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GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative

West Bengal Ordinance No. II of 2000

**THE WEST BENGAL STATE HEALTH SERVICE
(AMENDMENT) ORDINANCE, 2000.**

[Published in the *Calcutta Gazette, Extraordinary*, Part IIIA,
of the 27th January, 2000.]

West Ben.
Act VII of
1990.

WHEREAS it is expedient to amend the West Bengal State Health Service Act, 1990, for the purposes and in the manner hereinafter appearing;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the West Bengal State Health Service (Amendment) Ordinance, 2000.

Short title
and
commence-
ment.

(2) This section and sections 2 and 3 shall come into force at once; and the remaining provisions of this Ordinance shall be deemed to have come into force on the 25th day of May, 1990.

2. In section 14 of the West Bengal State Health Service Act, 1990 (hereinafter referred to as the principal Act),—

Amendment
of section 14
of West Ben.
Act VII of
1990.

(1) in sub-section (1),—

- (a) in clause (a) of the second proviso, for the words “five years”, the words “ten years” shall be substituted,
- (b) in the third proviso, for the word “Reader”, the words “Associate Professor” shall be substituted,
- (c) in the fifth proviso, the words “Lecturer and” shall be omitted, and
- (d) in the sixth proviso, the words “Lecturer and” shall be omitted;

*The West Bengal State Health Service (Amendment)
Ordinance, 2000.*

[West Ben. Ord.]

(Section 3.)

(2) in sub-section (2A),—

- (a) for the word “Lecturer,” the words “Assistant Professor,” shall be substituted, and
- (b) the following provisos shall be added at the end:—

“Provided that if the exigencies of the public service so require, the State Government may appoint such person to a teaching post in the basic level, or to a post of Lecturer, or to any other teaching post, as the case may be, in the West Bengal Medical Education Service on an *ad hoc* or contractual basis for a period not exceeding one year without consultation with the State Public Service Commission:

Provided further that notwithstanding anything to the contrary contained elsewhere in this Act or the rules made thereunder, the State Government shall have the power to make direct recruitment to any post included in the West Bengal Medical Education Service without consultation with the State Public Service Commission with effect from the date of coming into force of section 2 of the West Bengal State Health Service (Amendment) Ordinance, 2000, and for the period ending on the 24th day of May, 2000.”.

Amendment
of section
15.

3. To section 15 of the principal Act, the following proviso shall be added:—

“Provided that any person holding a non-teaching post, appointed in the—

- (a) West Bengal Health Service referred to in section 3, or
- (b) West Bengal General Service, or
- (c) West Bengal Nursing Service, or
- (d) West Bengal Dental Service,

and posted in any institution under the control of any person or persons appointed to the West Bengal Medical Education Service, shall be subject to the control and discipline of the Directorate of Medical Education under the Department of Health and Family Welfare of the State Government, and shall, on transfer to any institution, other than the institution as aforesaid, be subject to the control and discipline of the Directorate of Health Services under the Department of Health and Family Welfare of the State Government.

*The West Bengal State Health Service (Amendment)
Ordinance, 2000.*

II of 2000.]

(Sections 4-6.)

Explanation.—“West Bengal General Service”, “West Bengal Nursing Service”, and “West Bengal Dental Service” shall mean respectively the West Bengal General Service, the West Bengal Nursing Service and the West Bengal Dental Service constituted as such under any order of the State Government for the time being in force.’.

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| 4. In the proviso to section 19A of the principal Act, for the words “five years”, the words “ten years” shall be substituted. | Amendment
of section
19A. |
| 5. In the proviso to section 22 of the principal Act, for the words “three years”, the words “ten years” shall be substituted. | Amendment
of section
22. |
| 6. Anything done or any action taken under the principal Act as amended by this Ordinance before the publication of this Ordinance in the <i>Official Gazette</i> shall be deemed to have been validly done or taken under the principal Act as amended by this Ordinance as if this Ordinance were in force when such thing was done or such action was taken. | Saving and
validation. |
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