

GOVERNMENT OF WEST BENGAL
LEGISLATIVE DEPARTMENT

West Bengal Act I of 1978

THE WEST BENGAL HOMOEOPATHIC SYSTEM OF MEDICINE (AMENDMENT) ACT, 1978.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 20th March, 1978.]

[20th March, 1978.]

An Act to amend the West Bengal Homoeopathic System of Medicine Act, 1963.

West Ben. Act
XXXIII of
1963.

WHEREAS it is expedient to amend the West Bengal Homoeopathic System of Medicine Act, 1963, for the purpose and in the manner hereinafter appearing;

It is hereby enacted in the Twenty-ninth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. This Act may be called the West Bengal Homoeopathic System of Medicine (Amendment) Act, 1978. Short title.

2. In the West Bengal Homoeopathic System of Medicine Act, 1963 (hereinafter referred to as the said Act), after section 15, the following section shall be inserted:—

“Ad-hoc 15A.(1) Notwithstanding anything contained elsewhere Committee. in this Act, if, at any time, it appears to the State Government that the nomination or election to the Council has not taken place in accordance with the provisions of this Act or a period of more than four years from the date of the first meeting of the Council has elapsed, the State Government may, by order published in the *Official Gazette*, appoint an Ad-hoc Committee consisting of not more than seven members including a President and a Vice-President.

(2) Upon such appointment of the Ad-hoc Committee, the Council shall be deemed to have been dissolved, and all the members of the Council shall be deemed to have vacated their offices, with effect from the date of the order.

Insertion of
new section
15A in West
Ben. Act
XXXIII of
1963.

*The West Bengal Homoeopathic System of Medicine
(Amendment) Act, 1978.*

[West Ben. Act

(Section 3.)

(3) If any vacancy occurs in the Ad-hoc Committee by reason of death, resignation or removal of a member, or otherwise, the State Government shall appoint another person to fill up the vacancy. The person so appointed shall hold office for the unexpired period of the term of office of the member whose place he fills:

Provided that no act or proceedings of the Ad-hoc Committee shall be called in question or become invalid merely by reason of any vacancy or vacancies in the Ad-hoc Committee.

(4) The State Government may at any time, by notification in the *Official Gazette*, remove any member of the Ad-hoc Committee on the ground of incapacity or misbehaviour, or for any other good or sufficient reason.

(5) The President shall preside over all meetings of the Ad-hoc Committee. In the absence of the President, the Vice-President shall preside over a meeting. In the absence of both the President and the Vice-President, the members present in the meeting shall elect one of such members to preside over that meeting.

(6) The quorum for a meeting of the Ad-hoc Committee shall be four:

Provided that no quorum shall be necessary for an adjourned meeting.

(7) The Ad-hoc Committee shall exercise all powers and perform all duties of the Council.

(8) The Ad-hoc Committee shall be deemed to be the Council also for the purposes of section 40 and section 46 of this Act.

(9) Within a period of six months of such appointment of the Ad-hoc Committee, the members of the Council to be elected under clause (f) of sub-section (1) of section 5 in accordance with the provisions of this Act and the rules made thereunder shall be elected, and the members to be nominated under clauses (b), (c) and (e) of the said sub-section shall be nominated within the same period and the members so elected and nominated shall be deemed to have been duly elected and nominated.

(10) The State Government may, if it considers necessary so to do, by order extend the period of six months referred to in sub-section (9) for a further period of six months, not exceeding three months at a time.

*The West Bengal Homoeopathic System of Medicine
(Amendment) Act, 1978.*

I of 1978.]

(Section 3.)

(II) Upon the reconstitution of the Council in the manner provided, the Ad-hoc Committee shall cease to exist and the Council shall function in accordance with the provisions of this Act.”.

West Ben. Ord. XV of 1977. 3.(1) The West Bengal Homoeopathic System of Medicine (Amendment) Ordinance, 1977, is hereby repealed. Repeal and savings.

(2) Anything done or any action taken or purportedly done or taken under the said Act as amended by the West Bengal Homoeopathic System of Medicine (Amendment) Ordinance, 1977, shall be deemed to have been validly done or taken under the said Act as amended by this Act as if this Act had commenced on the 23rd day of November, 1977.
