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PART III – Acts of the West Bengal Legislature

**GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative**

NOTIFICATION

No. 1210 — L.— 3rd September, 2007.— The following Act of the West Bengal Legislature having been assented to by the Governor, is hereby published for general information :—

West Bengal Act XII of 2007

THE WEST BENGAL STATE HEALTH SERVICE (AMENDMENT) ACT, 2007.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in *Kolkata Gazette, Extraordinary*, of the 3rd September, 2007.]

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

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

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

Short title and commencement.

1. (1) This Act may be called the West Bengal State Health Service (Amendment) Act, 2007.

(2) It shall come into force at once.

2. In section 16 of the West Bengal State Health Service Act, 1990 (hereinafter referred to as the principal Act),—

- (1) the first proviso shall be omitted;
- (2) in the second proviso, the word 'further' shall be omitted;
- (3) in the third proviso, for the word 'also', the word 'further' shall be substituted.

Amendment of section 16 of West Ben. Act VII of 1990.

*The West Bengal State Health Service (Amendment)**Act, 2007.**(Sections 3, 4.)*

Substitution of new
section for section
19A.

3. For section 19A of the principal Act, the following section shall be substituted:—

“Transitory
provisions.

19A. Notwithstanding anything contained elsewhere in this Act, if the State Government is of opinion that it is necessary so to do in the public interest, it may, by order,—

- (a) elevate or promote any person holding a teaching post in the West Bengal Medical Education Service to a higher rank, in such manner, and subject to such terms and conditions as contained in the Minimum Qualifications for Teachers in the Medical Institutions Regulations, 1998, made by the Medical Council of India, with the previous sanction of the Central Government (published in Part III, Section 4 of the Gazette of India, dated the 5th December, 1998):

Provided that no such order shall be made after the expiry of eighteen years from the date of coming into force of this Act;

- (b) elevate or promote any person in the West Bengal Public Health-cum-Administrative Service to a higher rank or make recruitment to the post of Basic Public Health-cum-Administrative Officer in the West Bengal Public Health-cum-Administrative Service, in such manner, and subject to such terms and conditions, as may be prescribed:

Provided that all such orders shall be made from the date of coming into force of section 19A of the West Bengal State Health Service (Second Amendment) Act, 2003 and have effect for the period ending on the 24th day of May, 2008.”.

Saving and
validation.

4. 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.

By order of the Governor,

S. K. CHAKRABARTI,

*Pr. Secy. to the Govt. of West Bengal,
Law Department,*