THE SURGEON GENERAL WITH GOVERNMENT, ETC. (CHANGE IN DESIGNATIONS) ACT, 1972

[*Text as on 4th April 2024*]

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MAHARASHTRA ACT No. III of 1973[1]

[THESURGEONGENERALWITHGOVERNMENT,ETC. (CHANGEINDESIGNATIONS)ACT,1972.]

[This Act received the assent of the Governor on the 5th day of January 1973 ; assent was first published, in the "*Maharashtra Government Gazette*", on the 12th day of January 1973.]

An Act to amend certain enactments on account of change in designations of certain officers of the Medical and Public Health Departments of the Government of Maharashtra and to provide for matters connected therewith.

WHEREAS, the post of Surgeon General with the Government of Maharashtra and the post of Director of Public Health for the Government of Maharashtra have been abolished ; and the posts of Director of Medical Education and Research and Director of Health Services were created, and the designations and functions of other officers in the Medical and the Public Health Departments have been reallotted by the State Government with effect from the 1st May 1970 to the two Directorates of Medical Education and Research and of Health Services ;

AND WHEREAS, some of these officers carried with their office membership and functions on certain corporate bodies and other authorities by virtue of such office ;

AND WHEREAS, it is necessary to provide for their continuance or variation on such bodies and authorities ;

AND WHEREAS, it is expedient to amend certain enactments and to provide for matters connected therewith; It is hereby enacted in the Twenty-third Year of the Republic of India as follows :—

1. Short title and commencement.— (*1*) This Act may be called the Surgeon General with Government, *etc*. (Change in Designations) Act, 1972.

(*2*) It shall be deemed to have come into force on the 1st day of May 1970.

2. Construction of references in enactments or instruments.— Any reference to the Medical Department or the Public Health Department or to any officer of these Departments, in any law for the time being in force, or in any instrument or other documents, shall be construed as and shall be deemed to be a reference to the Directorate of Medical Education and Research or the Directorate of Health Services of the Government of Maharashtra, or to the officer of corresponding rank in any such Directorate according to the functions allotted to the relevant Directorate or the officer, as the case may be, under Government Resolution in the Urban Development, Public Health and Housing Department, No. MME-3869/5975/(*a*)/B, dated the 20th April 1970.

3. Amendments of certain enactments.— The enactments specified in column 1 of the Schedule are hereby amended in the manner, and to the extent, shown in column 2 thereof.

4. Saving.— All officers of the Directorates of Medical Education and Research, and of Health Services, functioning on any corporate body or other authority by virtue of their office at the commencement of this Act, shall be deemed to have been properly appointed thereto; and anything done or any action taken by such officers shall be deemed to be duly done or taken and the body and authority shall be deemed to be properly constituted, and such thing done or action taken shall not be called in question on the ground only that the body or authority was not properly constituted, or the officer was not properly appointed thereto.

1 For Statement of Objects and Reasons, *see Maharashtra Government Gazette*, Extraordinary, dated 1st December 1972, Pt. V, pg. 582.

SCHEDULE

(*See* section 3).

Enactments	*Amendments*
1	*2*
The Poona University Act, 1948 (Bom. XX of 1948).	
The Shreemati Nathibai Damodar Thakersey Women's University Act, 1949 (Bom. LI of 1949).	
The Bombay University Act, 1953 (Bom. XXXI of 1953).	
The Marathwada University Act, 1958 (Bom. XXXIX of 1958).	
The Shivaji University Act. 1962 (Mah. XXVIII of 1962).	
The Nagpur University Act, 1963 (Mah. XXII of 1964).	
	In section 16, in sub-section (*1*), under the heading "*Class I Ex-officio members*", in paragraph (*B*), in clause (*v*)— (*a*) for the words "Four members" the words "Five members" shall be substituted; (*b*) for sub-clause (*a*), the following sub-clauses shall be substituted, namely :— "(*a*) Health Services, (*aa*) Medical Education and Research,".
	In section 15, in sub-section (*1*), under the head- ing "*Class I Ex-officio members*", in paragraph (*B*),in clause (*iii*),— (*a*) for the words "Four members" the words "Five members" shall be substituted: (*b*) for sub-clause (*b*), the following sub-clauses shall be substituted, namely :— "(*b*) Health Services, (*bb*) Medical Education and Research,".
	In section 16, in sub-section (*1*), under the head- ing "*Class I Ex-officio Fellows*", in paragraph (*B*), for clause (*vii*), the following clauses shall be substituted, namely — "(*vii*) The Director of Health Services, (*vii-a*) The Director of Medical Education and Research,".
	In section 16, in sub-section (*1*), under the head- ing "*Class I Ex-officio members*", in paragraph (*B*), in clause (*vi*),— (*a*) for the words "Four members" the words "Five members" shall be substituted ; (*b*) for sub-clause (*a*), the following sub-clauses shall be substituted, namely :— "(*a*) Health Services, (*aa*) Medical Education and Research,".
	In section 17, in sub-section (*1*), under the head- ing "*Class I Ex-officio members*", in paragraph (*B*), in clause (*vii*),— (*a*) for the words "Four members" the words "Five members" shall be substituted ; (*b*) for sub-clause (*a*), the following sub- clauses shall be substituted, namely :— "(*a*) Health Services, (*aa*) Medical Education and Research.".
	In section 16, in sub-section (*1*), under the head- ing "*Class I Ex-officio members*", in paragraph (*B*), in clause (*ix*),— (*a*) for the words "Three members" the words "Four members" shall be substituted ; (*b*) for sub-clause (*a*), the following sub- clauses shall be substituted, namely :— "(*a*) Health Services, (*aa*) Medical Education and Research,".

Enactments *Amendments*
1 2

The Maharashtra Medical Council Act, 1965 (Mah. XLVI of 1965).

The Maharashtra Nurses Act, 1966 (Mah. XL of 1966).

(*1*) In section 3, in sub-section (*3*), for clause (*ai*) the following clauses shall be substituted, namely :—

"(*ai*) The Director of Health Services, *ex-officio*;

(*aii*) The Director of Medical Education and Research, *ex-officio*,".

(*2*) In section 11, in sub-section (*1*), for the words "and Surgeon General with the Government of Maharashtra, *ex-officio*,"

the following shall be substituted, namely :— "the Director of Health Services, *ex-officio* and the Director of Medical Education and Research, *ex-officio*.".

(*1*) In section 3, in sub-section (*3*), in clause (*a*), for sub-clauses (*i*) and (*ii*), the following shall be substituted, namely :—

"(*i*) the Director of Health Services;

(*ii*) the Director of Medical Education and Research,".

(*2*) In section 19, in sub-section (*4*), for the words "Deputy Director of Medical Services or of Public Health" the words "Deputy Director of Health Services or of Medical Education and Research" shall be substituted.