

red No. WB/SC-247

No. 340(1)



Extraordinary
Published by Authority

JYAISTHA 10]

FRIDAY, MAY 25, 1990

[SAKA 1912

PART I.—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF HEALTH AND FAMILY WELFARE

Medical Administration

NOTIFICATION

No. Health|MA|1402|JS-11|90.—25th May 1990.—In exercise of the power conferred by sub-section (2) of section 1 of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990), the Governor is pleased hereby to appoint the 25th day of May, 1990, as the date on which the said Act shall come into force.

By order of the Governor,
LINA CHAKRABORTY,
Secy. to the Govt. of West Bengal

NOTIFICATION

No. Health|MA|1403|JS-11|90.—25th May 1990.—In exercise of the power conferred by sub-section (1) of section 3 of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990), the Governor is pleased hereby to constitute, with effect from the 25th day of May, 1990, the following State Health Service, namely :—

The West Bengal Medical Education Service.

By order of the Governor,
LINA CHAKRABORTY,
Secy. to the Govt. of West Bengal

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NOTIFICATION

No. Health|MA|1404|JS-11|90.—25th May 1990.—In exercise of the power conferred by sub-section (1) of section 6 of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990), the Governor is pleased hereby to declare the following undergraduate and Post-Graduate Medical Colleges and other teaching institutions together with the Hospitals, if any, attached to such Medical Colleges and institutions to be non-practising institutions with effect from the 25th day of May, 1990 :—

1. Institute of Post-Graduate Medical Education and Research including S.S.K.M. Hospital, Bangur Institute of Neurology with attached Hospital, and Mental Observation Ward, Bhowanipur,
2. School of Tropical Medicine with its attached Hospital,
3. Medical College, Calcutta, with attached Hospital,
4. Nilratan Medical College, Calcutta, with attached Hospital,
5. R. G. Kar Medical College, Calcutta, with its attached Hospital,
6. Calcutta National Medical College, Calcutta, with its attached Hospital,
7. Burdwan Medical College, Burdwan, with its attached Hospital,
8. Bankura Sammilani Medical College with its attached Hospital,
9. North Bengal Medical College, Sushrutnagar, with its attached Hospital,
10. Chittaranjan Seva Sadan and Sishu Sadan Hospital, Calcutta,
11. Dr. B. C. Roy Memorial Hospital for Children, Narkeldanga, Calcutta,
12. Dr. B. C. Roy Polio Clinic and Hospital for Crippled Children, Beliaghata, Calcutta,
13. Infectious Diseases and B. G. Hospital, Beliaghata, Calcutta.

By order of the Governor,

LINA CHAKRABORTY,

Secy. to the Govt. of West Bengal.

NOTIFICATION

No. Health|MA|1405|JS-11|90.—25th May, 1990.—In exercise of the power conferred by sections 7 and 16 of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990), the Governor is pleased hereby to make the following rules :—

1. These rules may be called the West Bengal Medical Education Service (Cadre and Age of Retirement) Rules, 1990.
2. The Cadre of the West Bengal Medical Education Service (hereinafter referred to as the W.B.M.E.S.) shall consist of the following teaching and non-teaching administrative posts :—
 - (a) Teaching posts and the pattern of teaching hierarchy :
 - (i) Basic teachers like Demonstrators, Tutors, Curator-cum-Demonstrators, Curator-cum-Tutors, Resident Medical Officer-cum-Clinical Tutor, Resident Medical Officer-cum-Clinical Tutor-cum-Assistant Superintendent, Registrar in different disciplines of different Undergraduate and Post-graduate teaching institutions ;

- (ii) Lecturers of different disciplines of different Undergraduate and Post-graduate teaching institutions ;
- (iii) Assistant Professors of different disciplines of different Undergraduate and Post-graduate teaching institutions ;
- (iv) Readers of different disciplines in different Undergraduate and Post-graduate teaching institutions ;
- (v) Associate Professors of different disciplines in different Undergraduate and Post-graduate teaching institutions ;
- (vi) Professors of different disciplines in different Undergraduate and Post-graduate teaching institutions ;

(b) Non-teaching administrative posts :

- (i) Director of Medical Education ;
- (ii) Directors of Institute of Post-graduate Medical Education and Research, Calcutta and School of Tropical Medicine, Calcutta ;
- (iii) Principals of Medical College, Nilratan Sircar Medical College, R. G. Kar Medical College and Calcutta National Medical College, all of Calcutta; Burdwan Medical College, Burdwan, B. S. Medical College, Bankura and North Bengal Medical College, Sushrutanagar, Darjeeling.

3. Subject to the provisions of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990) and any rules or orders in force for the time being, the age of compulsory retirement of all persons belonging to the W.B.M.E.S. shall be sixty years :

Provided that any such person may be reemployed up to the age of sixty-five years on the grounds of manning administrative posts and various categories of teaching posts, specially in disciplines in respect of which there is a dearth of teachers, administrative compulsion, teaching need, specialised patient-care or any specialised assignment, on the emoluments drawn by him immediately before retirement.

4. (1) No person appointed to a teaching post in the W.B.M.E.S. shall be appointed as Presidency Surgeon :

Provided that any person holding a teaching post and appointed as Presidency Surgeon immediately before the coming into force of these rules shall cease to hold the appointment as Presidency Surgeon on the expiry of six months from the date of coming into force of these rules.

- (2) No person appointed to a teaching post in the W.B.M.E.S. shall be attached to any non-Government organisation or institution :

Provided that any such person attached to any such organisation or institution prior to the coming into force of these rules shall cease to be so attached on the expiry of six months from the last date of exercising option for a teaching post included in W.B.M.E.S.

- (3) Persons appointed as Honorary Visiting Professor or Honorary consultant or Emeritus Professor in any of Undergraduate or Post-graduate teaching institution shall be allowed to continue on the terms and conditions in force immediately before the coming into force of these rules till the expiry of the tenure of such appointment.

- (4) In Undergraduate and Post-graduate teaching hospitals, management and supervision of admission of patients through existing outdoor arrangements to the beds of such hospitals and their treatment inclusive of surgical treatment on Operation Theatres leading to total patient-care shall be done by the teachers belonging to the W.B.M.E.S. and by the persons appointed in terms of sub-rule (3) to the exclusion of all persons appointed in the West Bengal Health Service, with effect from the date of expiry of six months from the date of coming into force of these rules.

By order of the Governor,
 LINA CHAKRABORTY,
 Secy. to the Govt. of West Bengal.

NOTIFICATION

No. Health/MA/1406/JS-11/90.—25th May 1990.—In exercise of the power conferred by sections 4 and 12 of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990), the Governor is pleased hereby to make the following rules :—

1. These rules may be called the West Bengal Medical Education Service (Option) Rules, 1990.
2. These rules shall apply to the following categories of persons :—
 - (a) Persons who have held or who hold teaching posts in the former West Bengal Health Service before the coming into force of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990).
 - (b) Persons holding posts in the basic level of the West Bengal Medical Education Service (hereinafter referred to as the W.B.M.E.S.).
3. Terms and conditions of exercising option :
 - (1) The option shall be exercised in writing in the pro forma (Annexure I or Annexure II as may be applicable) within 90 days of the coming into force of these rules or within such longer period as the State Government may, by notification published in the *Official Gazette*, specify from time to time :

Provided that persons who are on leave or on deputation or in Foreign Service on the date of coming into force of these rules shall be permitted to exercise option within one year of the coming into force of these rules.

- (2) (a) The option, once exercised, shall be final and shall in no circumstances be revoked.
- (b) Persons opting for the W.B.M.E.S. shall be allowed a time of six months from the last date of exercising option to wind up private practice beyond which the permission for private practice of any kind by any teacher of the W.B.M.E.S. shall stand revoked.
4. Any person appointed as basic teacher in the W.B.M.E.S. who has rendered five years' completed teaching service in the W.B.M.E.S., having failed to be selected or appointed or promoted as Lecturer in the same service, shall be eligible for opting out to non-teaching post in the West Bengal Health Service. The option so exercised shall not automatically entitle him/her to a post in the West Bengal Health Service, and actual transfer of such person to the West Bengal Health Service shall be made in a phased manner.

ANNEXURE I

Option Form to be filled up by Basic Teachers of West Bengal Medical Education Service who elect to exercise Option for being absorbed in the West Bengal Health Service

[To be Submitted in Duplicate]

To

- (i) The Secretary, Department of Health and Family Welfare.
- (ii) The Director of Medical Education, Department of Health and Family Welfare.

(Through Proper Channel)

Sir/Madam,

I, Dr. holding the post of in West Bengal Medical Education Service do hereby elect to exercise option for being absorbed in the West Bengal Health Service on the terms and conditions prescribed under the rules promulgated with the Government of West Bengal, Department of Health and Family Welfare Notification No. H/MA/1406/JS-11/90, dated 25-5-1990.

2. The option hereby exercised is final and will not be modified or withdrawn at any subsequent date.

Signature

Designation

ANNEXURE II

Option Form to be filled up by officer who hold./has held a teaching post in the former West Bengal Health Service and now elects to be absorbed and appointed either in the West Bengal Medical Education Service or in the West Bengal Health Service

[To be Submitted in Duplicate]

To

- (i) The Secretary, Department of Health and Family Welfare,
- (ii) The Director of Medical Education, Department of Health and Family Welfare.

(Through Proper Channel)

Sir/Madam,

I, Dr. now holding/having held the teaching post (last teaching post) of in the year at the do hereby elect to be absorbed in the West Bengal Medical Education Service/West Bengal Health Service on terms and conditions prescribed under the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990) and the rules made thereafter. I also hereby elect on appointment in the West Bengal Medical Education Service, to retain the pay scale enjoyed by me in West Bengal Health Service to accept the pay scale as sanctioned for the West Bengal Medical Education Service.

2. The option hereby exercised is final and will not be modified or cancelled at any subsequent date.

Signature

Designation

By order of the Governor.

LINA CHAKRABORTY,

Secy. to the Govt. of West Bengal.