



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ९, अंक ११६(२)]

बुधवार, ऑगस्ट ३०, २०२३/भाद्रपद ८, शके १९४५

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असाधारण क्रमांक ३३९

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमान्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, Dated the 30th August, 2023.

NOTIFICATION

MAHARASHTRA PUBLIC UNIVERSITIES ACT, 2016.

No.Parini-2023/C.R.82/UE-2.—In exercise of the powers conferred by sub-sections (9), (20) and (22) of section 71 and sub-section (10) of section 72 read with sub-sections (2) and (14) of section 11 of the Maharashtra Public Universities Act, 2016 (Mah. VI of 2017), the Government of Maharashtra hereby prescribes the following Uniform Statutes relating to terms and conditions of service of the Vice-Chancellor of the University, namely :—

UNIFORM STATUTES No. 04 OF 2023

1. Short title, commencement and application.—

(1) These Statutes may be called the Maharashtra Public Universities (Terms and Conditions of Service of Vice-Chancellors) Uniform Statute, 2023.

(2) It shall come into force from the date of its publication in the *Maharashtra Government Gazette*.

(3) It shall be applicable to Vice-Chancellor appointed before or after the commencement of these Statutes.

2. Leave.—

(1) The Vice-Chancellor shall be entitled to earned leave, commuted leave on medical grounds and casual leave during his term of office, as per the provisions of the Maharashtra Civil Services (Leave) Rules, 1982, as amended from time to time.

(2) The unutilized earned leave accumulated during the term of his office shall be considered for leave encashment.

(3) The Chancellor shall be the leave sanctioning authority for the Vice-Chancellor.

(१)

3. Procedure for Removal of Vice-Chancellor.—

The Vice-Chancellor may be removed from his office by the Chancellor on the grounds provided in sub-section (14) of section 11 of the Maharashtra Public Universities Act, 2016 (Mah. VI of 2017) (hereinafter referred to as “the said Act”). Before taking recourse for removal of the Vice-Chancellor under clauses (d), (e) or (f) of sub-section (14) of section 11 of the said Act, the procedure specified hereinafter shall be followed :—

(1) Preliminary Inquiry.—

(a) The Chancellor may *suo motto* or on receipt of any reference from the State Government or any complaint from any person, is of the opinion that there is *prima facie* case for taking recourse for removal of the Vice-Chancellor under clauses (d), (e) or (f) of sub-section (14) of section 11 of the said Act, he may cause a preliminary inquiry to be conducted to ascertain whether there is any substance in the case for initiating any action for removal of the Vice-Chancellor :

Provided that, the Chancellor shall have the discretion for dispensing with the requirement of preliminary inquiry, depending on the exigency of the situation and he may directly cause a detailed inquiry to be conducted.

(b) The Chancellor may, by an order, appoint any officer, not below the rank of Deputy Secretary to Government, to be an Inquiry Officer to conduct such preliminary inquiry.

(c) The Inquiry Officer shall, after conducting preliminary inquiry in the matter as he deems fit, prepare his report and submit the same to the Chancellor, within such time as may be specified by the Chancellor.

(d) If it is found in the preliminary inquiry that, there is a *prima facie* case for taking recourse for removal of the Vice-Chancellor, the Chancellor shall by a written notice, require the Vice-Chancellor to submit his explanation, in writing, in respect of the allegations made against him, within such time as may be specified in the notice.

(e) If the Vice-Chancellor admits the allegation made against him in the preliminary inquiry, the Chancellor shall make an order of removal of the Vice-Chancellor.

(f) If the Vice-Chancellor does not admit the allegations made against him, a full-fledged detailed inquiry shall be conducted :

Provided that, the Chancellor may, if he deems fit suspend the Vice-Chancellor during the period of such detailed inquiry, by an order in writing after recording reasons therefor, for such period as may be specified in such order. The Chancellor may extend the period of suspension from time to time :

Provided further that, the Vice-Chancellor shall be given an opportunity of being heard, before passing any such order of suspension.

(2) Detailed Inquiry.—

A detailed inquiry against the Vice-Chancellor shall be conducted as follows :—

(a) The Chancellor shall appoint a retired District Judge as an Inquiry Officer to conduct a detailed inquiry into the charges levelled against the Vice-Chancellor.

(b) The Chancellor shall cause to be delivered to the Vice-Chancellor, a copy of detailed statement of the charges levelled against him and a list of documents and witnesses. The Chancellor shall, by written notice, require the Vice-Chancellor to submit to him, within such time as may be specified in the notice, a written statement of his defence and to state whether he desires to be heard in person.

(c) The Inquiry Officer shall give Vice-Chancellor an opportunity of being heard in person, if he so desires. The Inquiry Officer shall inquire into the charges and record its findings on each charge after taking such evidence as it may think fit.

(d) The Chancellor may, by an order, appoint a Government servant or a legal practitioner, to be known as the 'Presenting Officer' to present the case in support of the charges before the Inquiry Officer.

(e) The Vice-Chancellor may engage a legal practitioner to present the case on his behalf.

(f) After the conclusion of the inquiry, the Inquiry Officer shall prepare a report containing assessment of the evidence in respect of each of the charges and findings on each of the charges alongwith the reasons therefor.

(g) The Inquiry Officer shall forward to the Chancellor the records of inquiry which shall include the report prepared by him, written statement of defence, if any, submitted by the Vice-Chancellor, oral and documentary evidence produced in the course of the inquiry, written briefs, if any, filed by the Presenting Officer or the Vice-Chancellor or both during the course of the inquiry and orders, if any, made by him in regard to the inquiry.

(3) Action on inquiry report.—

(1) The Chancellor shall consider the detailed inquiry report and the entire record of inquiry and record his findings on each of the charges. If he disagrees with the findings of the Inquiry Officer on any of the charges, he shall record his reasons for such disagreement.

(2) If the Chancellor, having regard to his findings on all or any of the charges and on the basis of the evidence adduced during the inquiry, is satisfied that the Vice-Chancellor should be removed, he shall by an order remove the Vice-Chancellor.

(4) Communication of order.—

An Order passed by the Chancellor for removal of Vice-Chancellor shall be communicated to the Vice-Chancellor alongwith a copy of the report of the Inquiry Officer and its enclosures, if any, and a statement of findings of the Chancellor.

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

AJIT BAWISKAR,
Deputy Secretary to Government.