



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष २, अंक २३]

सोमवार, जुलै ५, २०१०/आषाढ १४, शके १९३२

[पृष्ठे ४, किंमत : रुपये १९.००

असाधारण क्रमांक ४५

प्राधिकृत प्रकाशन

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

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Ordinance, 2010 (Mah. Ord. VII of 2010), is hereby published under the authority of the Governor.

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

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

(Translation in English of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Ordinance, 2010 (Mah. Ord. VII of 2010), published under the authority of the Governor.)

AGRICULTURE, ANIMAL HUSBANDRY, DAIRY
DEVELOPMENT AND FISHERIES DEPARTMENT
Mantralaya, Mumbai 400 032, dated the 5th July 2010.

MAHARASHTRA ORDINANCE No. VII OF 2010.

AN ORDINANCE

furtherto amend the Maharashtra Agricultural Universities
(*Krishi Vidyapeeths*) Act, 1983.

WHEREAS both Houses of the State Legislature are not in session ;

भाग आठ—४५-१

(१)

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983, for the purposes hereinafter appearing :

Mah.
XLI of
1983.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title
and
commence-
ment.

1. (1) This Ordinance may be called the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Ordinance, 2010.

(2) It shall come into force at once.

Amendment
of section 17
of Mah. XLI
of 1983.

2. In section 17 of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983,—

Mah.
XLI of
1983.

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

“(1) The Vice-Chancellor shall be appointed by the Chancellor in the manner stated hereunder :—

(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 a retired Judge of the Supreme Court or retired Chief Justice of a High Court or an eminent scientist of national repute or a recipient of Padma Award in the field of education ;

(ii) the Director General, Indian Council of Agricultural Research, New Delhi ;

(iii) the Principal Secretary (Agriculture) or Secretary (Agriculture), as the case may be, in the Agriculture, Animal Husbandry, Dairy Development and Fisheries Department of the Government of Maharashtra ;

(b) The member nominated by the Chancellor shall be the Chairman of the Committee ;

(c) The member nominated shall be the person not connected with the University or any recognised institution of the University ;

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

(b) for sub-section (2), the following sub-sections shall be substituted, namely :—

“(2) The process of preparing a panel shall begin at least three months before the probable date of occurrence of the vacancy of the Vice-Chancellor and shall be completed within the time limit

fixed by the Chancellor. The Chancellor, however, may extend such time limit if in the exigency of the circumstances, it is necessary so to do, however that the period so extended shall not exceed three months in the aggregate.

(2A) 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 within the period of two months from its constitution. The names so recommended shall be in alphabetical order without any preference being indicated. The report shall be accompanied by a detailed write-up on suitability of each person included in the panel.

(2B) The Chancellor may select one of the said persons from such panel for the post of the Vice-Chancellor and appoint the person to such post. If the Chancellor does not approve any of the persons in the panel or if the person selected by the Chancellor for the post of Vice-Chancellor is not willing to accept the office of the Vice-Chancellor, the Chancellor may require the above-mentioned Committee to prepare a fresh panel.

(2C) A person recommended by the Committee for appointment as a Vice-Chancellor shall,—

- (a) be an eminent academician or an administrator of high calibre ;
- (b) be able to provide leadership by his own example ;
- (c) be able to provide vision and have ability to translate the same into reality in the interest of students and society ; and
- (d) possess such educational qualifications and experience as may be specified by the State Government, by an order published in the *Official Gazette*, in consultation with the Chancellor.

(2D) The eligibility conditions and the process for recommendation of names for appointment as a Vice-Chancellor shall be given wide publicity to ensure the recommendation of most suitable candidates.”;

(c) in sub-section (4), for the words “ term not exceeding, six months in the aggregate ” the words “ term not exceeding, twelve months in the aggregate ” shall be substituted.

STATEMENT

Sub-sections (1) and (2) of section 17 of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983 (Mah. XLI of 1983) provide for the appointment of the Vice-Chancellor, who is the Principal Executive and Academic Officer of the University and *Ex-officio* member and Chairman of the Executive Council and the Academic Council and *Ex-officio* member of the Maharashtra Council of Agricultural Education and Research. Although the said sub-sections (1) and (2) provide for constitution of the Committee for recommending names of suitable persons for appointment as a Vice-Chancellor, the said Act, nowhere, provides for the eligibility conditions for the appointment as a Vice-Chancellor. It is, therefore, considered expedient to amend section 17 of the said Act, so as to incorporate therein the provisions for the re-constitution of the said Committee and the eligibility conditions for the appointment as a Vice-Chancellor.

2. As per the provisions of sub-section (4) of section 17 of the said Act, the Vice-Chancellor holds office for a term of five years ; and the Chancellor can, after the expiry of the said term, nominate a suitable person to hold the office for a period not exceeding six months in the aggregate. The process for recommending suitable names for the consideration of the Chancellor for being appointed as a Vice-Chancellor of some of the Agricultural Universities is to commence shortly. The term of the Vice-Chancellor of the Mahatma Phule Krishi Vidyapeeth, Rahuri is already expired on the 9th February 2010. As the Committee for recommending the suitable names to the Chancellor for appointment of Vice-Chancellor will have to be constituted under the proposed provisions of section 17 of the said Act and the aggregate term of six months of the person holding the office of the Vice-Chancellor is expiring in near future, it is considered expedient to extend the said period from six months to twelve months in the aggregate, by amending the said sub-section (4), suitably.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983 (Mah. XLI of 1983), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 3rd July 2010.

K. SANKARANARAYANAN,
Governor of Maharashtra.

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

SUDHIR KUMAR GOYAL,
Principal Secretary to Government.