& Family well at ISMH Brangn Swasthya Bhavan Sector-V. Kolkata-700 091

No. HF/O/ISMH/502/3H-137/2001

Dated, Kolkaia die 12# July, 105

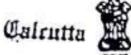
### MEMORANDUM

The undersigned is directed to say that 4(four) State-run Homoeopathic Medical Consum to Hospitals i.e. (i) Calcutta Homoeopathic Medical College & Hospital, (ii) D.: De Homoe, partie Medical Colleges & Hospital. (iii) Mahesh Bhattacharyya Homoeopathic Medica. College :: Hospital & Midnapore Homoeopathic Medical Colleges & Hospital were taken over on diffe end dates and subsequently the acquisition have been completed also on different dates as mentioned below

51. No.	Name of the Institution	Date of taking over	Date of acquisition
17	Calcutta Homoeopathic Medical College & Hospital	27.12, 1932	02.01.1992
15	D.N.De. Homoeopathic Medical College & Hospital	27.12.1962	.:1.08.1994
3	Manesh Bhattacharyya Homocopathic Medical College &	02.06.1986 .	11.03.1594
4.	Midnapore Homoeopathic Medical College & Hospital	10.04.1985	31.03.1993

- . Now, after careful consideration, the Governor has been pleased to absorb 6] (staty one) employees under Gi. 'A' of the said 4(four) Homocopathic Medical College & Hospita's as Government employees in the post as stated against each in the 'Annexur' with offer an in March, 2006.
- 3. They will draw the scale of pay in the post as mentioned against each and will draw Dearness Allowance and such other allowances as are admissible under the order of the Government of West Bengal issued from time to time.
- 4. The past services will be counted towards pensionary benefit only. Other conditions of service will be the same as are applicable to the other Government servants working in the same capacity.
- The head of account where the charges will be debited to and the Drawing & Disbursing Officer of the respective Medical College & Hospitals are shown below :

The



# Guzette

# Extraordinary Published by Authority

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THURSDAY, JANUARY 2, 1992

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PART 1—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 A.U.H. Branch

## NOTIFICATION

No. Health/AUH/7/3H-92/89.—2nd January 1992.—Whereas the Governor so thinks fit;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 4 of the Calcutta Homoepathic Medical College and Hospital (Taking over of Management and subsequent Acquisition) Act, 1983 (West Ben. Act XI of 1983), the Governor is pleased hereby to acquire, with effect from the 2nd day of January, 1992, the Calcutta Homoepathic Medical College and Hospital at 265 and 266, Acharya Prafulla Chandra Road, Calcutta-9, together with the indoor beds and provisions for outdoor services and dispensaries attached thereto and used in connection therewith, including all lands and buildings, equipments, lecture rooms, libraries, stores, drugs and other articles held or used in connection with, or as accessories to, or as adjuncts of, the said Calcutta Homoepathic Medical College and Hospital.

> By order of the Governor, N. GOSWAMI, Assit. Secy. to the Govt. of West Bengal.

Registered No. WB/SC-132

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SUNDAY, APRIL 3, 1983

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PART III-Acts of the West Bengal Legislature

#### GOVERNMENT OF WEST BENGAL

### LECISLATIVE DEPARTMENT

### NOTIFICATION

No. 651-L.-3rd April, 1983. - The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information:-

# West Bengal Act XI of 1983

THE CALCUTTA HOMOEOPATHIC MEDICAL COLLEGE AND HOSPITAL (TAKING OVER OF MANAGEMENT AND SUBSEQUENT ACQUISITION) ACT, 1983.

[Passed by the West Bengal Legislature.]

[Assent of the President was first published in the Calcutta Gazette, Extraordinary, of the 3rd April, 1983.]

An Act to provide for the taking over of the management and the subsequent acquisition of the Calcutta Homoeopathic Medical College and Hospital.

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 Calcutta Homoeopathic Medical College and Hospital at 265 and 266, Acharya Prafulla Chandra Road, Calcutta-9, with a view to promoting public health and to provide for that purpose for the taking over for a limited period of the management and the subsequent acquisition of all properties belonging to the said Institution or held for the benefit thereof;

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

Short title and commencement.

- (I) This Act may be called the Calcutta Homoeopathin Medical College and Hospital (Taking over of Management and subsequent Acquisition) Act, 1983.
- (2) It shall be deemed to have come into force on the 27th day of December, 1982.

The Calcutta Homosopathic Medical College and Hospital (Taking over of Management and subsequent Acquisition)
Act, 1983.

## (Sections 5, 6.)

Payment. me sion.

5. (1) For the transfer to, and vesting in, the State Government of the institution under section 4, the compensation payable by the State Government for the lands and buildings shall be such as may be determined by the buildings shall be such as may be determined by the Competent Authority referred to in sub-section (3) of this section applying, mutatis mutandis, the provisions of the Land Acquisition Act, 1894, subject to the condition that deduction 1 of 1894. of all grants and contributions made by the State Government of all grants and contributions made by the State Government to the institution for the purpose of lands and buildings prior to the appointed day shall be made and subject further to the to the appointed day shall be made and subject further to the condition that the total amount of financial assistance received from the Central Government, if any, for construction of buildings by the institution prior to the appointed day shall be taken into consideration for determination of the quantum of such compensation.

(2) The compensation payable by the State Government for all other assets excepting the lands and buildings as provided in sub-section (1) shall be the market value thereof determined by the Competent Authority referred to in subdetermined by the Comptent Authority referred to in sub-section (7) after deduction of all grants and donations made by the State Government to the institution specifically for the purpose of creation of such other assets prior to the appointed day.

- (3) The Land Acquisition Collector, 24-Parganas, shall be the Competent Authority for the purpose of this Act.
- (4) Any person aggrieved by the award of the Competent Authority may appeal to the Appellate Authority within thirty days from the date of the award and the District Judge, days from the date of the Appellate Authority for this purpose.
- (5) The State Government shall, as soon as possible after the date of the award made by the Competent Authority, or the date of the award made by the order of the Appellate as the case may be, the date of the order of the Appellate Authority in the case of an appeal, pay to the persons found entitled the amount of compensation determined under this
- (6) The amount of compensation determined under this section shall carry interest at the rate of six per cent. per annum with effect from the date of vesting till the date of payment of compensation:

Provided that the rate of interest on the amount of com-pensation for the lands and buildings shall be the same as in the Land Acquisition Act, 1894.

Effect of taking of 2870 MARIAGOment.

- 6. (I) The institution shall, so long as it remains under the management of the State Government, be run for the pur-poses for which it was being run immediately before the appointed day.
- (2) The State Government may, at any time before the expiry of the period referred to in sub-section (2) of section 3, by notification make over the management of the institution to the person or persons under whose management the insti-tution was immediately before the appointed day, with effect from such date as may be specified in the notification.
- (3) If the management of the institution has not been made over under sub-section (2) of this section, the management of the institution shall, on the explry of the period referred to in sub-section (2) of section 3, revert to the person or persons under whose management the institution was immediately before the appointed day.
- (4) The Administrator appointed under section 7 shall cease to function with effect from the date on which the management of the institution is made over under sub-section (2). (2), or is reverted under sub-section (3), of this section, as

The Calcutta Homoeopathic Medical College and Hospital (Taking over of Management and subsequent Acquisition) Act, 1983.

### (Sections 9-17.)

Fower to defend suite and proceedincress.

 The Administrator appointed under section 7 shall have the power to institute, defend or take part in, any suit or proceeding by or against the institution.

Delegation of power.

10. The State Government may, by notification, direct that all or any of the powers (except the power to make rules) exercisable by it under this Act may also be exercised by such person and on such terms and conditions as may be specified in the notification.

Protection of action under this Act. 11. No suit, prosecution or other legal proceeding shall lie against the State Government or the Administrator or any other person appointed under section 7 for anyting which is in good faith done or intended to be done under this Act or the rules made thereunder.

Advances by the State Government.

- 12. (1) The State Government may, on the application made by the Administrator in this behalf, advance moneys for the purpose of efficiently managing the institution and all such moneys shall be repayable with such interest as may be prescribed.
- (2) Any money advanced under sub-section (I), shall, subject to the prior payment of municipal rates and any sum due to Government on account of taxes or fees, be a first charge upon the properties of the institution.

Contracts, agreements, etc., to remain suspended. 13. The State Government may, if it is satisfied that it is necessary or expedient so to do, direct, by notification, that the operation of all contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force in relation to the institution immediately before the appointed day shall remain suspended and all rights, privileges, obligations and liabilities accruing or arising thereunder, before the said date shall remain suspended or shall be enforceable with such modifications and in such manner as may be specified in such notification.

Period of limitation.

14. In computing the period of limitation for the enforcement of any right, privilege, obligation or liability referred to in section 13, the period during which it or the remedy for the enforcement thereof was suspended shall be excluded.

Ant to have overriding offset.

- 15. The provisions of this Act or any rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any other law.
- Fower to 16. (I) The State Government may, by notification, make make rules. rules for carrying out the purposes of this Act.
  - (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which may be or are required to be prescribed or made by rules.

Repeal and

- (I) The Calcutta Homoeopathic Medical College and Hospital (Taking over of Management) Ordinance, 1982 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the Calcutta Homoeopathic Medical College and Hospital (Taking over of Management) Ordinance, 1982 shall be deemed to have been validly done or taken under this Act.

By order of the Governor, G. C. CHATTERJEE, Secy. to the Goot. of West Bengal.

Ord. XXV of 1982. Government of West Bengal Department of Health and Family Welfare A.U.H. Branch.

Bruserd &

100, Heal th AUH/7/3H-92/89.

Galcutta, the 2nd January, 1992.

NOJIE 1 SAJION

will the Governor so thinks fit ;

Dibrefore, in exercise of the power conferred by submiction of Section of the Calcutta Homoeopathic Medical College
and Hospital (Taking tvor of Management and subsequent Acquisition).
Act, 1993 (mestablen, Act XI of 1983), the Governor is pleased hereby
acquire, ith effect from the 2x1.day of January, 1992, the Calcutt
Homoeopathic Medical College and Hospital at 265 and 266, Acharya
Pradulta Chandra Road, Calcutta-9; together with the indoor-beds and
provisions for outdoor services and dispensaries attached thereto and
used in connection therewith, including all lands and buildings,
equipments, lecture rooms, libraries, stores, drugs and other articles
held or used in connection with, or as accessories to, or as adjuncts
of the said Calcutta Homoeopathic Medical College and Hospital.

By order of the Governor, Sd/- N. Goswami, Asstt. Secy. to the Govt. of West Bengal.

--- feat ch/AUH/7/3H-92/89/1(8)

inv forwarded to :-

... Camac Street, Calcutta-17.

The Pay and Accounts Office, Calcutt Pay and Accounts Office,

3: Secountant General, West Bengal,

4. Brahourne Road, Calcutta-1,

The Assountant General, West Bengal, Podd r Court, Calcutta-1,

The Panence Department of this Government,

7) The Administrator, Calcutta Homoeopathic Medical College & Hospital, 265-266, Acharya Prafulla Chandra Roy Road, Calcutta-9.

> The Tracher-in-Charge, Calcutta Homoeopathic Medical College & Hospital, . (69-20), Voharya Prafulla Chandra Roy Road,

: tion/necotsary action.

demistant Secretary.

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EXECUTIVE ENGINEER, P.W.D. EXECUTIVE ENGINEER, P.W.D. ROLKATA CENTRAL HEALTH DIVN.

CALCUTTA HOMEOPATHIC MEDICAL COLLEGE
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OFFICE OF THE EXECUTIVE ENGINEER

COVT. OF WEST BENGAL

OFFICE OF THE EXECUTIVE ENGINEER

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5. SECOND FLOOR AREA = 311.876 SQ.M.

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