government may, if the inspection or inquiry is made in respect of the University or any college, institution, school, campuses, regional centres or study centres established or maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon, as the State Government may be pleased to offer, and on receipt of address made by the State Government, the Vice-Chancellor shall communicate to the Governing Council the views of the State Government with such advice as the State Government may offer upon the action to be taken thereon.

(7) The Governing Council shall communicate through the Vice-Chancellor to the State Government such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.

(8) Where, the Governing Council does not, within a reasonable time, take action to the satisfaction of the State Government, it may, after considering any explanation furnished or representation made by the Governing Council, issue such directions, as it may think fit, and the Governing Council shall comply with such directions.

(9) Without prejudice to the foregoing provisions of this section, the State Government may, by order in writing, annul any proceeding of the University which is not in conformity with the provisions of this Act or the Statutes or the Ordinances:

Provided that, before making any such order, the State Government shall call upon the Vice-Chancellor to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, it shall consider the same.

(10) The State Government shall have such other powers, in respect of the affairs of the University, as may be prescribed by the Statutes.

CHAPTER III

Officers Of The University

Chancellor and his powers.

10. *(1)* The Governor of Maharashtra shall be the Chancellor of the University and the Chancellor, by virtue of his office, shall be the Head of the University.

(2) The Chancellor, when present, shall preside over the Convocation of the University and may issue directions to the Vice-Chancellor to convene the meeting of any authority of the University for specific purposes, whenever necessary, and the Vice-Chancellor shall submit the minutes of such meeting to the Chancellor for his perusal.

(3) The Chancellor shall, on receiving a reference from the State Government, or may, in any matter *suo motu* or otherwise, call for a report or an explanation or such information and record relating to such matter or any matter or affairs of the University, and shall, after considering such report or explanation, or information or record, issue such directions thereupon as may be deemed fit in the interest of the University or student or larger interest of the public, and his directions shall be final and shall be complied with by the University forthwith.

(4) The Chancellor may, after taking report in writing from the Vice-Chancellor, suspend or modify any resolution, order or proceeding of any authority, body, committee or officer which, in his opinion, is not in conformity with this Act, Statutes, Ordinances or Regulations made thereunder, or is not in the interest of the University and the University authority, body, committee and officer, shall comply with the same:

Provided that, before making any such order, the Chancellor shall call upon the University authority, body, committee or, as the case may be, officer to show cause why such an order should not be made, and if any cause is shown, within the time fixed by the Chancellor, he shall consider the same and wherever he deems it necessary, after consulting the State Government, decide the action to be taken in the matter, and his decision shall be final.

(5) Where, in the opinion of the Chancellor, the conduct of any nominated or appointed or co-opted member is detrimental to the smooth functioning of the University or any authority or body or committee, he may, after giving such member an opportunity to offer his explanation in writing and after considering such explanation, if any, and satisfying himself that, it is necessary so to do, disqualify such member or suspend him for such period, as he may deem fit.

(6) The Chancellor shall, exercise such other powers and perform such other duties, as may be conferred upon or vested in him by or under this Act.

Other officers of the University.

11. The following shall be the officers of the University, namely :—

(1) the Vice-Chancellor ;

(2) the Registrar ;

(3) the Head of Skill Departments ;

(4) the Finance and Accounts Officer ;

(5) the Director of Assessment and Evaluation ;

(6) the Director of Innovation, Incubation and Enterprise ;

(7) the Director of Counselling and Placement ; and

(8) such other officers as may be declared by the Statutes to be the officers of the University.

Appointment of Vice-Chancellor.

12. *(1)* There shall be a Vice-Chancellor who shall be the principal academic and executive officer of the University and *ex-officio* Chairperson of the Governing Council, Academic Council, Board of Assessment and Evaluation, Board of Innovation, Incubation and Enterprise, Board of Counselling and Placement, Finance and Accounts Committee, and shall preside in the absence of the Chancellor at any convocation for conferring degrees:

Provided that, first Vice-Chancellor shall be appointed by the State Government.

(2) Save as otherwise provided, pay and allowances, terms and conditions of service of the Vice-Chancellor shall be such, as may be determined by the State Government, from time to time.

(3) The Vice-Chancellor shall be appointed by the Chancellor in the following manner :—

(a) There shall be a committee consisting of the following members to recommend suitable names to the Chancellor for appointment of the Vice-Chancellor, namely :—

(i) a member nominated by the Chancellor, who shall be the retired Judge of the Supreme Court or retired Chief Justice of High Court or an eminent scholar of national repute or a leading industrialist or corporate leader ;

(ii) the Additional Chief Secretary or Principal Secretary or Secretary of the Skill Development, Employment and Entrepreneurship Department, or any officer not below the rank of Secretary to Government nominated by the State Government ;

(iii) a nominee of the State Government from amongst those, who are, or have been, Vice-Chancellor of University in the State.

(b) The member nominated by the Chancellor shall be the Chairman of the committee.

(c) The members nominated on the committee shall be persons who are not connected with the University or any college or any recognized institution, or school or campus or regional centre or skill centre or study centre of the University.

(d) No meeting of the committee shall be held unless all the three members of the committee are present.

(e) The committee shall recommend a panel of not less than five suitable persons for the consideration of the Chancellor for being appointed as the Vice-Chancellor. The names of the persons so recommended shall be in alphabetical order without any preference being indicated. The report shall be accompanied by a detailed write up on the suitability of each person included in the panel.

(f) A person recommended by the committee for appointment as Vice-Chancellor shall,—

(i) be an eminent academician and an administrator of high calibre or be a person with proven record of experience in skill education or employability based education or entrepreneurship promotion holding doctoral degree and with experience of working in a University ;

(ii) be able to prove leadership by his own example ;

(iii) be able to provide vision ; and have ability to translate the same into reality in the interest of students in society ; and

(iv) possess such educational qualification and experience as may be specified by the State Government, by an order published in the *Official Gazette*, in consultation with the Chancellor.

(g) The eligibility conditions and the process for recommendation of names for appointment as Vice-Chancellor shall be given wide publicity to ensure the recommendation of most suitable candidates.

(4) The Chancellor may appoint one of the persons included in the panel to be the Vice-Chancellor:

Provided that, if the Chancellor does not approve any of the persons so recommended, he may call for a fresh panel either from the same committee or after constitution of a new committee for the purpose, from such new committee.

(5) The process of preparing the panel of the suitable persons for being appointed as the Vice-Chancellor shall begin at least six months before the probable date of occurrence of the vacancy of the Vice-Chancellor, and the process of appointment of the Vice-Chancellor shall be completed at least one month before the probable date of occurrence of the vacancy of the Vice-Chancellor.

(6) The person appointed as the Vice-Chancellor shall, subject of the terms and conditions of contract of service, hold office for a period of five years from the date on which he takes charge of his office or till he attains the age of sixty-five years, whichever is earlier and he shall not be eligible for re-appointment.

(7) The person appointed as the Vice-Chancellor shall hold a lien, if any, on the substantive post held by him prior to the appointment.

(8) In any of the following circumstances, the exigency whereof shall solely be judged by the Chancellor, namely :—

(i) where the committee appointed under clause *(a)* of sub-section *(3)* is unable to recommend any name within the time limit specified by the Chancellor ;

(ii) where the vacancy occurs in the office of the Vice-Chancellor because of death, resignation or otherwise, and it cannot be conveniently and expeditiously filled in, in accordance with the provisions of sub-sections *(3)* and *(4)* ;

(iii) where the vacancy in the office of the Vice-Chancellor occurs temporarily because of leave, illness or other causes ; or

(iv) where there is any other emergency ;

the Chancellor may appoint any suitable person, to act as the Vice-Chancellor for a term not exceeding twelve months in the aggregate as may be specified in his order:

Provided that, the person so appointed shall cease to hold such office on the date on which the person appointed as the Vice-Chancellor in accordance with the provisions of sub-sections *(3)* and *(4)*, assumes office or the Vice-Chancellor, resumes office.

(9) The Vice-Chancellor shall be a whole time salaried officer of the University and shall receive pay and allowances, and other facilities as determined by the State Government. In addition, he shall be entitled to free furnished residence, a motor car including its maintenance, repairs and fuel required therefor, with the service of a chauffeur, free of charge.

(10) Such sumptuary allowance shall be placed at the disposal of the Vice-Chancellor, as the State Government may approve.

(11) If a person receiving an honorarium from the Consolidated Fund of the State, or if a principal of an affiliated college or recognized institution or University teacher is appointed as Vice – Chancellor, his terms and conditions of service shall not be altered to his disadvantage during the tenure of Vice-Chancellor.

(12) Notwithstanding anything contained in the foregoing sub-sections, the person referred to in sub-section *(7)* shall stand retired from the original post in accordance with the terms and conditions of service of that post.

(13) The Vice-Chancellor may, by writing under his signature addressed to the Chancellor, after giving one month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Chancellor or from the date of expiry of the said notice period, whichever is earlier.

(14) The Vice-Chancellor may be removed from his office if the Chancellor is satisfied that the incumbent,—

(a) has became insane and stands so declared by a competent court ; or

(b) has been convicted by a court for any offence involving moral turpitude ; or

(c) has become an undischarged insolvent and stands so declared by a competent court ; or

(d) has been physically unfit and incapable of discharging functions due to protracted illness or physical disability ; or

(e) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service or any other conditions, prescribed by the State Government under sub-section *(2),* or has abused the powers vested in him or if the continuance of the Vice-Chancellor in the office is detrimental to the interests of the University ; or

(f) is a member of, or is otherwise associated with, any political party or any organization which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity.

Explanation.—For the purposes of this sub-clause, whether any party is a political party, or whether any organisation takes part in politics or whether any moment or activity falls within the scope of this sub-clause, the decision of the Chancellor thereon shall be final:

Provided that, the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under sub-clauses *(d), (e)* and *(f).*

Powers and duties of Vice-Chancellor.

13. *(1)* The Vice-Chancellor shall be the principal academic and executive officer of the University responsible for the development of academic programmes of the University. He shall oversee and monitor the administration of the academic programmes and general administration of the University to ensure efficiency and good order of the University.

(2) The Vice-Chancellor shall be entitled to be present, with the right to speak, at any meeting of any other authority or body or committee of the University, but shall not be entitled to vote thereat, unless he is the Chairperson or member of that authority or body.

(3) The Vice-Chancellor shall have the power to convene meetings of any of the authorities, bodies or committees as and when he considers it necessary to do so.

(4) The Vice-Chancellor shall ensure the directions issued by the Chancellor are strictly complied with or, as the case may be, implemented.

(5) It shall be the duty of the Vice-Chancellor to ensure that the directives of the State Government, if any, and the provisions of this Act, Statutes, Ordinances and Regulations are strictly observed and that the decisions of the authorities, bodies and committees which are not inconsistent with this Act, Statutes, Ordinances and Regulations are properly implemented.

(6) The Vice-Chancellor may defer implementation of a decision taken or a resolution passed by any authority, body or committee of the University if, he is of the opinion that the same is not consistent with the directives of the State Government or with the provisions of this Act, Statutes, Ordinances and Regulations or that such decision for resolution is not in the interest of the University and at the earliest opportunity refer it back to the authority, body or committee concerned for reconsideration in its next meeting with reasons to be recorded in writing. If differences persist, he shall within a week, giving reasons, submit it to the Chancellor for decision and inform about having done so to the members of the authority, body or committee concerned. After receipt of the decision of the Chancellor, the Vice-Chancellor shall take action as directed by the Chancellor and inform the authority, body or committee concerned, accordingly.

(7) If there are reasonable grounds for the Vice-Chancellor to believe that there is an emergency which requires immediate action to be taken, or if any action is required to be taken in the interest of the University, he shall take such action, as he thinks necessary, and shall at the earliest opportunity, report in writing the grounds for his belief that there was an emergency, and the action taken by him, to such authority or body as shall, in the ordinary course, have dealt with the matter. In the event of a difference arising between the Vice-Chancellor and the authority or body whether there was in fact an emergency, or on the action taken where such action does not affect any person in the service of the University, or on both, the matter shall be referred to the Chancellor whose decision shall be final:

Provided that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Governing Council.

Explanation.—For the purposes of this sub-section, action taken by the Vice-Chancellor shall not include disciplinary action against any employee of the University.

(8) Where any matter is required to be regulated by the Statutes, Ordinances or Regulations, but no Statutes, Ordinances or Regulations are made in that behalf or where there is an exigency to amend Statutes, Ordinances and Regulations, the Vice-Chancellor may, for the time being, regulate the matter by issuing such directions as he thinks necessary, and shall, at the earliest opportunity thereafter, place them before the Governing Council or other authority or body concerned for approval. He shall, at the same time place before such authority or body for consideration the draft of the Statutes, Ordinances or Regulations, as the case may be, required to be made in that behalf:

Provided that, such direction shall have to be converted into Statute, Ordinance or Regulation as the case may be, within six months of issuing of such direction failing which such direction shall automatically lapse.

(9) The Vice-Chancellor shall be the appointing and disciplinary authority for the University teachers.

(10) The Vice-Chancellor shall be the appointing and disciplinary authority for officers of the University of the rank of Assistant Registrar and of the rank equivalent thereto and above.

(11) As the Chairperson of the authorities or bodies or committees of the University, the Vice-Chancellor shall be empowered to suspend member from the meeting of the authority, body or committee for persisting to obstruct or stall the proceedings or for indulging in behaviour unbecoming of a member, and shall report the matter accordingly, to the Chancellor.

(12) The Vice-Chancellor shall place before the Governing Council a report of the work of the University periodically as provided under the Ordinances.

(13) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be conferred upon him by or under this Act.

Registrar.

14. *(1)* The Registrar shall be the Chief Administrative Officer of the University. He shall be a full time salaried officer and shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(2) The qualifications and experience for the purpose of selection of the Registrar shall be laid down by the University Grants Commission and approved by the State Government.

(3) The Registrar shall be appointed by the Vice-Chancellor on the recommendation of a selection committee constituted for the purpose under this Act.

(4) Appointment of the Registrar shall be for a term of five years or till he attains the age of superannuation whichever is earlier and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years.

(5) When the office of the Registrar falls vacant or the Registrar is, by reason of illness or absence or any other cause, unable to perform the duties of his office for a period not exceeding six months, the Vice-Chancellor shall appoint a suitable person to officiate as the Registrar until the new Registrar assumes duty or the Registrar resumes duty, as the case may be.

(6) The Registrar shall,—

(a) act as a Member-Secretary of the Governing Council, Academic Council and such other authorities, bodies and committees, as prescribed by or under this Act ;

(b) be the appointing and the disciplinary authority of the employees of the University other than the teachers, non-vacation academic staff and officers of the rank of Assistant Registrar and other officers holding posts equivalent thereto or above ;

(c) be the custodian of the records, the common seal and such other property of the University as the Governing Council may, commit to his charge ;

(d) conduct elections to various authorities and bodies of the University as per the programme approved by the Vice-Chancellor ;

(e) prepare and update the Handbook of the Statutes and Regulations approved by the authorities, bodies or committees, from time to time, and make them available to all members of the authorities and officers of the University ;

(f) receive complaints and suggestions in regard to the improvement of administration and consider them for appropriate action ;

(g) render necessary assistance for inspection of the University, its buildings, class rooms, laboratories, libraries, knowledge resource centre, workshops and equipment is made by such person or persons or body of persons, as directed by the Vice-Chancellor ;

(h) organise training and orientation of non-teaching employees in the University and campuses, regional centres, skill centres, study centres ;

(i) have the power to enter into agreements, sign documents and authenticate records on behalf of the University, subject to the decision of the authorities of the University ;

(j) place before the Governing Council report of the development activities of the University every six months ;

(k) have the power to seek information in regard to any other matter of the University, from the Head of Skill Department, Finance and Accounts Officer and any other officer of the University for submission to the State Government and other external agencies ;

(l) exercise such other powers and perform such other duties, as prescribed by or under this Act or assigned to him, by the Vice-Chancellor, from time to time.

(7) Any person aggrieved by the decision of the Registrar may prefer an appeal, within thirty days from the date of communication of such decision, to the Vice-Chancellor.

Head of Skill Department.

15. *(1)* There shall be a Head for each Skill Department, who shall be a full-time salaried officer.

(2) The Head of Skill Department shall be appointed by the Vice-Chancellor on the recommendations of the selection committee constituted for the purpose as may be prescribed by Statutes.

(3) The Head of Skill Department shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(4) The term of the Head of Skill Department shall be co-terminus with the term of office of the Vice-Chancellor or till he attains the age of superannuation, whichever is earlier:

Provided that, the Vice-Chancellor may continue his services as a Head of Skill Department till the new Head is duly appointed:

Provided further that, in case vacancy occurs in the office of the Vice-Chancellor because of death, resignation or otherwise, the Head of Skill Department shall continue to hold the post till the end of that academic year.

(*5)* The qualification and experience for the purpose of selection of the Head of Skill Department shall be such as may be prescribed by Statutes.

Powers and duties of Head of Skill Department.

16. *(1)* The Head of Skill Department shall, —

(a) be responsible for implementation of policies approved by the Academic Council ;

(b) be responsible for development and application of quality benchmarks or parameters for various skill education activities ;

(c) ensure appropriate actions, as are needed for maintenance of quality of teaching spelt out by the Internal Quality Assurance Cell ;

(d) organize inter-institutional and intra-institutional workshops, seminars, hackathons and competitions ;

(e) interact with State Quality Assurance Cell in the pre-accreditation and post-accreditation quality assessment, sustenance and enhancement endeavours ;

(f) recommend to the Governing Council proposals for the institution of fellowship, travelling fellowship, scholarship, studentship, medals and prizes and making Regulations for their award ;

(g) regulate and co-ordinate research activities to maintain standards in skill education, entrepreneurship and employability and research in the Skill Departments, University Departments, in colleges, recognized institutions, campuses, regional centres, skill centres, study centres, etc. ;

(h) recommend to the Academic Council proposals for conduct of courses in the University, Skill Departments, in colleges, recognized institutions, schools, campuses, regional centres, skill centres, study centres ;

(i) prepare proposals for award of fellowship, scholarship and other distinctions in the Skill Departments for submission to the Academic Council ;

(j) prepare reports as required by the various authorities or bodies of the University, the State Government, the Central Government, or Councils, Commission and any such other body ;

(k) be responsible for proper implementation of the decisions of the Governing Council, Academic Council, Board of Studies, the Board of Assessment and Evaluation, Board of Innovation, Incubation and Enterprise and Board of Counselling and Placement ;

(l) exercise such other powers and perform such other duties as may be prescribed by Statutes or assigned to him by the Vice-Chancellor, from time to time.

Director of Board of Assessment and Evaluation.

17. *(1)* The Director, Board of Assessment and Evaluation shall be a full-time salaried officer and shall work directly under the directions and control of the Vice-Chancellor. He shall discharge his functions under the superintendence, direction and guidance of the Board of Assessment and Evaluation, and shall be concerned with the implementation of the policies and directives given by the Board of Assessment and Evaluation.

(2) The qualifications and experience for the purpose of selection of the Director, Board of Assessment and Evaluations shall be as may be specified by the State Government, by an order published in the *Official Gazette*.

(3) The Director, Board of Assessment and Evaluation shall be appointed by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.

(4) Appointment of the Director, Board of Assessment and Evaluation shall be for a term of five years or till he attains the age of superannuation, whichever is earlier and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more time of five years.

(5) The Director, Board of Assessment and Evaluation shall,—

(a) be the principal officer-in- charge of the conduct of University assessments, tests and evaluation, and declaration of the results ;

(b) be the Member-Secretary of the Board of Assessment and Evaluation and of the committees appointed by the Board except the committees constituted for appointment of paper-setters, examiners and moderators ;

(c) be responsible for making all arrangements necessary for holding assessments, tests and evaluation, and for timely declaration of results ;

(d) evolve and implement in consultation with the Board of Assessment and Evaluation, processes for proper and smooth conduct of assessments and evaluation ;

(e) implement decisions taken by the various University authorities, connected with the assessment and evaluation process ;

(f) carry out all other duties and functions assigned to him by the Board of Assessment and Evaluation ;

(g) exercise such other powers and perform such other duties, as may be prescribed by Statutes or assigned to him by the Vice-Chancellor, from time to time.

Director of Board of Innovation, Incubation and Enterprise.

18. *(1)* The Director, Board of Innovation, Incubation and Enterprise shall be a full time salaried officer who shall be responsible for creation and cultivation of an enabling environment to propagate the concept of innovation, for converting innovative ideas into working models through a process of incubation which shall finally lead to creation of an enterprise and to cultivate, establish, maintain and strengthen the link of the University with premier national and international universities and institutions. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(2) The qualifications and experience for the purpose of selection of the Director, Board of Innovation, Incubation and Enterprise shall be as may be

specified by the State Government, by an order published in the *Official Gazette*.

(3) The Appointment of the Director, Board of Innovation, Incubation and Enterprise shall be made by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.

(4) The Appointment of the Director, Board of Innovation, Incubation and Enterprise shall be for a term of five years or the age of superannuation, whichever is earlier, and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years.

(5) The Director, Board of Innovation, Incubation and Enterprise shall,—

(a) be the principal officer who shall lead and provide vision to the centre for innovation, incubation and enterprise with his dynamism and enterprise ;

(b) spearhead the awareness and training programmes for imparting education on intellectual property rights and aspects associated therewith ;

(c) organize training programmes for creating awareness on the importance of entrepreneurship ;

(d) organize and create support system for cultivation and incubation of good ideas into a scalable mode that would eventually culminate into the establishment of small, medium and large industry ;

(e) work towards creating a liaison with national and international bodies and agencies involved in creating and developing entrepreneurial skills in students ;

(f) take all steps to facilitate colleges to establish linkages with knowledge based and other types of industries ;

(g) conduct training programmes to guide the young entrepreneurs in operational aspects, legal aspects, intellectual property rights, patent related issues, business model creation and financial aspects ;

(h) implement the policies and strategies for promotion of international linkages with premier national and international universities and institutions ;

(i) process applications for visits of teachers and students from University Departments, institutions, conducted colleges, colleges and recognized institutions to national and international universities or institutions and assist them on logistic support for such visits ;

(j) undertake any other task that may be assigned to him by the university authorities, to ensure that the objectives of the Board for Innovation, Incubation and Enterprise are accomplished ;

(k) exercise such other powers and perform such other duties, as may be prescribed by Statutes or assigned to him by the Vice-Chancellor, from time to time.

Director of Board of Counselling and Placements.

19. *(1)* The Director, Board of Counselling and Placements shall be a full-time salaried officer who shall be responsible for leadership in the administration, planning, implementation and evaluation of counselling services for placements based on industry demand. These services are provided to promote students' personal development and psychological well-being and include individual and group counselling, outreach programming, training, consultation, crisis intervention and assessment. This position

involves supervision of professional and support staff, budget administration and formulation of unit policies and procedures. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(2) The qualifications and experience for the purpose of selection of the Director of Counselling and Placements shall be as may be specified by the State Government, by an order published in the *Official Gazette*.

(3) The Appointment of the Director, Board of Counselling and Placements shall be made by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.

(4) The Appointment of the Director, Board of Counselling and Placements shall be for a term of five years or the age of superannuation, whichever is earlier, and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years.

(5) The Director, Board of Counselling and Placements shall,—

(a) be the primary officer who will directly lead all initiatives regarding job search strategies, personal career advisement and training issues ;

(b) organize workshops and training sessions for identifying and working with essentials to employment, professional goal setting and planning ;

(c) ensure financial responsibility of the unit by preparing the budget and supervising all expenditures ;

(d) create networking opportunities for students and round table conferences at regular intervals ;

(e) lead the initiatives of hiring the required qualified personnel for effective functioning of the placement and counselling centre ;

(f) provide effective and appropriate services by planning, organizing and implementing new counselling, training, and educational outreach programs ;

(g) ensure that the needs of students are addressed in emergency situations by co-ordinating and providing crisis intervention services during office hours and after hours as needed ;

(h) provide information and support by planning in-service training experiences for counselling center staff ;

(i) promote communication within the unit by conducting regular staff meetings ;

(j) ensures office effectiveness by handling office correspondence and interviews ;

(k) create internship opportunities for the students and aim at achieving a cent percent placement of students ;

(l) communicate the function and mission of the placement and counselling centre by meeting with students, faculty and administrative groups of the University and the greater community ;

(m) undertake any other task that may be assigned to him by the University authorities, to ensure that the objectives of the Board of Counselling and Placement are accomplished ;

(n) exercise such other powers and perform such other duties, as may be prescribed by Statutes or assigned to him by the Vice-Chancellor, from time to time.

Finance and Accounts Officer.

20. *(1)* The Finance and Accounts Officer shall be the principal finance, accounts and audit officer of the University. He shall be a full-time salaried officer and shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(2) The Finance and Accounts Officer shall be appointed by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.

(3) The Finance and Accounts Officer shall be a person who is a Chartered Accountant or a Cost Accountant, with professional experience of not less than five years.

(4) In case the person possessing the qualifications and experience as specified in sub-section *(3)* cannot be appointed, the Finance and Accounts Officer may be appointed from amongst the Government Officers of the State Finance and Accounts Service, holding the post not below the rank of Deputy Director.

(5) The appointment of the Finance and Accounts Officer shall be for a term of five years until the age of superannuation, whichever is earlier, and he shall not be eligible for re-appointment in that University.

(6) The Finance and Accounts Officer shall,—

(a) exercise general supervision over the funds of the University and advise the Vice-Chancellor as regards the finances of the University ;

(b) hold and manage the funds, property and investments, including trust and endowed property, for furthering the objects of the University, with the approval of the Vice-Chancellor ;

(c) ensure that the limits fixed by the University for recurring and non-recurring expenditure for a year are not exceeded, and that all allocations are expended for the purposes for which they are granted or allotted ;

(d) keep watch on the state of the cash and bank balances and investments ;

(e) ensure effective revenue governing by keeping watch on the process and progress of collection of revenue, and advise the Vice-Chancellor on the methods to be employed in this regard ;

(f) perform the duties under clauses (*a*) to (*e*) as per the Maharashtra Universities Account Code ;

(g) get the accounts of the University audited regularly ;

(h) call for, from any office, campuses, regional centres, skill centres, study centres of the University or University institution or, any information and returns that he thinks necessary for the proper discharge of his financial responsibilities ;

(i) maintain the minutes of the meetings of the Finance and Accounts Committee ;

(j) be responsible for preparation and maintenance of accounts by double entry accounting system, on accrual basis, presenting the annual financial estimates (budget), statement of accounts and audit reports, to the Finance and Accounts Committee and to the Governing Council ;

(k) prepare financial reports as required by the various authorities or bodies of the University, the State Government, the Central Government, the Central Educational Commissions or Councils, Commission, University Grants Commission and All India Council for Technical Education and any such body providing funds to the University ;

(l) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice-Chancellor, from time to time.

Law Officer.

21. *(1)* The Law Officer shall be the principal legal officer of the University. He shall be a full-time salaried officer and shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(2) The Law Officer shall be appointed by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.

CHAPTER IV

Authorities Of University

Authorities of University.

22. The following shall be the authorities of the University, namely :—

(a) the Governing Council ;

(b) the Academic Council ;

(c) the Board of Studies ;

(d) the Board of Assessment and Evaluation ;

(e) the Board of Innovation, Incubation and Enterprise ;

(f) the Board of Counselling and Placements ;

(g) such other authorities as may be declared by the Statutes to be the authorities of the University.

Power of State Government to specify eligibility conditions for being member of any authority of University.

23. Notwithstanding anything contained in any other provisions of this Act, in consultation with the Chancellor, the State Government shall, by an order published in the *Official Gazette*, specify the eligibility conditions for being nominated or co-opted as a member for any Authority of the University.

Governing Council.

24. *(1)* The Governing Council shall be the principal executive and policy making authority of the University and shall be responsible for administering the affairs of the University and carrying out such duties, which are not specifically assigned to any other authority.

(2) There shall be no less than four meetings of the Governing Council in a year.

(3) The procedure for conduct of business to be followed at a meeting including the quorum at the meeting and such other matters in relation to meetings as may be necessary, shall be such as may be prescribed by the Statutes.

(4) The Governing Council shall consist of following members, namely :—

(a) the Vice-Chancellor-Chairperson ;

(b) four eminent persons from the field of skill education or industry or reputed entrepreneurs, of which two shall be former Vice-Chancellor in the Public University in Maharashtra to be nominated by the Chancellor ;

(c) two Heads of Skill Departments to be nominated by the Vice-Chancellor for the tenure of two years, by rotation on the basis of seniority:

Provided that, in rotating the Heads amongst Departments or University institutions, the earlier Departments or University institutions, which were given an opportunity of representation shall be ignored ;

(d) two members nominated by the Academic Council from amongst its members, one shall be a woman ;

(e) one eminent-expert from industry or an industry association preferably with experience in skill education or training, to be nominated by the Vice-Chancellor ;

(f) the Additional Chief Secretary or Principal Secretary or Secretary, Department of Skill Development, Employment and Entrepreneurship or his nominee not below the rank of Joint Secretary or Joint Director ;

(g) the Commissioner, Skill Development, Employment and Entrepreneurship ;

(h) a person to be nominated by the Maharashtra State Skill Development Society, having experience in skill education ;

(i) a person to be nominated by the Maharashtra State Innovation Society, having experience in incubation ;

(j) the Registrar - Member Secretary:

Provided that, the persons belonging to the Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes shall be appointed, by rotation.

(5) The Finance and Accounts Officer, the Director of Board of Assessment and Evaluation, the Director of Board of Innovation, Incubation and Enterprise and the Director of Board of Counselling and Placement, shall be invitees of the Governing Council, but they shall have no right to vote.

Powers and duties of Governing Council.

25. The Governing Council shall have the following powers and duties, namely :—

(a) to review and deliberate on short and long term reforms in academic, research and development activities in skill education, employability and entrepreneurship, that are taking place at the national and global level with a view to allow them to percolate into the University ;

(b) to make such provisions, as may enable colleges, institutions, campuses, regional centres, skill centres and study centres to undertake specialized studies and courses of skill education and employability training, and where necessary or desirable, organize and make provision for common laboratories, libraries, and to provide equipment's for training ;

(c) to establish skills training centres in colleges, schools, institutions, campuses, regional centres, study centres for skill education and employability training ;

(d) to establish departments, colleges, schools, institutions, campuses, regional centres, skill centres, study centres of skill education and employability training, research and specialized studies, on the recommendation of the Academic Council ;

(e) to use technology including learning online education for operation, maintenance of electronics and sophisticated skills education and employability training ;

(f) to make, amend or repeal Statutes, Ordinances and Regulations ;

(g) to control and arrange for administration of assets and properties of the University ;

(h) to discuss and approve with modifications, if any, the annual financial estimates or budget, that is to say the fund which may be received from State Government, University funds and other funding agencies separately, as received from the Finance and Accounts Committee ;

(i) to consider proposals to enter into, amend, carry out and cancel contracts on behalf of the University ;

(j) to determine the form of common seal for the University and provide for its use ;

(k) to accept, on behalf of the University the transfer of any trusts, bequests, donations and transfer of any movable, immovable and intellectual property to the University ;

(l) to transfer by sale or otherwise, any movable or intellectual property rights on behalf of the University ;

(m) to transfer by sale or lease or leave and license or contract, any immovable property to other organization with the prior permission of the State Government:

Provided that, any immovable property may be permitted to be used for the specific period, for the purpose of providing essential physical facilities for accomplishment of objects of the University, such as bank, canteen, post office , mobile towers, etc., without prior approval of the State Government ;

(n) to create immovable assets in the form of land, building, premises and other infrastructure out of reserve funds, for its campuses, regional centres, skill centres, study centres ;

(o) to borrow, lend or invest funds on behalf of the University as recommended by the Finance and Accounts Committee ;

(p) to lay down policy for administering funds at the disposal of the University for specific purposes ;

(q) to provide buildings, premises, infrastructure, furniture, equipment and other resources needed for the conduct of the work of the University ;

(r) to recommend the conferment of honorary degrees and academic distinctions ;

(s) to institute and confer such degrees, diplomas, certificates and other academic distinctions as recommended by the Academic Council and arrange for convocation for conferment of the same, as provided by the Ordinances ;

(t) to institute fellowship, travelling fellowship, scholarship, studentship, exhibitions, awards, medals and prizes, and prescribe Regulations for their awards ;

(u) to make Regulations for collaborations with other universities, institutions and organizations for mutually beneficial academic and training programmes of skill education ;

(v) to create posts of University officers, teachers, trainers, non-teaching skilled, administrative, and non-vacation academic staff from the funds of the University and from the funds received from other funding agencies, on the recommendation of the Academic Council, as and when required, and prescribe their qualifications, experiences and pay-scales ;

(w) to prescribe honoraria, remunerations, fees and travelling and other allowances for trainers, paper-setters and other examination staff, visiting experts, and fees or charges for any other services rendered to the University ;

(x) to consider and approve proposals for change or transfers of governing and shifting of locations of colleges, institutions, campuses, regional centres, skill centres and study centres as prescribed in the Statutes ;

(y) to consider and approve proposals for affiliation of colleges, institutions, campuses, regional centres, skill centres and study centres as prescribed in the Statutes ;

(z) to receive and consider report of the development activities of the University received from the Registrar every six months ;

(za) to assess and approve proposals for academic and skill education and employability training programmes received from the Academic Council ;

(zb) to consider and adopt the annual report, annual accounts and audit report in respect of State Government funds, University funds and funds received from other agencies separately ;

(zc) to cause an inquiry to be made in respect of any matter concerning the proper conduct, working and finances of colleges, institutions, campuses, regional centres, skill centres, study centres or Skill Departments of the University ;

(zd) to delegate, any of its powers, except the power to make, amend or repeal Statues and Ordinances, to the Vice-Chancellor or such officers or authority of the University or a committee appointed by it, as it thinks fit ;

(ze) to define the functions, duties, powers and responsibilities of non-teaching employees in the University, in respect of the posts created from the funds of the University and from the funds received from other funding agencies ;

(zf) to deal with the cases related to the violation of prescribed fees according to the provisions of the Maharashtra Educational Institutions (Prohibition of Capitation Fee) Act 1987 and other relevant Acts ; Mah. VI of 1988.

(zg) to accept donations, gifts and other forms of financial support from alumni, philanthropists, industries and other stakeholders and prescribe the procedure to be followed by the University for accepting such donations, gifts, etc. ;

(zh) to impose penalties upon the erring colleges or recognized institutions after following the procedure laid down by the Statutes ;

(zi) to exercise such other powers and perform duties as prescribed by Statutes.

Academic Council.

26. *(1)* The Academic Council shall be the principal academic authority of the University and shall be responsible for regulating and maintaining the standards of skill education and employability training, research and evaluation in the University. It shall also be responsible for laying down the academic policies in regards to maintenance and improvement of skill education and employability training, research, extension and collaboration programmes.

(2) The Academic Council shall meet not less than four times a year.

(3) The Academic Council shall consist of the following members, namely :—

(a) the Vice-Chancellor, Chairperson ;

(b) Heads of Skill Departments ;

(c) five members nominated by the Vice-Chancellor from Skill Departments, colleges, recognized institutions, schools, campuses, regional centres, skill centres, study centres:

Provided that, one shall be a women and other shall be a person belonging to Scheduled Castes or Scheduled Tribe or De-notified Tribe (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Class, by rotation.

(d) five eminent entrepreneurs or industry experts nominated by the Chancellor ;

(e) the Director of Vocational Education and Training Maharashtra State ;

(f) the Chairman of Maharashtra State Board for Skill Development ;

(g) the Commissioner of Skill Development, Employment and Entrepreneurship ;

(h) Director of Board of Assessment and Evaluation ;

(i) Director of Board of Innovation, Incubation and Enterprise ;

(j) Director of Board of Counselling and Placement ;

(k) Registrar - Member Secretary.

Powers and duties of Academic Council.

27. *(1)* The Academic Council shall have the following powers and duties, namely :—

(a) to ensure that the University becomes a vibrant hub for promotion of skill education and employability training, research and development, interactions and linkages with skill education, employability training and entrepreneurship ;

(b) to consider and approve with modification, if any, the matter referred to it by the Board of Studies through the Skill Departments ;

(c) to ensure that there are choice based credit systems for all certificates, diplomas, degrees, post-graduation programmes and other academic distinctions ;

(d) to ensure that the spirit of research and entrepreneurship percolates to all Skill Departments, colleges, institutions, campuses, regional centres, skill centres and study centres of the University ;

(e) to approve fees, other fees and charges as recommended by the Board of Studies through the fee fixation committee ;

(f) to recommend to the Governing Council, the institution of courses, degrees, diplomas, certificates and other academic distinctions ;

(g) to propose draft of Ordinances relating to the academic matters to thc Govcrning Council ;

(h) to make amend or repeal Ordinance and Regulations relating to academic matters ;

(i) to allocate subjects to the Skill Departments ;

(j) to prescribe qualifications and norms for appointment of paper setters, examiners, moderators and others, concerned with the conduct of assessment and evaluation ;

(k) to consider and make recommendations of the Governing Council for creation of posts of University teachers and non-vacation academic staff, required by the University from the funds of the University and from the funds received from other funding agencies and prescribe their qualifications, experience and pay scales ;

(l) to prescribe norms for recognition of any member of the staff of an affiliated college or recognized institution as a teacher of the University, in consonance with the norms of the University Grants Commission and State Government ;

(m) to prescribe norms for granting affiliation, continuation of affiliation, extension of affiliation to colleges or institutions, and recognition, continuation of recognition, extension of recognition to institutions of skill education and employability training and research or specialized studies ;

(n) to grant affiliation to colleges or institutions in accordance with the provisions of this Act, the Statutes, Ordinance and Regulations ;

(o) to approve annual plan for location of colleges, institutions, campuses, regional centres, skill centres and study centres, as prepared by the Board of Studies and recommended by the Governing Council ;

(p) to approve new courses, interdisciplinary courses and short term training programmes referred to it by respective Skill Departments or the Board of Studies ;

(q) to approve the courses syllabi, paper-setters, examiners, moderators and evaluation schemes of various courses recommended by the Skill Departments concerned ;

(r) to advise the University on all academic matters and submit to the Governing Council feasibility reports on academic programmes ;

(s) to create policy procedure and practice for choice based credit system for all academic programmes ;

(t) to work out the procedures, policies and practices to introduce more flexible approach to skills education and other academic programmes ;

(u) to prepare academic calendar of the University for the subsequent academic year as per the guidelines from the University Grants Commission and the State Government, three months before the expiry of the current academic year ;

(v) to recommend to the Governing Council, establishment of Skill Departments, colleges, schools, campuses, regional centres, skill centres, study centres, institutions of higher learning, research, specialized studies in skills education and employability training ;

(w) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act, the Statutes, Ordinance and Regulations.

(2) The Academic Council shall refer all matters or decisions involving financial implications to the Governing Council for approval.

Skill Departments.

28. *(1)* The University may establish Skill Departments or Schools as may be prescribed by the Statutes.

(2) The Skill Department shall be headed by a Head of Skill Department.

Board of Studies.

29. *(1)* There shall be a Board of Studies for every Skill Department prescribed by the Statutes. The Board of Studies shall be the primary academic body of the University.

(2) The Board of Studies shall consist of the following members, namely :—

(a) the Head of Skill Department shall be the Chairperson of the respective Board of Studies ;

(b) six teachers of the University having minimum ten years teaching experience in the field of skills education, employability training or entrepreneurship, nominated by the Vice-Chancellor in consultation with the Head of Skill Department of the respective subject ;

(c) three teachers from affiliated colleges and recognized institution, nominated by the Vice-Chancellor in consultation with the Head of Skill Department of the respective subject ;

(d) one professor from other universities shall be co-opted ;

(e) four experts as may be prescribed by Statutes.

Powers and duties of Board of Studies.

30. The Board of Studies shall have the following powers and duties, namely :—

(a) to recommend to the Governing Council through the School or Skill Department concerned and the Academic Council, the introduction of new diplomas and degrees ;

(b) to recommend to the Governing Council through the School or Skill Department concerned and the Academic Council, the discontinuation of diplomas and degrees which have become irrelevant ;

(c) to recommend to the School or Skill Department concerned, the course syllabi, course structures and evaluation schemes of various courses ;

(d) to recommend the reference books or supplementary reading books and such other material useful for study of the course ;

(e) to recommend to the School or Skill Departments modifications in respect of addition or deletion or updating of courses ;

(f) to prepare the panels of paper-setters, examiners and moderators for the University examinations and evaluation, based on the criteria laid down by the Academic Council and recommend them to the Board of Assessment and Evaluation ;

(g) to encourage learning by collaboration and participation by using information and communication technology tools ;

(h) to design curricula ;

(i) to ratify curricula ;

(j) to audit the academic and other skills related programs and recommend changes, periodic audit and its follow up ;

(k) to exercise such other powers and perform duties as may be prescribed by Statutes.

Board of Assessment and Evaluation.

31. *(1)* The Board of Assessment and Evaluation shall be the authority to deal with all matters relating to the examinations and evaluations.

(2) The Board of Assessment and Evaluation shall meet at least twice in an academic year.

(3) The Board of Assessment and Evaluation shall consist of the following members, namely :—

(a) the Vice-Chancellor-Chairperson ;

(b) Heads of Skill Departments ;

(c) two members nominated by the Governing Council ;

(d) two members nominated by the Academic Council ;

(e) one expert in the field of evaluation in computerized environment, nominated by the Vice-Chancellor ;

(f) one expert not below the rank of Deputy Registrar of other Statutory University from the State of Maharashtra who has experience related to examination work in computerized environment as an invitee to be nominated by Vice-Chancellor ;

(g) the Commissioner of Skill Development, Employment and Entrepreneurship or his nominee not below the rank of Joint Director ;

(h) Director, Board of Assessment and Evaluation-Member Secretary.

Powers and duties of Board of Assessment and Evaluation.

32. The Board of Assessment and Evaluation shall have the following powers and duties, namely :—

(a) to devise policy, mechanism and operational strategies, to do the tasks relating to assessment of performance of students, efficiently and in a time bound manner ;

(b) to ensure proper organization of examinations and tests of the University, including moderation, tabulation, evaluation and timely declaration of results ;

(c) to prepare the financial estimates relating to examinations and evaluations for incorporation in the annual financial estimates (budget) of the University and shall submit the same to the Finance and Accounts Committee ;

(d) to arrange for strict vigilance during the conduct of examinations so as to avoid use of unfair means by the students, teachers, invigilators, supervisors, etc. ;

(e) to establish procedures and devise operative mechanism for credit assessment in the modular structure by the teachers and use computer technology for the entire process of assessment and evaluation including creating and effectively using a repository of question banks ;

(f) to ensure that the assessment of answer books for award of degrees, diplomas or certificates shall be done centrally through central assessment system by the following system of masking and de-masking of answer books or any other alternative system for ensuring the objective of secrecy ;

(g) to undertake examination and evaluation reforms in order to make examination and evaluation system more efficient ;

(h) to appoint paper-setters, examiners and moderators from amongst the person included in the panels prepared by the respective Board of Studies ;

(i) to approve detailed programme of examination and evaluation as prepared by the Director, Board of Assessment and Evaluation ;

(j) to consider the reports of review of results of University examinations forwarded by the Director, Board of Assessment and Evaluation ;

(k) to hear and decide the complaints relating to conduct of assessment and evaluation ;

(l) to exercise such other powers in relation to examinations and evaluation as may be assigned to it by or under this Act.

Board of Innovation, Incubation and Enterprise.

33. *(1)* There shall be a Board of Innovation, Incubation and Enterprise for creation and cultivation of an enabling environment to propagate the concept of innovation and to convert the innovative ideas into working models through a process of incubation which shall finally lead to the creation of enterprise.

(2) The University shall establish an independent Innovation, Incubation and Enterprise Committee to carry out the objectives of the Board for Innovation, Incubation and Enterprise. The Committee shall exercise the powers and perform the duties as may be assigned by the Board, from time to time.

(3) The Board of Innovation, Incubation and Enterprise shall meet at least thrice in an academic year.

(4) The Board of Innovation, Incubation and Enterprise shall consist of the following members, namely :—

(a) the Vice-Chancellor - Chairperson ;

(b) one Head of Skill Department, nominated by the Academic Council ;

(c) five prominent industrialists or entrepreneurs, nominated by the Governing Council ;

(d) five members nominated by the Vice-Chancellor from Skill Departments, colleges, recognized institutions, schools, campuses, regional centres, skill centres, study centres ;

(e) the Commissioner of Skill Development, Employment and Entrepreneurship or his nominee not below the rank of Joint Director ;

(f) the representative of Department of Information and Technology, not below the rank of the Deputy Secretary ;

(g) the Director, Board of Innovation, Incubation and Enterprise Member-Secretary.

Powers and duties of Board of Innovation, Incubation and Enterprise.

34. The Board of Innovation, Incubation and Enterprise shall have the following powers and duties, namely :—

(a) to create synergy at policy and operative level mechanism for co-existence and co-operation between various research and development activities in the University, Skill Departments, colleges and various industries in the State and in other States ;

(b) to create synergy through operative policy mechanism and support system for incubation of good ideas such as product, process, service and innovation, into a scalable mode so as to establish small, medium and large industries ;

(c) to establish a system to support protection of intellectual property rights at national and global level ;

(d) to establish a system so as to guide and help young entrepreneurs in operational, legal, business model creation and financial support ;

(e) to project and plan the activities to be carried out by the Innovation, Incubation and Enterprise Committee ;

(f) to prepare annual programmes of activities of the Board of Innovation, Incubation and Enterprise and review the same periodically ;

(g) to prepare the annual budget of the Board of Innovation, Incubation and Enterprise ;

(h) to oversee and monitor the activities of the Innovation, Incubation and Enterprise Committee ;

(i) to submit an annual report of working of Innovation, Incubation and Enterprise Committee to the Governing Council ;

(j) to undertake any other task as may be assigned by the University authorities to carry out the objectives of the Board of Innovation, Incubation and Enterprise.

Board of Counselling and Placement.

35. *(1)* There shall be a Board of Counselling and Placement for creation and cultivation of an enabling environment to propagate employability and placement of the students of the University.

(2) The University shall establish an independent Counselling and Placement Committee to carry out the objectives of the Board of Counselling and Placement. The Committee shall exercise the powers and perform the duties as may be assigned by the Board, from time to time.

(3) The Board of Counselling and Placement shall meet at least thrice in an academic year.

(4) The Board of Counselling and Placement shall consist of the following members, namely :—

(a) the Vice-Chancellor - Chairperson ;

(b) one Head of Skill Department, nominated by the Academic Council ;

(c) five prominent industrialists or corporate leaders, nominated by the Governing Council ;

(d) five members nominated by the Vice-Chancellor from Skill Departments, colleges, recognized institutions, schools, campuses, regional centres, skill centres, study centres ;

(e) the Commissioner of Skill Development, Employment and Entrepreneurship or his nominee not below the rank of Joint Director ;

(f) the Director, Board of Counselling and Placement-Member-Secretary.

Powers and duties of Board of Counselling and Placement.

36. The Board of Counselling and Placement shall have the following powers and duties, namely :—

(a) to take necessary steps for promotion of students' development activities in colleges and University departments ;

(b) to establish links with corporates to promote various activities jointly with them ;

(c) to take up activities in colleges and University departments to promote skills required for interviews and networking ;

(d) to hold University level competitions, skills development workshops, interactive activities in order to bring the corporates and hiring agencies closer to the colleges, institutions and the University ;

(e) to devise, develop and implement innovative schemes of students development including apprenticeship, on-job training, Earn and Learn Scheme, etc. ;

(f) to take necessary measures to ensure participation of students in organizing, leading and attending all events related to internships and placements ;

(g) to devise, develop and implement schemes of career counselling, psychological counselling and rehabilitation and upliftment of differently-abled students ;

(h) to project and plan the activities to be carried out by the Counselling and Placement Committee ;

(i) to prepare annual programmes of activities of the Board of Counselling and Placement and review the same periodically ;

(j) to prepare the annual budget of the Board of Counselling and Placement ;

(k) to oversee and monitor the activities of the Counselling and Placement Committee ;

(l) to submit an annual report of working of Counselling and Placement Committee to the Governing Council ;

(m) to undertake any other task as may be assigned by the University authorities to carry out the objectives of the Board of Counselling and Placement ;

37. The constitution, powers, functions and duties of the authorities of the University, not laid down under any of the provisions of this Act shall be such as may be prescribed by the Statutes. Powers, functions and duties of authorities.

38. *(1)* The term of every authority constituted under this Act shall commence on 1st September and shall be of five years from the said date and the term of the members of every authority shall expire on the expiry of the said period of five years, irrespective of the date on which a member has entered upon his office. Term of office of members of authorities.

(2) The process of election, nomination, appointment and co-option shall be commenced at least three months before expiry of the term of the authority and shall be completed not later than 30th November in that year.

39. Notwithstanding anything contained in this Act or the Statutes made thereunder, where a person, nominated, appointed or co-opted, as the case may be, as an officer of University or a member of any of the authority or bodies of the University by virtue of his being eligible to be so nominated, appointed or co-opted as such an officer or a member under any of the categories of officers or members specified by or under the relevant provisions of this Act in relation to such office, authority or body, he shall cease to be such an officer of the University or a member of such an authority or a body as soon as, he ceases to belong to such category and shall be deemed to have vacated his office as such officer or member. Cessation of membership.

40. A person shall be disqualified for being a member of any of the authorities, bodies and committee of University and voting to the authorities, bodies and committees, if he,— Disqualification for membership of authorities.

(a) is of unsound mind and stands so declared by a competent court ; or

(b) is an un-discharged insolvent ; or

(c) has been convicted of any offence involving moral turpitude ; or

(d) is conducting or engaging himself in private tutions or private coaching classes ; or

(e) has been punished for indulging in promoting unfair practices in the conduct of any examination and evaluation, in any form, anywhere ; or

(f) has willfully omitted or refused to carry out the provisions of this Act, Statutes or Ordinances, or has acted in any manner detrimental to the interests of the University ; or

(g) has been punished in any form, by the competent authority for committing a misconduct ; or

(h) discloses or causes to disclose to the public, in any manner whatsoever, any confidential matter, in relation to the examination and evaluation, the knowledge of which he has come to be in possession, due to his official position:

Provided that, the right to voting of the person in respect of clauses *(e)* and *(g)* shall remain suspended during the term of punishment under the said clauses.

Ineligibility for second consecutive term.

41. No person shall be a member of Governing Council or Chairman of the Board of Studies, for a second consecutive term whether, as nominated or co-opted member, as the case may be:

Provided that, any person who was the member of the Governing Council of the University or Chairman of the Board of Studies, for the first time whether as nominated or co-opted member, as the case may be, on the date of commencement of this Act, shall not be deemed to have enjoyed the consecutive term if he is nominated or co-opted for the first time after the commencement of this Act.

Resignation of membership.

42. *(1)* A member, other than an *ex-officio* member, may resign by writing under his signature. A nominee of the Chancellor may resign by addressing to the Chancellor, and any other member may resign by addressing to the Vice-Chancellor. The person shall cease to be a member upon his resignation being accepted by the Chancellor or the Vice-Chancellor, as the case may be, or upon expiry of thirty days from the date of resignation, whichever is earlier.

(2) If a person nominated, appointed or co-opted to any authority or body remains absent without prior permission of the authority or body for three consecutive meetings, he shall be deemed to have vacated his membership and he shall cease to be a member from the date of the third such meeting in which he has remained absent.

Procedure of meeting of authorities, bodies and committees.

43. The procedure of meetings of the authorities, bodies and committees of the University shall be such as may be prescribed by Regulations.

Filling of vacancy.

44. *(1)* When any vacancy occurs in the office of a member, other than an *ex-officio* member or, a member nominated by the Chancellor, of any authority or other body of the University except Governing Council before the expiry of his normal term, the vacancy shall be filled by nomination of a person by the Standing Committee constituted under sub-section *(3)*.

(2) In case, any vacancy occurs in the office of a member, other than an *ex-officio* member of the Governing Council of the University, it shall be filled as soon as possible, by nomination or election or co-option, as the case may be, of resignation of membership. The person so nominated, or co-opted shall be a person who is otherwise eligible to be nominated, or co-opted on the said authority or body from the same category. The person so nominated or co-opted shall hold office only so long as the member in whose place he has been nominated, or co-opted shall have held it, if the vacancy had not occurred.

(3) The constitution of the Standing Committee for filling in the vacancies mentioned in sub-section *(1)* shall be as follows, namely :—

(a) Vice-Chancellor-Chairman ;

(b) Chancellor's nominee on Governing Council ;

(c) one Head of Skill Department nominated by the Governing Council ;

(d) one member of the Governing Council nominated by Governing Council ;

(e) one member nominated by Academic Council from amongst its members ;

(f) Registrar-Member-Secretary.

(4) The term of the Standing Committee shall commence on the 1st September and shall be of five years from the said date. The term of the members shall expire on the expiry of the said period of five years, irrespective of the date on which a member has entered upon his office.

CHAPTER V

STATUTES, ORDINANCES AND REGULATIONS

Statutes and their subject matters.

45. *(1)* Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

(a) conferment of honorary degrees and academic distinctions ;

(b) establishment and maintenance of the campuses, regional centres, skill centres, study centres, University departments, institutions, conducted colleges, institutions of higher learning, research or specialized studies and hostels ;

(c) constitution, powers, duties and functions of authorities of University not laid down under any provisions of this Act ;

(d) abolition of University departments or institutions, campuses, or regional centres or skill centres or study centres ;

(e) rules of procedure for conduct of business at the meetings of authorities of University ;

(f) appropriation of funds of the University for furtherance of the objects of the University ;

(g) norms for grant of autonomy to University Departments or institutions, affiliated colleges and recognized institutions, subject to the approval of the State Government ;

(h) acceptance and governing of trusts, bequests, donations, endowments and grants from individuals or organizations ;

(i) disciplinary action against defaulting teachers, officers and other employees of the University, affiliated colleges and institutions, campuses, regional centres, skill centres, study centres, other than the colleges or institutions managed and maintained by the State Government or Central Government or local authorities ;

(j) conditions of residence, conduct and discipline of the students of the University, colleges and recognized institutions, and the action to be taken against them for breach of discipline or misconduct, including the following :—

(i) use of unfair means in an examination, or abetment thereof ;

(ii) refusal to appear or give evidence in any authorized inquiry by an officer in charge of an evaluation and examination, or by any officer or authority of the University ; or

(iii) disorderly or otherwise objectionable conduct, whether within or outside the University ;

(k) mechanism and procedure for redressal of grievances of the students ;

(l) functions and duties of Students' Council in University, colleges and recognized institutions ;

(m) procedure for conduct of elections to various authorities and bodies ;

(n) conditions and procedure for grant of approval to the appointments of the teachers in the colleges and recognized institutions and suspension or withdrawal thereof ;

(o) inspection of colleges, Skill Departments, campuses, regional centres, skill centres, study centres, recognized institutions ;

(p) procedure to be followed while granting permission for transfer of governing or management ;

(q) norms and procedure to be followed while nominating members on authorities, boards and committees by the Vice-Chancellor under this Act ;

(r) norms of grant and withdrawal of affiliations to colleges and institutions ;

(s) transferring, in public interest, of the governing of a college or institution by the University and the conditions for such transferring, subject to the approval of the State Government ;

(t) qualifications, recruitment, code of conduct, terms of office, duties and conditions of service including periodic training and advance training, field exposure, deputation, assessment of teachers, officers and other employees of the University and affiliated colleges except those colleges or institutions which are maintained by the State or Central Government or local authority, retirement benefits and the manner of termination of their services as approved by the State Government, provided that these shall not be in contravention of State Government policies in this regard ;

(u) procedure to be followed for purchases by Purchase Committee ;

(v) any matter which is to be prescribed by Statutes or which is necessary to give effect to the provisions of this Act.

(2) The first Statute shall be made by the State Government.

Statutes how made.

46. *(1)* The Statutes may be made, amended or repealed by the Governing Council in the manner hereinafter provided.

(2) The Statute Committee shall be constituted by the Governing Council as under,—

(a) one member of Governing Council nominated by the Vice-Chancellor - Chairman ;

(b) one member of Academic Council ;

(c) one Head of Skill Department ;

(d) one Professor of Skill Department or affiliated colleges ;

(e) Registrar of the University ;

(f) Law Officer of the University Member-Secretary.

(3) The Statute Committee shall prepare and propose draft Statutes concerning the matters referred to in the last preceding section and shall present to the Governing Council.

(4) The Governing Council, if it thinks necessary, may obtain the opinion of any officer, authority or body of the University with regard to any draft Statute which is before it for consideration.

(5) Every Statute passed by the Governing Council shall be submitted to the Chancellor who may give or withhold his assent thereto or send it back to the Governing Council for reconsideration. The Chancellor may send the draft Statutes to the State Government for its views, if there are implications, financial or otherwise, on the part of the State Government in the implementation of such Statutes.

(6) No Statute passed by the Governing Council shall be valid or shall come into force until assented to by the Chancellor.

(7) Notwithstanding anything contained in the foregoing sub-sections, the Chancellor, either *suo motu* or on the advice of the State Government, may, direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Governing Council fails to initiate adopt the direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Governing Council for its inability to comply with such direction, make or amend the Statutes in that respect, suitably.

(8) The Governing Council may take into consideration the draft of a Statute either of its own motion or on a proposal by the Statute Committee.

(9) The Governing Council if it thinks necessary may also obtain the opinion of any officer, authority or body of the University in regard to any draft Statute which is before it for consideration:

Provided that, any such draft Statute pertains to academic matters, the Governing Council shall obtain the opinion of the Academic Council before, considering the same.

(10) The Statute Committee shall recommend the draft Statutes to the Governing Council for approval and every Statute passed by the Governing Council shall be submitted to the Chancellor.

Ordinances and their subject matters.

47. *(1)* Subject to the provisions of this Act, the Ordinances may provide for all or any of the following matters, namely :—

(a) conditions under which students shall be admitted to courses of study for degrees, diplomas, certificates and other academic distinctions ;

(b) norms and process of fixation of fees, other fees and charges for courses and programs to be adopted by fee fixation committee under this Act ;

(c) fees for affiliation and recognition to colleges and institutions ;

(d) conditions governing the appointment and duties of examiners ;

(e) conduct of examinations, other tests and evaluation, and the manner in which the candidates may be assessed or examined by the examiners ;

(f) recognition of teachers of the University and the conditions subject to which persons may be recognized as qualified to give instruction in the University Departments, Skill Departments, colleges, recognized institutions, campuses, regional centres, skill centres, study centres ;

(g) norms to be observed and enforced by Skill Departments, colleges, recognized institutions, campuses, regional centres, skill centres, study centres regarding transfer of students ;

(h) the constitution, powers, duties and functions of the Equal Opportunity Cell including provisions for establishing a Cell in accordance with the provision of the Rights of Persons with Disabilities Act, 2016 and the guidelines and directives of the University Grants Commission issued from time to time ;

49 of 2016.

(i) mechanism for prevention of ragging of students of Skill Departments, colleges, recognized institutions, campuses, regional centres, skill centres, study centres ;

(j) mechanism for prevention of sexual harassment of teachers, employees, students of University and Skill Departments, colleges, recognized institutions, campuses, regional centres, skill centres, study centres and redressal of grievances relating to sexual harassment, incidences and penalty for those who indulge in sexual harassment, in accordance with the provisions of the Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013 ; 14 of 2013.

(k) any academic matter which, by or under this Act or the Statutes is to be prescribed by the Ordinance, or which is necessary to give effect to the provisions of this Act.

(2) The first Ordinances shall be made by the Government.

Ordinances and their making.

48. *(1)* The Governing Council may make, amend or repeal Ordinances in the manner hereinafter provided.

(2) The Heads of Skill Departments shall prepare and propose draft Ordinances concerning the matters referred to in section 47.

(3) No Ordinance concerning academic matters shall be made, amended or repealed by the Governing Council unless a draft thereof has been proposed by the Heads of Skill Departments.

(4) All Ordinances made by the Governing Council shall have effect from the date of the meeting or from such date as it may direct, but every Ordinance so made shall be submitted to the Chancellor within two weeks from the date of meeting. The Chancellor shall have the power to direct the Governing Council, within four weeks of the receipt of the Ordinance, to suspend date its operations, and he shall, as soon as possible, inform the Governing Council of his objection to it. He may, after receiving the comments of the Governing Council, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

Regulations.

49. *(1)*Subject to the provisions prescribed by or under this Act, Governing Council may make Regulations consistent with this Act, Statutes and Ordinances, for,—

(a) institution of fellowship, travelling fellowship, scholarship, studentship, medals and prizes and for their award ;

(b) collaborations with other universities, institutions and organizations for mutually beneficial academic programmes ;

(c) the conditions under which students shall be admitted to courses of study for degrees, diplomas, certificates and other academic distinctions ;

(d) preservation of record of the University ;

(e) providing for all or any of the matters which, by or under this Act, Statutes or Ordinances, are to be or may be provided by Regulations ;

(f) all non-academic matters for which provision is, in the opinion of the Governing Council, necessary for the purposes of this Act, Statutes or Ordinances.

(2) Subject to the provisions prescribed by or under this Act, the Academic Council may make Regulations relating to the academic matters, consistent with this Act, Statutes and Ordinances.

(3) The Heads of Skill Departments shall draft and place for approval of the Governing Council or the Academic Council, as the case may be, the Regulations, providing for the matters referred to in sub-sections *(1)* and *(2)* and for all or any of the matters which, by or under this Act, Statutes or Ordinances, are to be or may be provided by Regulations.

(4) The first Regulations shall be made by the Government.

CHAPTER VI

GRIEVANCES OF TEACHERS AND EMPLOYEES

Grievances Committee.

50. *(1)* There shall be a Grievances Committee in the University to deal with all types of grievances ; except grievances against the State Government including its officials, teachers and other employees of the University, affiliated and autonomous colleges recognized institutions and centres, other than those managed and maintained by the State Government, Central Government or a local authority ; which are not within the jurisdiction of the University and Tribunal.

(2) The University shall establish a Grievances Redressal Cell headed by the officer of the University not below the rank of the Assistant Registrar for providing administrative assistance to the Grievances Committee.

(3) The Grievances Committee shall consist of the following members, namely :—

(a) retired Judge not below the rank of the District Judge, nominated by the Vice-Chancellor-Chairperson ;

(b) one Head of Skill Department, nominated by the Vice-Chancellor ;

(c) Chancellor's nominee on the Governing Council ;

(d) Registrar ;

(e) one teacher belonging to the Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes and one non-teaching employee nominated by the Vice-Chancellor ;

(f) Law Officer of the University-Member-Secretary.

(4) The nomination of a retired Judge as the Chairperson and of a Head of Skill Department as a member of the Grievances Committee, shall be for such period, not exceeding three years in aggregate, as the Vice-Chancellor may, from time to time, in each case decide.

(5) The retired Judge nominated as the Chairperson of the Grievances Committee shall be entitled for remuneration and conveyance charges, as may be determined by the University.

(6) The Grievances Committee shall hear, settle and decide grievances as per the law, as far as may be practicable, within three months, from the date of filing of the complaint.

(7) It shall be lawful for the Grievances Committee to entertain and decide grievances or complaints relating to service of the employees, which are not within the jurisdiction of the Tribunal, after giving reasonable opportunity of being heard to both the parties.

Maha. VI of 2017.

Tribunal.

51. The Tribunal established under the Maharashtra Public Universities Act, 2016 for the University of Mumbai, Mumbai shall be the Tribunal for the purposes of this Act.

Right of Appeal.

52. *(1)* Notwithstanding anything contained in any law for the time being in force, any teacher or other employee in the University, regional centres, campuses, skill centres, study centres, governed by this Act or in affiliated college or recognized institution other than that managed and maintained by the State Government, Central Government or local authority, who is—

(a) dismissed or removed or whose services are otherwise terminated or who is compulsorily retired or who is reduced in rank by the University or Governing Council and who is aggrieved ; or

(b) aggrieved by the decision of the Grievances Committee established under this Act, shall have a right of appeal and any appeal against any such order or decision shall lie to the Tribunal:

Provided that, no such appeal shall lie to the Tribunal in any case where the matter has already been decided or pending before a Court or Tribunal on the date of commencement of this Act or where the order of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank or decision of the Grievances Committee was passed at any time before the date on which this Act comes into force and in which case the period for filing an appeal has expired.

(2) Such appeal shall be made by the employee to the Tribunal, within thirty days from the date of receipt by him of the order of dismissal, removal, otherwise termination of services, compulsory retirement or reduction in rank, or of decision of the Grievances Committee, as the case may be:

Provided that, where such order was made before the date of commencement of this Act, such appeal may be made if the period of thirty days from the date of receipt of such order or decision has not expired.

(3) Notwithstanding anything contained in sub-section (2), the Tribunal may entertain an appeal made to it after the expiry of the said period of thirty days, if it is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

(4) Every appeal shall be accompanied by a fee as prescribed which shall not be refundable and shall be credited to the University fund:

Provided that, it shall be lawful for the State Government to revise, by notification in the *Official Gazette*, such fees as it may deem fit, from time to time.

(5) The provisions of filing of appeal and procedure of Tribunal under the Maharashtra Public Universities Act, 2016 shall *mutatis mutandis* apply for the purpose of this Act. Mah. VI of 2017.

CHAPTER VII

Admissions, Examinations And Evaluations

Admissions.

53. Subject to the reservation policy of the State Government for the weaker sections of the society, admission through all courses in the University departments, affiliated colleges and recognized institutions shall be made on the basis of competitive merit in accordance with the rules, if any, made by the State Government and published in the *Official Gazette* or Ordinances made by the University:

Provided that, where model rules have been framed by the State Government in the interest of the students throughout the State, the University shall adopt the same and such rules shall be published by the University before the commencement of the academic session:

Provided further that, having regard to the maintenance of discipline, the authority concerned shall have the power to refuse admission to a student, except at the entry point of any academic program.

Disputes relating to admission.

54. All the disputes relating to admission to University departments, regional centre, skill centres, study centres, affiliated colleges or recognized institutions shall be adjudicated by the University Students Grievance Redressal Cell.

55. Before the end of each academic year, the University shall prepare and publish a schedule of examination for the next academic year and choice based credit system of evaluations for each and every course wherever applicable, conducted by itself or by any affiliated college or recognized institution within its jurisdiction and shall strictly adhere to the schedule. Failing which the concerned authority or officer of the University shall have to make a reasoned report to Chancellor's Office within thirty days and the directions or decisions of the Chancellor in this regard shall be final and binding. Admission and evaluation.

Explanation.—" Schedule of Examinations " means a table giving details about the time, day and date of the commencement of each paper which is a part of a scheme of examinations and shall also include the details about the practical examination:

Provided that, in case the University is unable to follow the set schedule due to reasons and circumstances beyond its control it shall, as soon as practicable, submit a report to the Chancellor and to the State Government incorporating the detailed reasons for making a deviation from the published schedule.

56. The University shall strive to declare the results of every examination conducted by it within thirty days from the last date of the examination for that particular course and shall in any case declared the results latest within forty-five days: Declaration of results.

Provided that, if for any reason whatsoever, the University is unable to finally declare the results of any assessment and evaluation within the aforesaid period of forty-five days, Director, Board of Assessment and Evaluation shall prepare a detailed report incorporating the reasons for such delay and submit the same through the Vice-Chancellor to the Chancellor and to the State Government, and the direction of the Chancellor in this regard shall be final and binding.

CHAPTER VIII

Committees

57. (*1*) The following shall be Committees and Councils constituted under this Act, namely :— Committees.

(*a*) Advisory Council ;

(*b*) Finance and Accounts Committee ;

(*c*) Internal Quality Assurance Committee ;

(*d*) Innovation, Incubation and Enterprise Committee ;

(*e*) Counselling and Placement Committee ;

(*f*) Affiliation and Recognition Committee ;

(*g*) Purchase Committee ;

(*h*) Buildings and Works Committee ;

(*i*) Fee Fixation Committee ;

(*j*) Internal complaint committee for redressal of complaints of women employees in regard to sexual harassment.

(*k*) such other committees as may be prescribed by Statues.

(*2*) The constitution, powers and functions of the Council and Committees specified in sub-section (*1*) shall be such as may be prescribed by Statutes.

CHAPTER IX

PERMISSION, AFFILIATION AND RECOGNITION

Permission, affiliation and recognition.

58. The provisions of the Maharashtra Public Universities Act, 2016, shall *mutatis mutandis* apply for permission, affiliation and recognition of colleges, institutions, centres, courses and trades. Mah. VI of 2017.

CHAPTER X

ENROLLMENT, DEGREE AND CONVOCATION

Enrollment of students.

59. A person to be enrolled as student of the University shall possess such qualifications and fulfill such conditions as may be prescribed by Ordinance.

Disciplinary powers and discipline amongst students.

60. *(1)* All powers relating to discipline and disciplinary action in relation to the students of the University, Skill Departments and institutions and colleges maintained by the University shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may by an order, delegate all or any of his powers under sub-section *(1),* as he deems fit, to such other officer as he may nominate in that behalf.

(3) The provisions as regards discipline and proper conduct for students of the University and the action to be taken against them for breach of discipline or misconduct shall be as may be prescribed by the Statutes.

Degrees, Diplomas, Certificates and other academic distinctions.

61. *(1)* The Governing Council may institute and confer such degrees, diplomas, certificate and other academic distinctions as may be recommended by the Academic Council.

(2) The Governing Council may institute and confer post-doctoral degrees such as D.Litt., as may be recommended by the Academic Council.

(3) The Chancellor may, on the recommendation of the Governing Council and the Academic Council, supported by a majority of not less than two-third members of each such authority, present at its meeting, such majority comprising not less than one-half of the members of each such authority, withdraw the degree or diploma or certificate or any other academic distinction permanently or for such period as the Chancellor thinks fit, if such a person is convicted by a court of law for any offence involving moral turpitude or has been found to have sought admission to any degree or diploma or certificate course by fraudulent means or has been found to have obtained such degree or diploma or certificate or any other academic distinction by fraudulent means. No such action under this section shall be taken unless the person concerned is given an opportunity to defend himself.

Post graduate teaching and research.

62. All post-graduate instruction, teaching, training, research, research collaborations and partnerships, shall normally be conducted within the University area by the University, Skill Departments, campuses, centres, study centres, affiliated colleges and the recognized institutions in such manner as may be prescribed.

Honorary degree.

63. The Academic Council may consider and recommend to the Governing Council the conferment of an honorary degree or other academic distinction on any person, without requiring him to undergo any test or examination or evaluation, on the ground solely that he, by reason of his eminent position, attainments and public service, is a fit and proper person to receive such a degree or other academic distinction, and such recommendation shall be deemed to have been duly passed if supported by a majority of not less than two-thirds of the members present at the meeting of the Governing Council being not less than one-half of its total membership:

Provided that, the Governing Council shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained the previous approval of the Chancellor.

64. The convocation of the University shall be held at least once during an academic year in the manner prescribed by the Statutes for confirming degrees, post graduate diploma or for any other purpose. Convocation.

CHAPTER XI

University Funds, Accounts And Audit

65. *(1)* The annual financial estimates (budget) of the University for ensuing financial year shall be prepared by the Finance and Accounts Officer under the direction of the Finance and Accounts Committee, at least two months before the commencement of the financial year. Annual financial estimates.

(2) The Finance and Accounts Officer shall thereafter forward copies of annual financial estimates (budget) as approved by the Governing Council to the Chancellor and the State Government.

(3) The financial year of the University shall be the same as that of the State Government.

66. *(1)* The University shall establish the following funds, namely :— University funds.

(a) General Fund ;

(b) Salary Fund—

(i) for all posts approved by the State Government ;

(ii) for all other post separately ;

(c) Trust Fund ;

(d) Development and Programme Fund ;

(e) Contingency Fund ;

(f) Any other fund which, in the opinion of the University, is deemed necessary to establish.

(2) The following shall form part of, or be paid into the General Fund :—

(a) non-salary contribution or grant, received from the State Government or Central Government or University Grants Commission or National Skill Development Corporation or Corporate Social Responsibility Funds under the Companies Act, 2013 ; 18 of 2013.

(b) all incomes of the University from any source whatsoever including income from fees, other fees and charges ;

(c) any sums borrowed from the banks, or any other agency, with the permission of the State Government ;

(d) sums received from any other source or agency.

(3) The salary fund shall consist of all amounts received from the State Government, Central Government or University Grants Commission or any other endowment or contribution received towards full or part payment of the salary and allowances. No amount from this fund shall be utilized for the purpose other than payment of salaries and allowances.

(4) All income on moneys from trust, bequest, donations, endowments, subventions and similar grants shall form part of the trust fund.

(5) (a) The Development and Program me Fund of the University shall consist of all infrastructure development grants received from the State

Government, all contributions made by the University Grants Commission for development and research grants received from other funding agencies of the Central Government, United Nations and its affiliates, other international agencies, industries , banks and financial institutions or any person or institution ;

(b) no amount from this fund shall be appropriated to any other fund of the University or expanded for any other purpose ;

(c) the Development and Program me Fund shall be utilized in the manner consistent with the object of the program and as per the guidelines of the funding agency on expenditure and audit, to be granted and approved by the Governing Council.

(6) The University shall have and maintain a Contingency Fund under a separate head of the University accounts which shall be used only for the purpose of meeting any unforeseen expenditure.

(7) Surplus money at the credit of these funds, including accruals thereto, which cannot immediately or at any early date be applied for the purposes aforesaid shall, from time to time, be deposited in the Nationalized or Scheduled Banks or invested in any other Equity or securities issued by the corporations having financial participation of the State Government.

(8) The Government shall remain committed to provide requisite funds for development of skill education and entrepreneurship in the University.

Educational loans and credit guarantee.

67. *(1)* The State Government, may prepare a scheme for credit guarantee for educational loans taken by students studying in the University so as to ensure that such loans from banks are easily available to students for pursuing a programme of study in the University. A corpus must be established by the State Government for the same.

(2) Every student admitted to the University shall be eligible to receive educational loan, in accordance with the scheme referred to in sub-section (*1*), for pursuing a programme of study at the University.

Annual accounts and audit.

68. *(1)* The accounts of the University shall be maintained on the basis and principles of double entry accounting system, and the method of accounting to be followed shall be the mercantile system by following the Maharashtra Universities Account Code as prescribed by the State Government.

(2) The accounts of the University shall be audited at least once every year and in any case within four months of the close of the financial year by the auditors appointed by the Governing Council from amongst the firms of Chartered Accountants whose partners have no interest in any of the authorities or affairs of the University. The University shall comply with the remarks and discrepancies as shown in the audit report in any case within one month of the receipt of such audit report, audited accounts shall be published by the University and a copy thereof, together with the copy of the auditor's report shall be submitted to the Chancellor and the State Government within one year of the close of the financial year.

(3) The State Government shall cause the audited annual accounts of the University, received by it, to be laid before each House of the State Legislature.

(4) The State Government shall provide for conduct of the test audit or full audit of the accounts of the University at regular intervals by the auditors appointed by the State Government.

69. *(1)* The Heads of Skill Departments shall prepare the Annual Report containing the administrative, academic, research and development and other activities of the University, Skill Departments, colleges and institutions under its jurisdiction, for each academic year and submit it to the Governing Council for consideration. The Governing Council shall discuss and approve the Annual Report and shall be submitted to the Chancellor and the State Government, within one year from the conclusion of the academic year. Annual report.

(2) The State Government shall cause the Annual Report to be laid before each House of the State Legislature.

CHAPTER XII

MISCELLANEOUS

70. The University shall obtain accreditation from any such other body or authority as may be determined by the University as per the contemporariness and relevance of the market place. Accreditation.

71. Notwithstanding anything contained in this Act, the University shall be bound to comply with all the rules, regulations, norms, etc. of the competent regulatory bodies and provide all such facilities and assistance to such bodies as are required by them to discharge their duties and carry out their functions. University to follow Rules, Regulation, Norms, etc. of regulatory bodies.

72. The University shall furnish to the State Government such returns or other information with respect to its activities as the State Government, may, from time to time, require within such period as may be specified by the Government. Returns and information.

73. *(1)* It shall be the duty of every authority or body and officer of the University to ensure that the interests of the University are duly safeguarded. Authorities and officers responsible for damages.

(2) If it is found that a damage or loss has been caused to the University by an action on the part of any authority or body or officer of the University, not in conformity with the provisions of this Act, Statutes, Ordinances or Regulations, except when done in good faith, or any failure so as to act in conformity thereof, by willful neglect or default on its or his part, such damage or loss shall be liable to be recovered from the authority or body or the concerned members thereof, jointly or severally, or from the officer concerned, as the case may be, in accordance with the procedure prescribed by the Statutes.

74. If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance or Regulation or Rule, or whether a person has been duly appointed or nominated or co-opted as a member or is entitled to be a member of any authority or body of the University, the matter may be referred on petition by any person or body directly affected or *suo motu* by the Vice-Chancellor to the Chancellor, who shall after taking such advice as he thinks necessary, decide the question, and his decision shall be final. Questions regarding interpretation and disputes regarding constitution of University authority or body, etc.

75. All acts and orders done or passed in good faith by the University or any of its officers, authorities or bodies, shall subject to the other provisions of this Act, be final ; and accordingly, no suit or other legal proceedings shall be instituted against, or maintained, or damages claimed from the University or its officers, authorities or bodies for anything done or passed, or purporting to have been done or passed in good faith and in pursuance of the provisions of this Act and the Statutes, Ordinances and Regulations. Protection of acts and orders.

Delegation of powers.

76. Subject to the provisions of this Act and the Statutes, any officer or authority of the University may, by order, delegate his or its powers, except the power to make Statutes, Ordinances and Regulations to any other officer or authority under his or its control, and subject to the condition that the ultimate responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating them.

Acts and proceedings not invalid merely on ground of defect in constitution, vacancies, irregularity in procedure, etc.

77. No act or proceeding of the Governing Council or the Academic Council or any other authority or anybody or committee of the University, including a committee appointed by the Chancellor for the appointment of a Vice-Chancellor, shall be deemed to be invalid at any time merely on the ground that,—

(a) any of the members of any such authority, body or committee are not appointed, nominated or co-opted or for any other reason are not available to take office at the time of the constitution or to attend any meeting thereof or any person is a member in more than one capacity or there is any other defect in the constitution thereof or there are one or more vacancies in the offices of members thereof ;

(b) there is any irregularity in the procedure of any such authority, body or committee not affecting the merits of the matter under consideration, and the validity of such act or proceeding shall not be questioned in any court or before any authority or officer merely on any such ground.

Act to have overriding effect.

78. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Removal of difficulties.

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

Provided that, no such order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.

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

Indemnity.

80. No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the University, the Vice-Chancellor, the authorities or officers of the University or any other person in respect of anything which is in good faith done or purporting to have been done in pursuance of this Act or any Regulations made thereunder.

CHAPTER XIII

Transitory Provisions

Appointment of first officers of the University.

81. The first Vice-Chancellor, Registrar, the Finance and Accounts Officer, the Director of Assessment and Evaluation, the Director of Innovation, Incubation and Enterprise, the Director of Counselling and Placement and any other officers required to ensure that the objectives of University are accomplished, shall be appointed by the Government, with the approval of the Chancellor, for a period of two years, or until new appointment of officers of the University are made as per the Act.

Transitory powers of the first Vice-Chancellor.

82. *(1)* It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Governing Council and other authorities of the University within six months from the date of commencement of this Act or such longer period not exceeding one year as the Government may, by notification direct.

(2) The first Vice-Chancellor shall, in consultation with the Chancellor, make such rules as may be necessary for the functioning of the University.

(3) It shall be the duty of the first Vice-Chancellor to draft such Statutes as may be immediately necessary and submit them to the Government for approval.

(4) Notwithstanding anything contained in this Act, and the Regulations made thereunder, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the Regulations and for that purpose may exercise any powers or perform any duties, which by this Act and the Regulations are to be exercised or performed by any authority of the University until such authority comes into existence as provided by this Act and the Regulations.

STATEMENT OF OBJECTS AND REASONS.

India is one of the youngest nation in the world with more than 62% of its population is in the working age group (15-59 years) and more than 54% of its total population is below 25 years of age. During the next 20 years the labour-force in the industrialized world is expected to decline by 4%, while in India it will increase by 32%. This poses a formidable challenge alongwith more opportunity. To reap this demographic dividend which is expected to last for next 25 years, India needs to equip its workforce with employable skills and knowledge, so that they can contribute substantively to the economic growth of the country.

2. As India moves progressively towards becoming a global knowledge economy, it must meet the rising aspirations of its youth. This can be partially achieved through focus on advancement of skills that are relevant to the emerging economic environment.

Skills and knowledge are driving forces of economic growth and social development for any country. Countries with higher levels and better standards of skills, adjust more effectively to the challenges and opportunities in domestic and international job markets.

3. National Policy on Skill Development and Entrepreneurship, 2015 aims primarily to meet on the challenges of skilling at scale with speed, standard (quality) and sustainability. The policy links skill development to improve employability and productivity in paving the way forward for inclusive growth in the country. The skill strategy is complemented by specific efforts to promote entrepreneurship in order to create ample opportunities for the skilled workforce.

Recently launched New Education Policy, 2020 mentions about reimaging of Vocational Education. As mentioned in the Policy, Vocational Education is to be integrated into all schools and higher education institutions in a phased manner over the next decade. Focus areas for Vocational Education needs to be chosen based on skills gap analysis and mapping of local opportunities.

To align with the National Policy on Skill Development and Entrepreneurship, 2015 and the New Educational Policy, 2020, the State Government considers it expedient to establish and incorporate the Maharashtra State Skills University to promote skill education with a view to enhance skill development, employment and entrepreneurship in the State of Maharashtra.

4. The silent features of the Bill are, as follows,—

(*a*) to develop competent, skilled and capable youth imbued with skills, learning and the spirit of entrepreneurship and intrapreneurship to meet the skilled employment needs of the country and the world ;

(*b*) to establish links, collaborations and partnerships with other institutions, industry and industry associations in the India and abroad ;

(*c*) to establish links with Industry Partners for capital investment for establishment of the University and for its maintenance ;

(*d*) to provide a teaching learning pedagogy which combines multiple forms of education and learning pedagogy and course delivery ;

(*e*) to collaborate with colleges, universities, research institutions, profit and non-profit organizations, corporates, industry, industry associations, professional associations or other organizations in India or overseas to conceptualize, design, develop and offer specific education and research programmes, training programmes, skilling and exchange programmes for students, faculty members and others ;

(*f*) to conduct research in labour market requirements in order to understand emerging trends and offer suitable curricula, courses and programs ;

(*g*) to encourage industrial and industrial associations participation through establishment of innovation labs, in-service training centres, workshops and active participation in all aspects of governance, curricula design, skill training, placements, internships, consultancy, joint projects, etc. ;

(*h*) to establish campuses, regional centres, skill centres, community colleges, study centres, information centres, test or examination centres, centres of excellence, etc. at various locations in the State to facilitate delivery, student services and dissemination of education, consultancy, information and skill training with the permission of competent regulatory body ;

(*i*) to engage and promote knowledge partners for mentoring and supporting the University in conducting all its activities and academic programmes ;

(*j*) to provide necessary guidance and counselling to the students for placement and propagate employability through Board of Counselling and Placement ;

(*k*) to promote and provide necessary support to entrepreneurs startups, innovations and incubation by establishing Board of innovation, incubation and entrepreneurship.

5. The Bill seeks to establish the Maharashtra State Skills University to achieve the above objectives.

NAWAB MALIK,

Mumbai,
Dated 3rd March, 2021.

Minister of Skill Development,
Employment and Entrepreneurship.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

The Bill involves the following proposals for delegation of legislative power, namely :—

Clause 1(3).—Under this clause, power is taken to the State Government to bring the Act into force on such date as the State Government may, by notification in the *Official Gazette,* appoint.

Clause 3(5).—Under this clause, power is taken to the State Government to specify by notification in the *Official Gazette*, the Headquarter of the University.

Clause 8.—Under this clause,—

(*a*) in sub-clause (3), power is taken to the State Government, to prescribe by notification in the *Official Gazette,* a standard code providing for classification, manner and mode of selection, appointment, induction and advance training, field exposure, deputation and reservation of post, etc., in favour of members of the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, and Other Backward Classes, duties, workload, pay, allowances, post-retirement benefits, other benefits, conduct and disciplinary matters and other conditions of service of the officers, teachers and other employees of the universities and the teachers and other employees in the affiliated colleges and recognized institutions (other than those managed and maintained by the State Government, Central Government and the local authorities) and the provisions for absorption of teachers and employees in the University Departments, affiliated or conducted colleges and institutions ;

(*b*) in sub-clause (4), power is taken to the State Government, to specify by an order published in the *Official Gazette*, the qualifications and experience for the purpose of appointment of non-teaching employees in the University, affiliated colleges and recognized institutions, other than those managed and maintained by the State Government, Central Government and the local authorities.

Clause 12(3).—Under this clause, under paragraph (f) (iv), power is taken to the State Government, to specify, by an order published in the *Official Gazette,* the educational qualifications and experience for appointment of the Vice-Chancellor, in consultation with Chancellor.

Clause 17(2).—Under this clause, power is taken to the State Government to specify, by an order published in the *Official Gazette,* the qualifications and experience for the purpose of selection of the Director, Board of Assessment and Evaluation.

Clause 18(2).—Under this clause, power is taken to the State Government to specify, by an order published in the *Official Gazette,* the qualifications and experience for the purpose of selection of the Director, Board of Innovation, Incubation and Enterprise.

Clause 19(2).—Under this clause, power is taken to the State Government to specify, by an order published in the *Official Gazette,* the qualifications and experience for the purpose of selection of the Director, Counselling and Placements.

Clause 23.—Under this clause, power is taken to the State Government to specify, by an order published in the *Official Gazette*, the eligibility conditions for being nominated or co-opted as a member of the Authority of the University.

Clause 37.—Under this clause, power is taken to the Governing Council, to prescribed by Statutes, the constitution, powers, functions and duties of the University authorities.

Clause 43.—Under this clause, power is taken to the Governing Council, to prescribed by Statutes, the procedure of meetings of authorities, bodied and committees of the University.

Clause 45(2).—Under this clause, power is taken to the State Government, to make first Statute.

Clause 46(1).—Under this clause, power is taken to the Governing Council, to make, amend or repeal Statutes.

Clause 47(2).—Under this clause, power is taken to the State Government, to make first Ordinance.

Clause 48(1).—Under this clause, power is taken to the Governing Council, to make, amend or repeal Ordinances.

Clause 49.—(a) Under sub-clause (*1*), power is taken to the Governing Council, to make Regulations consistent with the Act, Statutes and Ordinances ;

(*b*) under sub-clause (*4*), power is taken to the State Government, to make first Regulation.

Clause 52(4).—Under this clause,—

(a) power is taken to prescribed the fee for appeal ;

(b) power is taken to the State Government to revise the fee by notification in the *Official Gazette*, as deem fit.

Clause 53.—Under this clause, power is taken to the State Government, to prescribe by rules, the basis of competitive merit for the admission to the weaker section for all courses in the University Departments, affiliated colleges and recognized institutions.

Clause 79.—Under this clause, power is taken to the State Government to issue an order in the *Official Gazette,* for removing any difficulty which may arise in giving effect to the provisions of the Act.

2. The above-mentioned proposals for delegation of legislative power are of normal character.

FINANCIAL MEMORANDUM

The Bill proposes to establish and incorporate the Maharashtra State Skills University, in the State of Maharashtra to enhance skill development, employment and entrepreneurship. It would involve recurring expenditure of fifty crore rupees every year for ten years from the Consolidated Fund of thc Statc on its cnactmcnt as an Act of thc Statc Lcgislaturc.

GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

(Copy of Government of Maharashtra Order, Law and Judiciary Department)

In exercise of the power conferred upon him by clause (3) of Article 207 of the Constitution of India, the Governor of Maharashtra is pleased to recommend to the Maharashtra Legislative Assembly, the consideration of the Maharashtra State Skills University Bill 2021.

Vidhan Bhavan :
Mumbai,
dated the 5th March 2021.

RAJENDRA BHAGWAT,
Secretary,
Maharashtra Legislative Assembly.

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