

GOVERNMENT OF WEST BENGAL

Law Department

Legislative

West Bengal Act VIII of 1958

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

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette*,
Extraordinary, of the 19th July, 1958.]

[19th July, 1958.]

An Act 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.

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;

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

1. This Act may be called the R. G. Kar Medical College and Hospital Act, 1958. Short title.

2. In this Act, unless the context otherwise requires,— Definitions.

(1) "appointed day" means the 12th day of May, 1958;

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

(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.

(Sections 3—5.)

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 vested in the Board of Trustees of the Medical Education Society of West Bengal, a Society registered under the Societies Registration Act, 1860,

XXI of 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.

Use of properties transferred to the State Government.

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

The Committee.

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 management of the institution in accordance with the provisions of this Act and the rules made thereunder:

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.

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(Sections 6—10.)

(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 in the manner in which the seat was originally filled.

Casual vacancy.

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

Conduct of business and validation.

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.

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

Removal of difficulties.

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

Power to make rules.

[West Ben. Act VIII of 1958.]

(Section 11.)

Repeal of
West
Bengal
Ordinance
III of 1958
and
savings.

11. (1) The R. G. Kar Medical College and Hospital Ordinance, 1958, is hereby repealed.

(2) Any rule made, any notification issued, any action taken or anything whatsoever done under any provision of the said Ordinance shall be deemed to have been made, issued, taken or done under the corresponding provision of this Act, as if this Act were in force on the day on which such rule, notification, action or thing was made, issued, taken or done.