



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 ;

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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
commence-
ment. 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;

(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.

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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
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Private
Professional
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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 Institutions from making reservations. **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.

*As per the Director Of Technical
Education Admission Rules.*

- 1) Fees Charges
- 2) Reservation Policy
- 3) Admission Policy,
- 4) Documents Retention Policy

1. Introduction

In exercise of the powers conferred by section 23 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015), the Government of Maharashtra has published the rules on 24.04.2017 and its amendments on 05.06.2018 and 12.06.2019 to regulate the admissions to the **First and Direct Second Year of Full Time Professional Post Graduate Technical Courses** (Engineering and Technology, Pharmacy, Architecture, Hotel Management and Catering Technology, Management and Computer Applications).

These rules are also applicable for admissions in Government and Government Aided professional educational institutions vide Government Resolution of Higher & Technical Education Department No. TEM-2016/CR (473/16)/ TE-4 Dated 25th April 2017 and amendments vide Gr No. TEM-2019/CR 46/ TE-4 dated 04th June 2019.

This brochure gives information regarding the eligibility and rules of admission to First and Second year of various technical professional postgraduate degree courses in the State of Maharashtra. This also provides information about invitation of applications for admission, preparation of merit list, distribution of seats, details of reservation, various rounds and stages of Centralised Admission Process (CAP), admissions in Institutional Quota seats and vacant seats after CAP, supernumerary seats, refund of fees, etc.

2. Definitions

- (a) "Act" means the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. Act XXVIII of 2015);
- (b) "Admission Reporting Centre" means a center where the Candidate shall report for confirmation of admission by verification of documents and payment of fees;
- (c) "All India Seats" means seats available to any eligible Indian National Candidate;
- (d) "Application Form" means prescribed form filled up online by the Candidate for admission;
- (e) "Autonomous Institution" means the institution to which autonomy is granted by the University Grants Commission;
- (f) "CAP" means Centralised Admission Process;
- (g) "CAP Seats" means the seats filled in through the centralized process of admission carried out by the Competent Authority;
- (h) "CET" means Common Entrance Test;
- (i) "CAP Seats" means the seats filled in through the centralized process of admission carried out by the Competent Authority;
- (j) "Competent Authority" means the Commissioner of State CET appointed by the Government under section 10, for conducting CET through CAP for the admissions into Private Professional Educational Institutions;
- (k) "Courses" means the full time Post Graduate technical courses in Engineering and Technology, Pharmacy, Architecture and Hotel Management and Catering Technology, Management, Computer Applications, Pharm. D. (Post Baccalaureate) and Planning;
- (l) "Department" means Higher and Technical Education Department of Government of Maharashtra;
- (m) "Eligible Candidates" means the candidates who are eligible for different professional courses as notified by the Government, from time to time under

sub-section (1) of section 3 of the Act;

- (n) "Facilitation Centre" means a centre where the facilities like sale of application kits, filling online forms, verification of documents and grievances, etc., are provided;
- (o) "Home University (HU)" means the university area as specified in rule 5(1) herein;
- (p) "HSC" means the Higher Secondary School Certificate (Standard XII) examination conducted by Maharashtra State Board of Secondary and Higher Secondary Education or its equivalent certificate awarded by a recognised Board;
- (q) "Institutional Quota" means seats available for admission to eligible Candidates at Institution level as declared by the Government or appropriate authority from time to time;
- (r) "*Inter-Se-Merit*" means the order of merit declared by the Competent Authority in respect of various classes/category of Candidates;
- (s) "Minority Quota" means seats earmarked for the Minority Community students from within the State, belonging to the Minority Community to which the institution belongs;
- (t) "Non-Autonomous Institution" means those institutions which are not 'Autonomous Institutions';
- (u) "Overseas Citizen of India (OCI)" means a candidate/person registered as an Overseas Citizenship of India as declared by the Central Government under section 7A of the Citizenship Act 1955 and includes Persons of Indian Origin(PIO).
Explanation: For the purposes of this clause, all the existing Persons of Indian Origin (PIO) cardholders registered under notification of the Government of India, Ministry of Home Affairs No. F. No. 26011/04/98- F. I dated 19th August 2002 and shall now be deemed to be Overseas Citizens of India (OCI) card holders by virtue of Notification of Government of India, Ministry of Home Affairs, No. 25024/9/2014-F.I. Dated 9th January, 2015;
- (v) "OHU" means the area Outside Home University area;
- (w) "Qualifying Examination" means examinations on the basis of which a candidate becomes eligible for admission or its equivalent examination;
- (x) "Sponsored Candidate" means the candidate having minimum of two years of full time work experience counted after the date of declaration of result of qualifying degree till the last date of receipt of application in a registered firm or company or industry or educational and/or research institute/any Government Department or Government Autonomous Organization in the relevant field in which admission is being sought.
- (y) "SSC" means the Secondary School Certificate (Standard X) examination conducted by Maharashtra State Board of Secondary and Higher Secondary Education or its equivalent certificate awarded by a recognized Board;
- (z) "Supernumerary Seats" means seats which are over and above the Sanctioned Intake approved by the appropriate authority and the Government, from time to time;

3. Invitation of Application

- (1) The Competent Authority shall invite Online Applications from Candidates for participating in CET and / or CAP for seeking admission to the Professional Courses for which State CET or alternative entrance examination is required for the academic year
- (2) The Competent Authority shall also invite online application form from the eligible candidates for participating in Centralised Admission Process (CAP) to the post graduate technical courses for which the entrance test is conducted by the appropriate authority under any Central Act and shall be applicable for seeking admission to such professional courses, as per the provisions of the Central Act, rules and regulations made there under.
- (3) The Candidates seeking admissions to the professional courses for the seats provided in -
 - (a) **7(1)-Maharashtra State Candidature Seats,7(2)- All India Candidature Seats, 7(3)- Minority Quota Seats and 7(5)(b)- Supernumerary Seats for Jammu and Kashmir Migrant Candidature-** For these seats the candidates shall apply to the Competent Authority for admission through Centralised Admission Process(CAP).
 - (b) **7(4)- Institutional Quota Seats and 7(5)(a) Supernumerary Seats for OCI/ PIO, Foreign Students and the children of Indian Workers in Gulf Countries Candidates-**For these seats the candidates shall initially apply to the Competent Authority, for verification of documents and then to respective institute, to enable the institutions to give admissions to such eligible applicants on the basis of Inter-Se-Merit.
It is pre-requisite and mandatory to apply to the Competent Authority for verification of documents to be eligible for admission under this quota.
- (4) The Candidate should submit, along-with the application, the requisite certificates, as applicable in the necessary Proforma issued by the concerned competent authority. The list of documents to be submitted is given in **Section 16** of this Information Brochure.

4. Role of Competent Authority in the process of Admission.-

- (a) The Competent Authority, the Commissioner State Common Entrance Test Cell, Maharashtra State, shall be the authority for Centralised Admission Process and shall direct the students as per their allotment through CAP to all institutions i.e. Government, Government Aided, University Department, University Managed Colleges, Dr. Babasaheb Ambedkar Technological University, Lonere (BATU) and Unaided Private Professional Technical Educational Institutions.
- (b) The Admission Regulatory Authority shall deal with the representations received from the candidates pertaining to allotment and admissions as Grievance Redressal Authority.
- (c) All the decisions taken in relation to Admission to First/ Direct Second Year of courses, by the Competent Authority shall be final and binding on all concerned.

4.1 Jurisdiction of the Universities:

The following table shows the details about the Home Universities in Maharashtra State along with their Jurisdiction.

S. No	Home University	District of Jurisdiction
1.	Dr. Babasaheb Ambedkar Marathwada University	Aurangabad, Beed, Jalna, Osmanabad
2	Swami Ramanand Teerth Marathwada University, Nanded	Hingoli, Latur, Nanded, Parbhani
3	Mumbai University	Mumbai City, Mumbai Suburban, Thane, Ratnagiri, Raigad, Palghar, Sindhudurg
4	SNDT Women's University	Entire Maharashtra
5	Dr. Babasaheb Ambedkar Technological University, Lonere	Entire Maharashtra including Konkan
6	Kavayitri Bahinabai Chaudhari North Maharashtra University Jalgaon	Dhule, Jalgaon, Nandurbar
7	Savitribai Phule Pune University	Ahmednagar, Nashik, Pune
8	Shivaji University	Kolhapur, Sangli, Satara
9	Solapur University	Solapur
10	Sant Gadge Baba Amravati University	Akola, Amravati, Buldana, Washim, Yavatmal
11	Rashtrasant Tukdoji Maharaj Nagpur University	Bhandara, Gondia, Nagpur, Wardha
12	Gondwana University	Chandrapur, Ghadchiroli

5. Candidature Type.-

5.1 Maharashtra State Candidature. - A Candidate can claim only one type of Maharashtra State Candidature Type i.e. from Type A to E.

Type	Eligibility Criterion	Home University
Type-A	(a)For First Year:- (i) Candidates passing HSC or passing diploma in Engineering or Technology or Pharmacy and also Qualifying Examination from a recognized institution in Maharashtra State (ii) Candidate who is either Domicile of Maharashtra and/or is born in Maharashtra;	Place of passing of Qualifying Examination falling within the jurisdiction of the respective University area.
Type-B	A Candidate who does not fall in Type A above, but who or whose father or mother is domiciled in the State of Maharashtra and possesses domicile certificate.	Place of domicile certificate issuing authority falling within the jurisdiction of the respective University area.
Type-C	A Candidate who does not fall in either Type A or Type B but whose father or mother is an employee of the Government of India or Government of India Undertaking and who has been posted and reported to duty in Maharashtra State before the last date for submitting the Application Form for CAP.	Place of posting of father or mother of Candidate falling within the jurisdiction of the respective University area
Type-D	A Candidate who does not fall in any of the above Type A, Type B and Type C but whose father or mother is an employee or retired employee of the Government of Maharashtra or Government of Maharashtra Undertaking.	Place of posting of father or mother of Candidate or the place of settlement of the father or mother if retired or the place of last posting if deputed outside Maharashtra falling within the jurisdiction of the respective University area.
Type-E	(a) Candidates passing HSC or passing diploma in Engineering or Technology or Pharmacy and also Qualifying Examination from a recognized institution located in a disputed Maharashtra Karnataka Border area or from Maharashtra, residing in the disputed Maharashtra Karnataka Border area and whose mother tongue is Marathi.	Candidate shall be considered for the Outside Home University or State Level Seats.

5.2 All India Candidature.- The Candidates having Indian Nationality are eligible under this Category.

5.3 Minority Candidature.- The Maharashtra domiciled Candidate belonging to a particular Linguistic or Religious Minority Community from within the State and as notified by the Government are eligible under this Category.

5.4 NRI Candidature.- The Candidate who fulfils the conditions as defined in clause (n) of section 2 of the Act are eligible under this Category.

5.5 Foreign Student or OCI or PIO Candidature.- The Foreign Student Candidates, as defined in clause (i) of section 2 of the Act, the Overseas Citizen of India (OCI) candidate, as defined under clause (q) of rule-2 and Persons of Indian Origin (PIO) as defined in clause (o) of Section 2 of the Act are eligible under this Category.

5.6 Jammu and Kashmir Migrant Candidature.-

- (a) The children of citizens, who are displaced from Jammu and Kashmir to any part of India from unsafe border area of Jammu and Kashmir to a relatively safer place in Jammu and Kashmir from 1990 onwards due to terrorist activities; or
- (b) The children of officers belonging to Indian Administrative Services (IAS), Indian Police Services (IPS) or Indian Foreign Services (IFS) and children of staff belonging to military and paramilitary forces transferred to Jammu and Kashmir to combat terrorist activities and joined the post on or before the last date for submission of application for admission; or
- (c) The children of staff and officers of Jammu and Kashmir police engaged in combating terrorism, are eligible under this category.

6. Sanctioned Intake and Supernumerary Seats for various Courses.-

6.1 The Sanctioned Intake for First Year Post Graduate Degree Courses, Direct Second Year (Lateral entry) and Direct Second Year separate division Post Graduate Courses shall be as per the approval given by the authority which is competent for giving approval to respective courses and affiliation given by the respective affiliating University before cut-off date as laid down for that year.

The Institute Information, Courses and the Sanctioned Intake displayed on the web site of the Competent Authority shall be treated as authentic for admissions for the year 2019-20. **Candidates shall refer the web site for the revised and final Institute Information before filling the Option/Preference Form.**

For admission to Direct Second Year (Lateral entry), the number of seats available shall be calculated as given in **Schedule - II**.

6.2 The supernumerary seats shall be available to the Institutions as approved by the appropriate authority, from time to time.

7. Allocation of Seats.-The percentage of allocation of seats for various types of candidates in the Home University, Other than Home University and State Level shall be in accordance with the policy of the Government as specified in **Schedule-I** for First Year and **Schedule -II** for Direct Second Year of various Post Graduate Courses.

7.1 Maharashtra State Candidature Seats.- The Candidates having Maharashtra State Candidature as specified in 5(1), shall be eligible for these seats.

7.2 All India Candidature Seats.-The Candidates having Candidature as given in 5(2) shall be eligible for these seats.

7.3 Minority Quota Seats.-The Candidates having Candidature mentioned in 5(3) shall be eligible for these seats as specified in **Schedule-I** and **Schedule-II**. These seats shall be filled in accordance with the provisions of sub-section (2) of section 6, of the Act.

7.4 Institutional Quota Seats.- The Institution can admit Eligible Candidates as specified in Schedule –I and Schedule – II , subject to following conditions.-

- (i) The Candidates having Candidature mentioned in 5(1), 5(2) 5(3), 5(4) and 5(6) shall be eligible for these seats;
- (ii) The maximum 5% seats may be filled in from the NRI Candidates, if it is approved by the Appropriate Authority, at the Institution level.
- (iii) If the seats reserved for NRI quota remains vacant, those vacant seats may be filled in by the Institution, from the Eligible Candidates of All India Candidature.

NOTE: while filling these seats the preference shall be given to the Maharashtra State Candidature Candidates on the basis of *Inter-Se-Merit*.

7.5 Supernumerary Seats for,-

(a) OCI/ PIO, Foreign Students and the Children of Indian Workers in Gulf Countries (CIWGC) Candidates.-

- (i) The Candidates having candidature as given in 5(5) and the children of Indian Workers in Gulf Countries shall be eligible for these supernumerary seats.
- (ii) These seats shall be subject to the maximum of 15% of the Sanctioned Intake seats. Out of 15% seats, one third shall be reserved for the children of Indian Workers in Gulf Countries and two third seats shall be reserved for OCI / PIO or Foreign Students candidates or as prescribed by the appropriate authority, from time to time.
- (iii) These seats shall be filled in by the institution on the basis of *Inter-Se-Merit* of candidates as given in section 8 of this brochure.
- (iv) Candidates fulfilling the eligibility criteria for Foreign Nationals/OCI/PIOs/Children of Indian workers in the Gulf countries/Child or Ward of NRI shall send their applications to the designated centers notified by the Competent Authority for this purpose.

(b) Jammu and Kashmir Migrant Candidature:

- (i) These seats shall be filled in by the Competent Authority.
- (ii) The Candidates having candidature as given in 5(6) shall be eligible for these seats.
- (iii) The number of seats for this quota shall be as per the policy of the Government.
- (iv) Candidates fulfilling the eligibility criteria for Jammu and Kashmir Migrant Candidature shall send the printed copy of online filled & submitted application form & copy of uploaded documents by hand/speed post/courier for verification & confirmation to the designated centers notified by the Competent Authority for this purpose

(c) Jammu and Kashmir Candidates and North East States:

- (i) The admission to the candidates as per *Prime Minister's Special Scholarship Scheme (PMSSS)* for the students belonging to Jammu and Kashmir and the scheme of Government of India of allocation of supernumerary seats in AICTE approved colleges to North Eastern States and UTs (NEUT) which lack in such facilities of technical education shall be done by the competent authority appointed by the Central Government as per their eligibility criteria.
- (ii) The Fees shall be as that for the Non Autonomous Government Institutes.

7.6 Reservations:

All the reservations given below shall be applicable to **candidates belonging to Maharashtra State only** subject to the fulfilment of the eligibility criteria specified by respective authorities from time to time.

(a) Reservation for Backward Class Category Candidates:

The percentage of seats reserved for candidates of backward class categories belonging to Maharashtra State is as given below. The percentage of reservation is the percentages of the seats available for Maharashtra candidates, coming under the CAP. Backward class candidates shall claim the category to which they belong to at the time of submission of application form for CAP.

Sr. No.	Category of Reservation	Percentage of seats Reserved
01	Scheduled Castes and Schedule Caste converts to Buddhism (SC)	13.0 %
02	Schedule Tribes (ST)	7.0%
03	Vimukta Jati (VJ)/De Notified Tribes(DT) (NT-A)	3.0%
04	Nomadic Tribes 1 (NT-B)	2.5%
05	Nomadic Tribes 2 (NT-C)	3.5%
06	Nomadic Tribes 3 (NT-D)	2.0%
07	Other Backward Classes (OBC)	19.0%
08	Socially and Educationally Backward Classes (SEBC)	16.0%
	Total	66.0%

(b) Reservation for Persons with Disability Candidate:

Five percent (5%) seats of total sanctioned intake of all the Institutions under CAP shall be reserved for Candidates having following minimum 40% benchmark disability.

Locomotor disability	Intellectual disability
Leprosy cured person	Specific learning disabilities
Cerebral palsy	Autism spectrum disorder
Dwarfism	Mental illness
Muscular dystrophy	Multiple sclerosis

Acid attack victims	Parkinson's disease
Blindness	Haemophilia
Low-vision	Thalassemia
Deaf	Sickle cell disease
Hard of hearing	Multiple Disabilities
Speech and language disability	

A single merit list of all eligible candidates shall be prepared. The allotment of seats reserved for the Candidates with Disability shall be done on the basis of an inter-se merit. These seats are available for Maharashtra domiciled candidates in HU / SL seats.

The candidates claiming reservation under this category shall submit the certificates from the authority competent for issuing such certificate. The certificate (Pro-forma) should clearly state that the extent of disability is not less than 40% (Forty percent) and the disability is permanent in nature.

Note:-

Candidates with Disability should note that on admission to post graduate degree course they will not be given any exemptions or additional facility in the academic activities other than those which may be provided by the respective Universities.

(c) Reservation for EWS Candidate: As per the provisions in Government Resolution No. राआधो -4019/प्र.क्र.31/16-अ, dated 12th February, 2019, 10% seats shall be reserved for EWS candidates. These seats shall be filled by the Competent Authority through CAP as per the policies of the Government declared from time to time. These seats shall be over & above the sanctioned intake.

(d) Reservations for Orphan Candidates - One percent (1%) seats of CAP Seats (excluding Minority institutions, All India Seats, if any) shall be reserved for Orphan Candidates. These seats shall be filled by the Competent Authority through CAP as per Government Resolution, Women and Child Welfare Department, No. AMJ-2011/C.R. 212 / Desk 3 dated 2nd April 2018 and the policies of the Government declared from time to time.

7.7 Eligibility Criteria:

Year and Course	Eligibility conditions and requirements for admissions
Post Graduate Degree Management (MBA/MMS)	<p>(1) Maharashtra State Candidature Candidate.-</p> <p>(i) The Candidate should be an Indian National;</p> <p>(ii) Passed minimum three year duration Bachelor's Degree awarded by any of the Universities recognized by University Grants Commission or Association of Indian Universities in any discipline with at least 50% marks in aggregate or equivalent (at least 45% in case of candidates of backward class categories and Persons With Disability belonging to Maharashtra State only) or its equivalent;</p> <p>(iii) Obtained non zero score in CET conducted by the Competent Authority (MAH-MBA/MMS-CET 2019).</p>
	<p>(2) All India Candidature Candidates, Jammu and Kashmir Migrant Candidature Candidates.-</p> <p>(i) The Candidate should be an Indian National;</p> <p>(ii) Passed minimum Three year duration Bachelor's Degree awarded by the University recognised by University Grants Commission or Association of Indian Universities in any discipline with at least 50% marks in aggregate or equivalent (at least 45% in case of candidates of backward class categories and Persons With Disability belonging to Maharashtra State only) or its equivalent;</p> <p>(iii) Obtained non zero positive score in one of the following examinations; CET conducted by the Competent Authority (MAH-MBA/MMS-CET 2019), Common Admission Test conducted by Indian Institute of Management (CAT), Common Management Aptitude Test Conducted by All India Council for Technical Education (CMAT) Graduate Management Aptitude Test Conducted by Graduate Management Admission Council, United States of America(GMAT), Management Aptitude Test Conducted by All India Management Association (MAT), Entrance Test for Management Admissions conducted by The Association of Indian Management Schools (ATMA), Xavier Aptitude Test conducted by Xavier School of Management Jamshedpur (XAT), valid for admissions during the Academic year 2019-20.</p> <p>(3) NRI/ OCI / PIO, Children of Indian workers in the Gulf countries, Foreign National. -</p> <p>(i) Passed minimum Three year duration Bachelor's Degree awarded by the University recognised by University Grants Commission or Association of Indian Universities in any discipline with at least 50% marks in aggregate or its equivalent.</p> <p>(ii) Any other criterion declared from time to time by the appropriate authority as defined under the Act.</p>

15. Cancellation of Admission and Refund of fees, return of documents by Institutions. -

- (a) The Candidate shall apply online for cancellation and submit duly signed copy of system generated application for cancellation of admission to the institution. Once the candidate submits online request for cancellation, his/her admission shall be treated as cancelled. The Institute shall consider the online request made by Candidate for cancellation as final irrespective of whether he/she has submitted duly signed copy of system generated application to the Institute. Upon such cancellation, the candidate shall lose the claim on the seat and such seat shall become available for further allotment. The candidate shall then become entitled to and the Institute shall refund the entire fees to the candidate after deduction of Rs.1000/- towards processing charges and return all his/her original documents submitted to the Institute within two days from submission of duly signed copy of system generated application to the Institute;
- (b) Notwithstanding clause (a) above, candidate shall not be entitled to any refund of his/her fee except the Security Deposit and Caution Money Deposit if the online cancellation is effected by the candidate after 5.00 pm of the cut-off date prescribed by the Competent Authority;
- (c) No institution, who has in its possession or custody, of any document in the form of certificates of degree, diploma or any other award or other document deposited with it by a person for the purpose of seeking admission in such institution, shall refuse to return such degree, certificate award or other document with a view to induce or compel such person to pay any fee or fees in respect of any course or program of study which such person does not intend to pursue or avail any facility in such institution.
- (d) The institution shall not entitle to recover the fees for the subsequent years from the student seeking cancellation of his admission at any point of time.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ८२]

शुक्रवार, नोव्हेंबर ३०, २०१८/अग्रहायण ९, शके १९४०

[पृष्ठे ७, किंमत : रुपये २७.००

असाधारण क्रमांक १६२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि 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 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 (Mah. Act No. LXII of 2018), is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. LXII OF 2018.

[First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", 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 :—

Short title
and
commencement.

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.

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

Definitions.

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

(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.

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 ;

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

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18 of
2013.

(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 ;

(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 ;

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2015.

(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.

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of 2004.

(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.

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

(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.

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(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.

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

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 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.

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. Responsibility and powers for compliance of 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.

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. Penalty.

(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. Competent Authority to be public servant.

45 of 1860.

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.

Savings. **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.

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.

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(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.

Mah. I of
2015.

(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.