

# GOVERNMENT OF WEST BENGAL

## LAW DEPARTMENT

### Legislative

## West Bengal Act X of 2000

### THE WEST BENGAL STATE HEALTH SERVICE (AMENDMENT) ACT, 2000.

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta Gazette,  
Extraordinary, of the 11th April, 2000.]*

*[11th April, 2000.]*

*An Act to amend the West Bengal State Health Service Act, 1990.*

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;

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

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

Short title  
and  
commence-  
ment.

(2) This section and sections 2, 3 and 7 shall be deemed to have come into force on the 27th day of January, 2000; and the remaining provisions of this Act 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;

*(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) Act, 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) Act, 2000.*

X of 2000.]

*(Sections 4-7.)*

*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.’.

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 Act before the publication of this Act in the *Official Gazette* shall be deemed to have been validly done or taken under the principal Act as amended by this Act as if this Act were in force when such thing was done or such action was taken.

Saving and  
validation.

7. The West Bengal State Health Service (Amendment) Ordinance, 2000, is hereby repealed.

Repeal.

West Ben.  
Ord. II of  
2000.