

GOVERNMENT OF WEST BENGAL

Law Department

Legislative

West Bengal Ordinance No. III of 1958

THE R. G. KAR MEDICAL COLLEGE AND HOSPITAL  
ORDINANCE, 1958.

[Published in the "Calcutta Gazette, Extraordinary", of  
the 12th May, 1958.]

WHEREAS it is expedient in the public interest to make better provision for the control, management and maintenance of the institution, commonly known as the R. G. Kar Medical College, Calcutta, together with the hospitals and dispensaries attached thereto and used in connection therewith with a view to the promotion of public health and to take over for that purpose for a limited period the management of all the property belonging to the said institution or held for the benefit thereof;

AND WHEREAS both Houses of the Legislature of West Bengal are not in session and the Governor is satisfied that circumstances exist which render it necessary for her to take immediate action;

AND WHEREAS instructions of the President under the proviso to clause (1) of article 213 of the Constitution of India have been obtained;

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

1. (1) This Ordinance may be called the R. G. Kar Medical College and Hospital Ordinance, 1958.

Short title  
and  
com-  
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ment.

(2) It shall come into force on the date of its publication in the *Official Gazette*.

2. In this Ordinance, unless the context otherwise requires,—

Defini-  
tions.

(1) "appointed day" means the date on which this Ordinance comes into force;

(2) "the Committee" means the R. G. Kar Medical College and Hospital Committee appointed under section 5;

## (Section 3.)

(3) "the institution" means the R. G. Kar Medical College, Calcutta, together with the hospitals and dispensaries attached thereto and used in connection therewith and includes all lecture rooms, museums, laboratories, libraries, hostels and boarding houses used in connection with or as accessories to or adjuncts of the said college, hospitals or dispensaries.

Transfer.

3. With effect from the appointed day and for a period of ten years thereafter—

(1) the institution together with—

(a) all lands thereof and appurtenant thereto and all buildings, erections and fixtures on such lands,

(b) all furniture, equipments, stores, drugs, monies and other assets of the institution, and

(c) all other properties and assets of the institution which immediately before the appointed day was vested in the Board of Trustees of the Medical Education Society of West Bengal, a Society registered under the Societies Registration Act, 1860,

shall stand transferred to the State Government and shall remain under the control and management of the State Government;

(2) all deeds of gift, endowment, bequest, trust or otherwise covering all properties and assets referred to in sub-clause (c) of clause (1) shall be construed as if they were executed in favour of the State Government;

(3) all contracts, debts and liabilities of the institution shall be deemed to be contracts, debts and liabilities of the State Government;

(4) the institution shall be run by the State Government as a State institution;

(5) persons employed in the institution and continuing in office immediately before the appointed day, shall, subject to such terms and conditions, not being less advantageous than what they were entitled to immediately before the appointed day, as may be determined by the State Government in consultation with the Committee, be deemed to be employees of the State Government.

III of 1958.]

(Sections 4-7.)

4. All properties transferred to the State Government under this Ordinance shall be utilised for the purposes for which they were being used immediately before the appointed day.

Use of properties transferred to the State Government.

5. (1) The State Government shall, by notification in the *Official Gazette*, appoint a Committee to be called the R. G. Kar Medical College and Hospital Committee for the control, management and maintenance of the institution in accordance with the provisions of this Ordinance and the rules made thereunder:

The Committee.

Provided that until a Committee is so appointed, the Director of Health Services, West Bengal, shall be in charge of the management of the institution.

(2) The Committee shall consist of the following members, namely:—

- (a) the Director of the Institute of Post Graduate Medical Education and Research, *ex-officio*, who shall be the Chairman of the Committee;
- (b) the Director of the School of Tropical Medicine, *ex-officio*;
- (c) two persons appointed by the State Government from amongst the senior members of the staff of the institution;
- (d) one person to be nominated by the Corporation of Calcutta;
- (e) one member of the Faculty in Medicine of the University of Calcutta nominated by the Vice-Chancellor of the said University;
- (f) four persons interested in medical education and public health nominated by the State Government;
- (g) the Principal, R. G. Kar Medical College, Calcutta, *ex-officio*, who shall be the Secretary to the Committee.

6. The members of the Committee, other than *ex-officio* members, shall hold office during the pleasure of the Governor:

Term of office of the members of the Committee.

Provided that any such member may resign his seat by giving notice in writing to the Chairman.

7. When the seat of a member of the Committee, other than an *ex-officio* member, becomes vacant by reason of removal, death or resignation, the vacancy shall be filled by the State Government by the appointment of another member.

Casual vacancy.

*The R. G. Kar Medical College and Hospital Ordinance, 1958.*

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(Sections 8—10.)

Conduct of business and validation.

**8.** (1) The business of the Committee shall be conducted in accordance with such rules as may be made by the State Government under this Ordinance and, subject to such rules, the Chairman shall authenticate all decisions of the Committee and take all executive actions on behalf of the Committee:

Provided that no expenditure not provided for in the budget sanctioned by the State Government shall be incurred without the previous sanction of the State Government.

Removal of difficulties.

**9.** If any difficulty arises in giving effect to the provisions of this Ordinance or the rules made thereunder, the State Government may take such steps or issue such orders not inconsistent with this Ordinance as may be necessary for the removal of the difficulty.

Power to make rules.

**10.** The State Government may make rules for carrying out the purposes of this Ordinance.