



# महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष २, अंक ३५] मंगळवार, ऑक्टोबर ५, २०१०/आश्विन १३, शके १९३२ [ पृष्ठे ४, किंमत : रुपये १९.००

असाधारण क्रमांक ६८

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 University of Health Sciences (Second Amendment) Ordinance, 2010 (Mah. Ord. XIV 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 University of Health Sciences (Second Amendment) Ordinance, 2010 (Mah. Ord. XIV of 2010), published under the authority of the Governor.)

## MEDICAL EDUCATION AND DRUGS DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 5th October 2010.

### MAHARASHTRA ORDINANCE No. XIV OF 2010.

#### AN ORDINANCE

*further to amend the Maharashtra University of  
Health Sciences Act, 1998.*

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

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 University of Health Sciences Act, 1998, for the purposes hereinafter appearing ;

Mah.  
X of  
1999.

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 :—

1. (1) This Ordinance may be called the Maharashtra University of Health Sciences (Second Amendment) Ordinance, 2010. Short title and commencement.

(१)

(2) It shall come into force at once.

Insertion of section 22A in Mah. X of 1999.

2. After section 22 of the Maharashtra University of Health Sciences Act, 1998 (hereinafter referred to as "the principal Act"), the following section shall be inserted, namely :—

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

"22A. Notwithstanding anything contained in any other provisions of this Act, the Government may, in consultation with the Chancellor, by an order published in the *Official Gazette*, specify the eligibility conditions for being elected or nominated as a member of any authority of the University."

Amendment of section 85 of Mah. X of 1999.

3. In section 85 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

"(2A) The Government shall cause the audited annual accounts of the University, received by it, to be laid before each House of the State Legislature."

Amendment of section 86 of Mah. X of 1999.

4. Section 86 of the principal Act shall be re-numbered as sub-section (1) thereof ; and after sub-section (1) as so re-numbered, the following sub-section shall be added, namely :—

"(2) The Government shall cause the annual report of the University, received by it, to be laid before each House of the State Legislature."

Substitution of section 94 of Mah. X of 1999.

5. For section 94 of the principal Act, the following section shall be substituted, namely :—

Admission of students to privileges of University.

"94. Notwithstanding anything contained in this Act, Statutes, Ordinances, Regulations or Rules, any student who immediately prior to the date of commencement of this Act and on the date of commencement of the Maharashtra University of Health Sciences (Second Amendment) Ordinance, 2010 was studying for a degree in Health Sciences in any of the Universities specified in the Schedule to this Act, shall be deemed to be the student of the University."

Mah. X of 1999.

Mah. Ord. XIV of 2010.

## STATEMENT

The Maharashtra University of Health Sciences has been established under the Maharashtra University of Health Sciences Act, 1998 (Mah. X of 1999), with effect from the 3rd June 1998. As per the definition of the term "Health Sciences" contained in clause (17) of section 2 of the said Act, all courses connected with the Health Sciences have been brought within the jurisdiction of the Maharashtra University of Health Sciences. However, having regard to the interest and academic career of the students who immediately prior to the date of commencement of the said Act were studying for a degree in Health Sciences in any of the Universities specified in the Schedule to the said Act (hereinafter referred to as "the Scheduled University") it was considered expedient by the Government to incorporate section 94 in the said Act empowering the Scheduled University to declare the results of the examinations held by such University and to confer the degrees to such students. It is observed that, although the provisions of the said section 94, were originally incorporated as the transitory provisions to save the admissions of the students of the Scheduled Universities after the commencement of the said Act for conferring the degrees in Health Sciences on such students, the same have been continued for a sufficient period of time *i.e.* more than twelve years. Now, the Government considers not to allow such provisions to continue for indefinite period of time and for that purpose to incorporate explicit provisions in the said section 94, so as to provide that all those students enrolled with the Scheduled Universities prior to the date of commencement of the said Act and who have not yet been able to get through, shall be deemed to be the students of the Maharashtra University of Health Sciences, established under section 3 of the said Act.

2. Section 22 of the said Act provides to elect or nominate the persons on the Senate, Management Council, Academic Council, Faculty, Planning Board, Board of Studies, Board of Examinations, and various authorities of the Maharashtra University of Health Sciences as a member of the said authority. However, no specific eligibility conditions for being a member of any of such authorities of the Maharashtra University of Health Sciences are laid down in the said Act. The Government, therefore, considers it expedient further to amend the said Act, so as to insert a new section 22A with a view to take power to the Government to specify, in consultation with the Chancellor, the eligibility conditions for being elected or nominated as a member of any of the authorities of the Maharashtra University of Health Sciences. The Government, also considers it expedient to provide that the annual accounts and the annual report of the Maharashtra University of Health Sciences received by the Government, shall be laid before each House of the State Legislature.

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 University of Health Sciences Act, 1998 (Mah. X of 1999), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 5th October 2010.

K. SANKARANARAYANAN,

Governor of Maharashtra.

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

MILIND MHAISKAR,  
Secretary to Government.