



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

मंगळवार, ऑगस्ट १, २००६/श्रावण १०, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Private Professional Educational Institutions [Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes] Act, 2006 (Mah. XXX of 2006), is hereby published under the authority of the Governor.

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

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXX OF 2006.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 1st August 2006).

An Act to make special provisions for reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes in Private Professional Educational Institutions; and for matters connected therewith or incidental thereto.

WHEREAS the Supreme Court, in the case of P. A. Inamdar and Others *versus* State of Maharashtra (reported in (2005) 6 SCC 537), has held that neither can the policy of reservation be enforced by the State nor can any quota or percentage of admission be carved out to be appropriated by the State in Private Professional Educational Institutions;

AND WHEREAS in order to protect the interests of any socially and educationally backward classes of citizens or the Scheduled Castes or the Scheduled Tribes, article 15 of the Constitution of India has

(५९५)

been amended by the Constitution (Ninety-third Amendment) Act, 2005, by adding clause (5) thereto, which empowers the State to make, by law, a special provision for the advancement of those classes, castes and tribes, in so far as such special provisions relate to their admission to educational institutions, including private educational institutions, whether aided by the State or not, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution ;

AND WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make, by law, special provisions for reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes in Private Professional Educational Institutions ; and for matters connected therewith or incidental thereto ; and, therefore, promulgated the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Ordinance, 2006, on the 16th June 2006 ;

Mah.
Ord. V
of
2006.

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

Short title, extent and commencement. 1. (1) This Act may be called the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Act, 2006.

(2) It shall extend to the whole of the State of Maharashtra.

(3) It shall be deemed to have come into force on the 16th June 2006.

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

(a) “Aided Private Professional Educational Institution ” means a Private Professional Educational Institution, excluding a Minority Educational Institution referred to in clause (1) of article 30 of the Constitution, receiving recurring financial aid or assistance in whole or in part from the Government, or from any body under the control of the Government ;

(b) “Appropriate Authority ” means, the Medical Council of India, the Dental Council of India, the Central Council of Indian Medicine, the All India Council of Technical Education, and includes any other authority established by law that governs or controls the conduct of a particular professional course or educational discipline ;

(c) "Creamy Layer" means the category of 'Creamy Layer' as declared by the Social Justice, Cultural Affairs and Special Assistance Department of the Government, on the basis of income, by general or special orders, issued from time to time;

(d) "De-notified Tribes (*Vimukta Jatis*)" means the Tribes declared as such by the Government, from time to time;

(e) "Government" means the Government of Maharashtra;

(f) "Minority Educational Institution" means a Private Professional Educational Institution administered, managed and controlled by a minority, and shall include any such educational institution declared by the Government to be an institution entitled to enjoy the protection granted under clause (1) of article 30 of the Constitution;

(g) "Nomadic Tribes" means the Tribes wandering from place to place in search of their livelihood, as declared by the Government, from time to time;

(h) "Other Backward Classes" means any socially and educationally backward classes of citizens as declared by the Government and includes Other Backward Classes declared by the Government of India in relation to the State of Maharashtra;

3 of
1956.

(i) "Private Professional Educational Institution" means any College, School, Institute, Institution or other body, by whatever name called, conducting any professional course or courses approved or recognized by the Appropriate Authority and affiliated to any University, but shall not include any such institution established, maintained or administered by the Central Government, any State Government, any local authority or institution declared to be Deemed University under section 3 of the University Grants Commission Act, 1956;

(j) "Professional Course" means any educational course of study notified as such, from time to time, by the Government in the *Official Gazette*;

(k) "prescribed" means prescribed by the rules framed by the Government under this Act;

(l) "Reserved Category" means the category of candidates belonging to—

(i) the Scheduled Castes and the Scheduled Tribes;

(ii) the De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, and Other Backward Classes and who are not falling in Creamy Layer;

(m) "Sanctioned Intake" means the total number of seats sanctioned or approved by the Appropriate Authority for admitting candidates in a single academic year in each Professional Course of study or discipline in a Private Professional Educational Institution ;

(n) "Scheduled Castes" and "Scheduled Tribes" shall have the meanings respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution ;

(o) "Unaided Private Professional Educational Institution" means a Private Professional Educational Institution, not being an Aided Private Professional Educational Institution ;

(p) "University" means the Maharashtra University of Health Sciences constituted under the Maharashtra University of Health Sciences Act, 1998, or any other University constituted or deemed to have been constituted under the Maharashtra Universities Act, 1994, but does not include any institution declared to be Deemed University under section 3 of the University Grants Commission Act, 1956.

Mah. X
of 1999.
Mah.
XXXV
of 1994.
3 of
1956.

Applicability. 3. This Act shall apply to all Private Professional Educational Institutions in the State, excluding the Minority Educational Institutions.

Reservation in Aided Private Professional Educational Institutions. 4. (1) In every Aided Private Professional Educational Institution, seats equal to fifty per cent. of the Sanctioned Intake of each Professional Course shall be reserved for candidates belonging to the Reserved Category.

(2) The seats reserved for candidates belonging to the Reserved Category under sub-section (1) shall be filled in by admitting candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, respectively, in the proportion specified in the Table below :—

TABLE

Description of Caste/Tribe/Category/ Class of Reserved Category	Percentage of reservation
(1) Scheduled Castes and Scheduled Castes converts to Buddhism	13 %
(2) Scheduled Tribes	7 %
(3) De-notified Tribes (A)	3 %
(4) Nomadic Tribes (B)	2.5 %
(5) Nomadic Tribes (C)	3.5 %
(6) Nomadic Tribes (D)	2 %
(7) Other Backward Classes	19 %
Total ..	50 %

Note.—The candidates belonging to the Special Backward Category shall be considered from and out of their respective original/parent Reserved Category such as Other Backward Classes :

Provided that, if candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (A), Nomadic Tribes (B), Nomadic Tribes (C), Nomadic Tribes (D) or Other Backward Classes are not available to fill in the seats reserved for the said Castes, Tribes or Classes, in the same academic year, the seats shall be filled in, in such manner as may be specified, by Government by issuing an Order in the *Official Gazette*, from time to time.

Explanation.—For the purposes of this section,—

(i) “De-notified Tribes (A)”, “Nomadic Tribes (B)”, “Nomadic Tribes (C)” and “Nomadic Tribes (D)” shall mean such Tribes or sub-Tribes, declared by Government, by general or special orders issued in this behalf, from time to time, to be “the De-notified Tribes (A)”, “Nomadic Tribes (B)”, “Nomadic Tribes (C)” and “Nomadic Tribes (D)”;

(ii) “Special Backward Category” means socially and educationally backward classes of citizens declared as “Special Backward Category” by the Government.

5. (1) In every Unaided Private Professional Educational Institutions, the seats to be reserved for candidates belonging to the Reserved Category shall be such as may be notified by the Government from time to time in the *Official Gazette*, but shall not exceed fifty per cent. of the Sanctioned Intake of any particular Professional Course.

Reservation
in Unaided
Private
Professional
Educational
Institutions.

(2) Out of the seats reserved under sub-section (1) for the candidates belonging to the Reserved Category, the seats to be filled in by admitting candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, respectively, shall be in the same *inter se* proportion, and in the manner, specified in sub-section (2) of section 4.

6. Any admission made in contravention of the provisions of this Act shall be void.

Irregular
admissions
void.

7. Whoever contravenes the provisions of this Act or the rules made thereunder shall, on conviction, be punished with an imprisonment which may extend to three years and with a fine which shall not be less than twenty lakh rupees but which may extend to one crore rupees.

Penalty.

Protection
of action
taken in
good faith.

8. No suit, prosecution or other legal proceedings shall lie against any authority or person for anything done or purported to have been done in good faith in pursuance of the provisions of this Act or the rules made thereunder.

Power to
make
rules.

9. (1) The Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the sessions immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall, from the date of publication of such decision in the *Official Gazette*, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Provisions
of the Act
to be in
addition to
any other
law.

10. The provisions of this Act shall be in addition to and not in derogation of the provisions contained in any other law for the time being in force.

Provisions
not to
prohibit
Minority
Educational
Institu-
tions from
making
reserva-
tions.

11. Notwithstanding anything contained in any other provisions of this Act, any Minority Educational Institution, whether aided or not, may provide for reservation in admissions to Professional Courses for candidates belonging to the Reserved Category.

Power to
remove
difficulty.

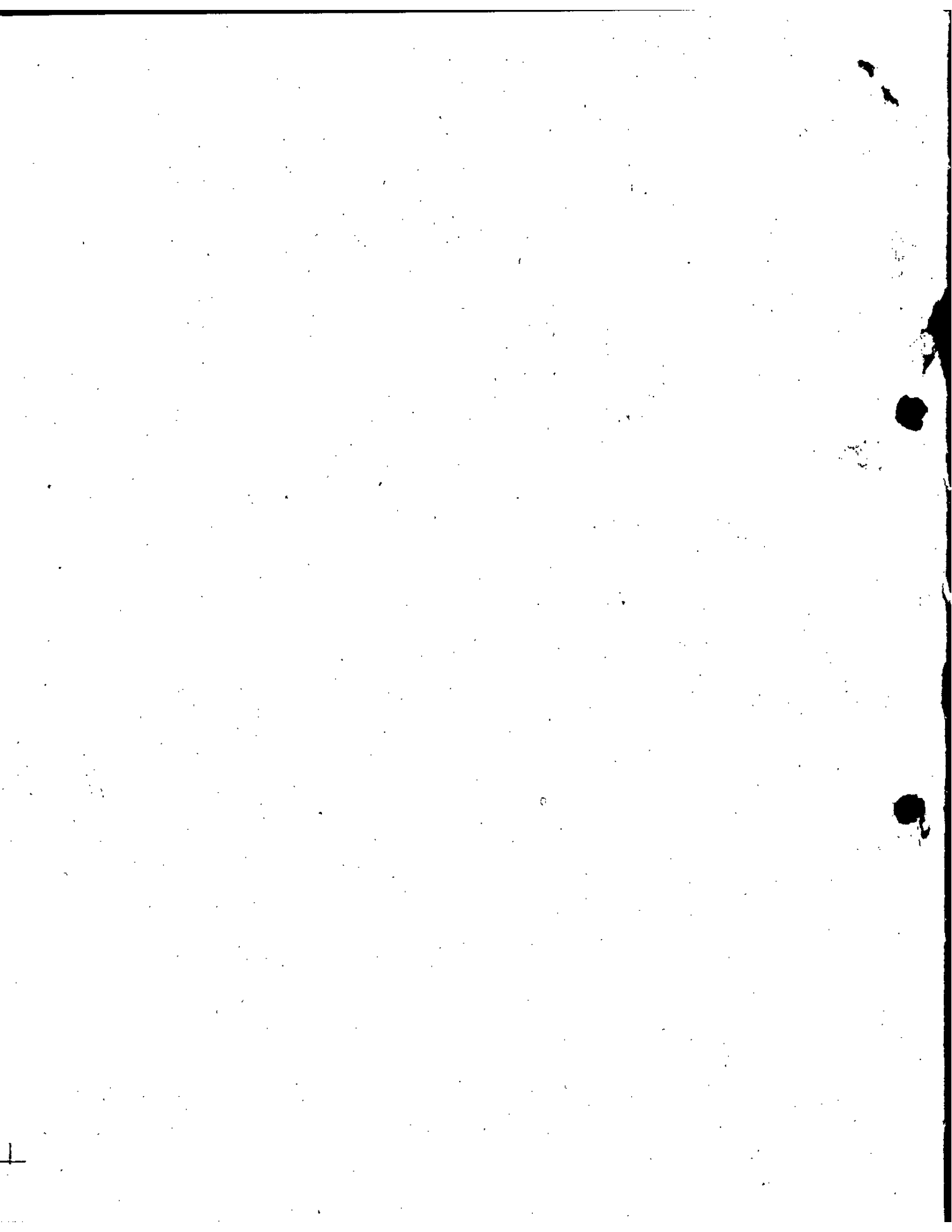
12. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for removing the difficulty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

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

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

Mah. 13. (1) The Maharashtra Private Professional Educational Repeal of
Ord. Institutions (Reservation of seats for admission for Scheduled Castes, Mah. Ord.
V of Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes V of 2006
2006. and Other Backward Classes) Ordinance, 2006, is hereby repealed. and
saving.

(2) Notwithstanding such repeal anything done or any action taken (including any notification or order issued), under the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of this Act.





GOVERNMENT OF MAHARASHTRA

LAW AND JUDICIARY DEPARTMENT

MAHARASHTRA ACT No. LXII of 2018.

THE MAHARASHTRA STATE RESERVATION (OF SEATS FOR ADMISSION IN EDUCATIONAL INSTITUTIONS IN THE STATE AND FOR APPOINTMENTS IN THE PUBLIC SERVICES AND POSTS UNDER THE STATE) FOR SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES (SEBC) ACT, 2018.

[As on the 7th January 2019]



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**THE MAHARASHTRA STATE RESERVATION (OF SEATS FOR
ADMISSION IN EDUCATIONAL INSTITUTIONS IN THE STATE
AND FOR APPOINTMENTS IN THE PUBLIC SERVICES
AND POSTS UNDER THE STATE) FOR SOCIALLY AND
EDUCATIONALLY BACKWARD CLASSES (SEBC)
ACT, 2018.**

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MAHARASHTRA ACT No. LXII OF 2018¹

[THE MAHARASHTRA STATE RESERVATION (OF SEATS FOR ADMISSION IN EDUCATIONAL INSTITUTIONS IN THE STATE AND FOR APPOINTMENTS IN THE PUBLIC SERVICES AND POSTS UNDER THE STATE) FOR SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES (SEBC) ACT, 2018.]

(This Act received the assent of the Governor on the 30th November 2018; assent was first published in the *Maharashtra Government Gazette*, Part IV, on the 30th November 2018.)

An Act to provide for reservation of seats for admission in educational institutions in the State and for reservation of posts for appointments in public services and posts under the State, to Socially and Educationally Backward Classes of Citizens (SEBC) in the State of Maharashtra for their advancement and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for reservation of seats for admission in educational institutions in the State and for reservation of posts for appointments in public services and posts under the State to Socially and Educationally Backward Classes of Citizens (SEBC) in the State of Maharashtra for their advancement and for matters connected therewith or incidental thereto ; it is hereby enacted in the Sixty-ninth Year of the Republic of India, as follows :—

1. (1) This Act may be called the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments in the public services and posts under the State) for Socially and Educationally Backward Classes (SEBC) Act, 2018.

Short title and commencement.

(2) It shall come into force on the date of publication of this Act in the *Official Gazette*.

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

Definitions.

(a) “admission authority”, in relation to admissions to educational institutions, means the authority having supervisory and controlling powers over the educational institutions responsible for admissions to particular educational institutions ;

(b) “appointing authority”, in relation to public services and posts, means the authority empowered to make appointment to such services and posts ;

(c) “Competent Authority” means the Competent Authority appointed under section 6 ;

(d) “educational institutions” includes the educational institutions in the State of Maharashtra owned and controlled by the Government, which receives grant-in-aid from the Government, including a University established by or under the relevant Maharashtra Acts, including private educational institutions, whether aided or un-aided by the State, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution of India.

¹. For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, Part V-A, Extraordinary No. 67, dated the 29th November 2018, P.8-15.

Explanation.—For the purposes of this clause, the expression “private educational institutions” means institutions which have been given either prior to coming into force of this Act or thereafter, aid in the form of Government land at concessional rates or any other monetary concessions by the Government, or are recognized, permitted, supervised or controlled by the Government ;

(e) “establishment” means any office of the Government or of a local authority or statutory authority constituted under any Act of the State Legislature for the time being in force, or a University or a Company or a Corporation or a Co-operative Society in which share capital is held by the Government or any Government aided institutions.

Explanation.—For the purposes of this clause, the expression “Government aided institutions” shall also include institutions or industries which have been given either prior to coming into force of this Act or thereafter, aid in the form of Government land at concessional rates or any other monetary concessions by the Government or is recognized, licensed, supervised or controlled by the Government ;

(f) “Government” or “State Government” means the Government of Maharashtra ;

(g) “prescribed” means prescribed by rules made under this Act ;

(h) “public services and posts” means the services and posts in connection with the affairs of the State and includes services and posts in,—

(i) a local authority ;

(ii) a co-operative society established under the Maharashtra Co-operative Societies Act, 1960, in which the Government is a share holder ;

Mah. XXIV of 1961.

(iii) a Board or a Corporation or a statutory body established by or under a Central or a State Act which is owned and controlled by the Government, or a Government company as defined in the Companies Act, 1956 or the Companies Act, 2013 ;

1 of 1956. 18 of 2013.

(iv) an educational institution owned and controlled by the Government, which receives grant-in-aid from the Government including a University established by or under a Maharashtra Act ; and

(v) any other establishment in respect of which reservation was applicable by Government orders on the date of commencement of this Act and which are not covered under sub-clauses (i) to (iv) ;

(i) “reservation” means the reservation of seats, for admission in educational institutions and of posts for appointments in the public services and posts to the members of Socially and Educationally Backward Classes of Citizens (SEBC) in the State ;

(j) “Socially and Educationally Backward Classes of Citizens (SEBC)” includes the Maratha Community declared to be Educationally and Socially Backward Category (ESBC) in pursuance of the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014.

Mah. I of 2015.

(2) The words and expressions used in this Act, but not defined, shall have the same meanings respectively assigned to them in the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001.

Mah. VIII of 2004.

3. (1) This Act shall apply to all the direct recruitments, appointments made in public services and posts in the State except,—

- (a) the super specialized posts in Medical, Technical and Educational field ;
 - (b) the posts to be filled by transfer or deputation ;
 - (c) the temporary appointments of less than forty-five days duration ;
- and
- (d) the post which is single (isolated) in any cadre or grade.

(2) This Act shall also apply, for admission in educational institutions including private educational institutions, whether aided or un-aided by the State, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution of India.

(3) The State Government shall, while entering into or renewing an agreement with any educational institution or any establishment for the grant of any aid as provided in the explanation to clauses (d) and (e) of section 2, respectively, incorporate a condition for compliance with the provisions of this Act, by such educational institution or establishment.

(4) For the removal of doubts it is hereby declared that nothing in this Act shall affect the reservation provided to the Other Backward Classes under the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001 and the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Act, 2006.

4. (1) Notwithstanding anything contained in any judgment, decree or order of any Court or other authority, and subject to the other provisions of this Act,—

- (a) sixteen per cent. of the total seats in educational institutions including private educational institutions, whether aided or un-aided by the State, other than minority educational institutions referred to in clause (1) of article 30 of the Constitution of India ; and
- (b) sixteen per cent. of the total appointments in direct recruitment in public services and posts under the State,

shall be separately reserved for the Socially and Educationally Backward Classes (SEBC) including the Maratha Community :

Provided that, the above reservation shall not be applicable to the posts reserved in favour of the Scheduled Tribes candidates in the Scheduled Areas of the State under the Fifth Schedule to the Constitution of India as per the notification issued on the 9th June 2014 in this behalf.

(2) The principle of Creamy Layer shall be applicable for the purposes of reservation to the Socially and Educationally Backward Classes (SEBC) under this Act and reservation under this Act shall be available only to those persons who are below Creamy Layer.

Explanation.—For the purposes of this sub-section, the expression “Creamy Layer” means the person falling in the category of Creamy Layer as declared by the Government in the Social Justice and Special Assistance Department, by general or special orders issued in this behalf, from time to time.

Reservation of seats for admission in educational institutions, appointments in public services and posts under State for Socially and Educationally Backward Classes (SEBC).

Reservation not to be affected. **5.** Notwithstanding anything contained in section 4, the claims of students or members belonging to Socially and Educationally Backward Classes (SEBC) shall also be considered for the allotment on unreserved seats and appointments on public services and posts which shall be filled on the basis of merit, and where a student or member belonging to such classes is selected on the basis of merit, the number of seats and appointments reserved for the Socially and Educationally Backward Classes (SEBC), shall not in any way be affected.

Competent Authority. **6.** (1) The Government may, by notification in the *Official Gazette*, appoint any officer not below the rank of District Social Welfare Officer to be the Competent Authority for such area as may be specified in such notification for the purposes of carrying out the provisions of this Act and the rules made thereunder.

(2) The Competent Authority shall exercise such powers and perform such functions as may be prescribed.

Carrying forward of reserved vacancies. **7.** (1) If in respect of any recruitment year, any vacancy reserved for Socially and Educationally Backward Classes (SEBC) of persons remains unfilled, such vacancy shall be carried forward up to five years in case of direct recruitment :

Provided that, on the date of commencement of this Act, if any Government Order, Resolution, Circular and Office Memorandum regarding filling of posts is in force then, the same shall continue to be in force unless modified or revoked by the Government :

Provided further that, if the sanctioned posts are not adequate to allocate atleast one post for each reserved category, then the reserved post shall be filled in by applying the principle of rotation in accordance with the Government roster orders or rules as may be prescribed or modified in this behalf.

(2) When a vacancy is carried forward as provided in sub-section (1), it shall not be counted against the quota of the vacancies reserved for the concerned Classes of persons for the recruitment year to which it is carried forward :

Provided that, the appointing authority may, at any time, undertake a special recruitment drive to fill up such unfilled vacancies and if such vacancies remain unfilled even after such special recruitment drive then, it shall be filled up in the manner prescribed by the Government.

Responsibility and powers for compliance of Act. **8.** (1) The Government may, by order in writing, entrust upon every admission authority or appointing authority or any officer under such authority, with the responsibility of ensuring the compliance with the provisions of this Act.

(2) The Government may, in the like manner, invest the admission authority or appointing authority or officer with such powers or authority as may be necessary for such authority or officer, to effectively discharge such duty assigned to such authority or officer.

Penalty. **9.** (1) Any admission authority or appointing authority or officer or employee entrusted with the duty or responsibility who wilfully acts in a manner intended to contravene or defeat the purpose of this Act shall, on conviction, be punished with imprisonment for a term which may extend to ninety days or fine which may extend to five thousand rupees, or with both.

(2) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the Government or officer authorized in this behalf by the Government.

10. When it comes to the notice of the Government or is brought to its notice that any person belonging to Socially and Educationally Backward Classes (SEBC) is adversely affected, on account of non-compliance with the provisions of this Act or the rules made thereunder or the Government orders issued in this behalf, by any admission authority or appointing authority, it may call for such records and pass such appropriate orders as it deems fit.

Power to call for records.

11. The Government may, by an order, provide for nomination of officers belonging to Socially and Educationally Backward Classes (SEBC) in selections, screening and Department Committee for the purpose of selecting persons for appointment to public services and posts.

Representation in selection Committee.

12. Any admissions or appointments made in contravention of the provisions of this Act shall be void.

Irregular admissions and appointments void.

13. The Competent Authority appointed under section 6 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

Competent Authority to be public servant.

14. No suit, prosecution or other legal proceeding shall lie against the Competent Authority or its officers, for anything which is in good faith done or intended to be done under this Act or the rules or orders made thereunder.

Protection of action taken in good faith.

15. (1) The State Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in any rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall, from the date of publication of notification of such decision have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

16. (1) The provisions of this Act shall not apply to the cases in which selection process has already been initiated before the commencement of this Act, and such cases shall be dealt with in accordance with the provisions of law and the Government orders as they stood before such commencement.

Savings.

Explanation.—For the purposes of this section, the selection process shall be deemed to have been initiated where, under the relevant service rules,—

- (i) recruitment is to be made on the basis of written test or interview only, and such written test or the interview, as the case may be, has started ; or
- (ii) recruitment is to be made on the basis of both, written test and interview and such written test has started.

(2) The provisions of this Act shall not apply to admissions in educational institutions and the cases in which the admission process has already been initiated before the commencement of this Act and such cases shall be dealt with in accordance with the provisions of law and the Government orders, as they stood before such commencement.

Explanation.—For the purposes of this section, the admission process shall be deemed to have initiated where,—

(i) admission is to be made on the basis of any entrance test, and procedure for such entrance test has started ; or

(ii) in case of admission to be made other than on the basis of entrance test, the last date for filling up the application form is lapsed.

Power to
remove
difficulty.

17. (1) If any difficulty arises in giving effect to the provisions of this Act, the 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 after expiry of the period of two years from the date of commencement of this Act.

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

Repeal and
savings.

18. (1) On the commencement of this Act, the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014 shall stand repealed.

Mah. I of
2015.

(2) The repeal of the said Act shall not affect,—

(i) anything done or any action taken or purported to have been done or taken including any rule, notification, order, circular or direction issued under the Act so repealed ; or

(ii) any appointment made, any selection process initiated, admissions taken in any educational institutions, any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed ; or

(iii) any penalty, confiscation or punishment incurred in respect of any contravention under the Act so repealed ; or

(iv) any investigation, legal proceeding or remedy instituted before the commencement of this Act may be continued or enforced as if this Act has not been enacted ;

(v) any declaration made in pursuance of the provisions of the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014 and such declaration shall continue to be in force as if it is made under this Act.

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पुस्तकालय

PROSPECTUS

पुस्तकालय

POST GRADUATE COURSES

2020–2021



student is found responsible. [The application for refund of such deposits shall be made within six months either from the date he/ she leaves the college or completes the course and the said institution shall refund the amount within 30 days from the date of receipt of application.]

- 5) Only tuition fees and no other fees shall be refundable.
- 6) If a student gets his admission at another college or institution providing courses different from those in the College or the institution to which he had first sought admission and paid tuition fees provided always that he has kept the authorities of such a college or the institution informed in time about his application for admission to another college or institution. The application for refund of tuition fees in such cases must be forwarded through the Principal of the College or Institution which the student actually joins, giving pertinent details such as the course selected by him, the date of his application for admission to the college or institution concerned, the date of his admission to the college or institution, etc.
- 7) In the case of a student, who fails to inform the authorities of the college or the institution to which he has been given admission, about his intention to leave or change the college or the institution, such authorities shall be entitled to charge full fees for the term or the year, as the case may be.
- 8) These rules shall not be applicable to colleges/ institutions run by the State Government.
- 9) August 2nd shall be the last date for the admission to the P.G. Course? However in specific cases admission may be granted upon approval from Hon'ble Vice-Chancellor.

❖ **Reservations for different categories as per the Government policy:**

1. Scheduled Caste and Scheduled Caste persons who have adopted Buddhism (SC) 13 %
2. Scheduled Tribe (ST) 7 %
3. De-notified Tribes (14 Similar Tribes) (VJ/DT) A 3 %
4. Nomadic Tribes (28 Tribes before January 1990 and similar tribes) (NT-1) B 2.5 %
5. Nomadic Tribes (Dhanagar and Similar Tribes) (NT-2) C 3.5 %
6. Nomadic Tribes (Vanjari and Similar Tribes) (NT-3) D 2 %
7. Other Backward Class (OBC) 19 %
8. Economically weaker sections (EWS) 10 %
9. Special Backward Class (SBC) 2 %
10. Social and Educational Backward Classes (SEBC) (As per the guidelines from state Govt. issued time to time)
 - 2% seats are available for SBC category if seats from reserve category remain vacant at the time de-reservation.
 - In the 28 % seats of the Open Category and 72 % seats of the Reserved Categories, for the following type of candidates shown percentage of seats will be independently reserved (Internal Reservation).
 - A. Candidate having a certificate from Civil Surgeon specifying that the candidate is physically handicapped and having minimum 40 % disability – 5 % quota.(27 August, 2018).
 - B. Son/Daughter/Husband/Wife of Active Military Services Personnel and Ex. Military Services Personnel and Ex-Serviceman Personnel himself- 2 % quota.

(Note- This being the internal reservation, seats will be filled on merit in the beginning only. Correspondingly the number seats will be reduced from the respective categories.)

