

The West Bengal Medical And Dental Colleges (Regulation Of Admission) Act, 1973

WEST BENGAL

India

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Act 36 of 1973

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The West Bengal Medical And Dental Colleges (Regulation Of Admission) Act, 1973 West Bengal Act 36 of 1973 Assent of the Governor first published in the Calcutta Gazette. Extraordinary, dated 13th September. 1973.) An Act to ensure adequate medical facilities in the districts for the advancement of socially and educationally backward classes of citizens by regulating admission in the Medical and Dental Colleges in West Bengal and to provide for matters connected therewith or incidental thereto. WHEREAS it is expedient to ensure adequate medical facilities in the districts for the advancement of socially and educationally backward classes of citizens by regulating admission in the Medical and Dental Colleges in West Bengal and to provide for matters connected therewith or incidental thereto; It is hereby enacted as follows:-

1. Short title and extent. -

(1) This Act may be called the West Bengal Medical and Dental Colleges (Regulation of Admission) Act, 1973. (2) It extends to the whole of West Bengal.

2. Definitions. -

In this Act, unless the subject or context otherwise requires, - (a) "Central Selection Board" means the Board constituted by the State Government under section 3; (b) "district" means any of the districts of Bankura, Birbhum, Burdwan, Cooch Behar, Darjeeling, Hooghly, Howrah, Jalpaiguri, Malda, Midnapore, Murshidabad, Nadia, Purulia, 24-Parganas and West Dinajpur and includes Calcutta comprised within the territorial jurisdiction of the Corporation of Calcutta; (c) "Joint Entrance Examination" means the competitive examination held for the purpose of admission to the Pre-Medical Course in the Medical and Dental Colleges in West Bengal; (d) "normally resident" means a person who has been residing in a district in West Bengal continuously for at least two

years immediately preceding the date of his making the application for admission to a Medical or Dental College;(e)"Pre-Medical Course" means the course of studies prescribed by any University in West Bengal for the preliminary examination of a student after his admission in any of the Medical or Dental Colleges;(f)"prescribed" means prescribed by rules made under this Act;(g)"qualifying examinations" means the examinations which are recognised by any University in West Bengal for the purpose of admission to the Pre-Medical Course in any of the Medical or Dental Colleges;(h)"Medical or Dental College" includes,-(i)the Medical College, Calcutta,(ii)the Nilratan Sircar Medical College, Calcutta,(iii)the R. G. Kar Medical College, Calcutta,(iv)the Calcutta National Medical College, Calcutta,(v)the Bankura Sammilani Medical College, Bankura,(vi)North Bengal University Medical College,(vii)Burdwan University Medical College,.(viii)the Dr. R. Ahmed Dental College, Calcutta, and any other Medical or Dental College which may hereafter be notified by the State Government to be a Medical or Dental College.

3. Constitution of the Central Selection Board. -

(1)The State Government shall constitute a Central Selection Board (hereinafter referred to as the Board), which shall consist of the Principals of all the Medical and Dental Colleges in West Bengal and two persons to be nominated by the State Government, as members.(2)The nominated members shall hold office for such period as the State Government may fix.(3)The Principal of the Medical College, Calcutta, shall be the Chairman of the Board and the Secretary of the Medical College, Calcutta, shall be its Secretary.(4)The Board shall have its office located at the Medical College, Calcutta.

4. Functions of the Board. -

The functions of the Board shall be-(a)to hold in every year by itself or through any other authority to be appointed by the Board with the prior approval of the State Government, a Joint Entrance Examination in such manner as may be prescribed and at such time as the State Government may, by notification, announce, for selection of candidates for admission to the Pre-Medical Course;(b)to allot candidates to the different Medical and Dental Colleges in West Bengal on the basis of merit displayed by such candidates in the Joint Entrance Examination and having regard to the preferences indicated by them in their applications, and(c)to prepare a waiting list of a reasonable number of additional candidates for filling vacancies of seats, if any, occurring in any Medical or Dental College in West Bengal.

5. Distribution of seats available for new admission. -

(1)The total number of new admissions to be made to the Pre-Medical Course in each of the Medical or Dental Colleges in West Bengal shall be announced by the State Government in every year simultaneously with the announcement of the date for holding the Joint Entrance Examination.(2)Out of the total number of seats available for new admission in any year the State Government may, by notification, direct that some of the seats are to be reserved for the nominees of the Government of India, some for the nominees of the State Government and some for the nominees of donors.(3)Out of the remaining seats, that is, after taking into account seats excluded

under sub-section (2), 15 per cent. and 5 per cent. of the seats shall be reserved for candidates belonging to Scheduled Castes and Scheduled Tribes respectively of this State: Provided that-(a) if the required number of candidates belonging to the Scheduled Tribes and fulfilling the requisite qualifications are not available the seats remaining vacant shall be filled by candidates belonging to Scheduled Castes who fulfil such qualifications and vice versa, and (b) if the required number of candidates belonging to both the Scheduled Castes and Scheduled Tribes and fulfilling the requisite qualifications are not available the seats remaining vacant shall be treated as unreserved. (4) The seats in which Pre-Medical students seek re-admission shall, if the regulations in force in any of the Medical or Dental Colleges in West Bengal so require, be excluded from the total number of seats available for new admission as announced under sub-section (1). (5) The seats which remain vacant after taking into account the reservations referred to in sub-sections (2), (3) and (4) shall be distributed in the different districts of West Bengal in the manner set out in sub-section (6). (6) The number of seats reserved for a district shall bear the same proportion to the total number of seats available in any of the Medical or Dental Colleges in West Bengal as the population of the district bears to the population of the entire State of West Bengal. Explanation 1.-For the purpose of this section the figures of district wise population as given in the latest census report shall be taken to be the population of the districts and the population of the entire State of West Bengal shall be calculated by adding up the figures of population of all the districts. Explanation 2.-The number of seats to be reserved in the different districts may be explained by the following formulae:-

P .. = Total population of the State

P₁, P₂, P₃ .. = Population of Districts Nos. 1, 2, 3,

D₁, D₂, D₃ .. = Number of seats to be reserved for Districts Nos. 1, 2, 3, ...

S₁, S₂, S₃ .. = Number of available seats in Medical or Dental Colleges Nos. 1, 2, 3, ...

In Medical College No.1. In Medical College No.2. In Medical College No.3. ..

D₁=S₁/P x P₁; S₂/P x P₁; S₃/P x P₁; and so on

D₂=S₁/P x P₂; S₂/P x P₂; S₃/P x P₂; and so on

D₃=S₁/P x P₃; S₂/P x P₃; S₃/P x P₃; and so on

(7) Notwithstanding anything contained in sub-sections (5) and (6) when the required number of candidates fulfilling the requisite qualifications is not available from one or more districts the seats so remaining vacant shall be treated as unreserved and shall form a general pool which shall be filled up in accordance with the provisions laid down in sub-sections (2) and (3) of section 6.

6. Conditions of eligibility for admission. -

(1) In order that a candidate may be considered eligible for admission in any of the seats referred to in sub-section (6) of section 5, he shall, -(a) submit his application in such form, deposit such fees and comply with such other formalities as may be prescribed; (b) submit a certificate in the prescribed form that he is normally resident in the district from the reserved quota of which he wishes to be selected; (c) give an undertaking by executing a bond in the prescribed form that on completion of his course of study he shall compulsorily serve for a minimum period of three years in the particular district from the reserved quota of which he is selected; (d) satisfy that he has passed

any of the qualifying examinations;(e)fulfil such other qualifications regarding nationality, citizenship, age, etc., as may be prescribed;(f)obtain such qualifying marks in the aggregate, in the Joint Entrance Examination, as may be fixed by the Board.(2)A candidate who seeks admission in any of the seats referred to in sub-section (2) of section 5 must fulfil such qualifications as may be prescribed and a candidate who seeks admission in any of the seats referred to in sub-section (3) or sub-section (7) of section 5 must comply with the requirements enumerated in clauses (a) and (d) to (f) of sub-section (1) and shall also give an undertaking by executing a bond in the prescribed form that on completion of his course of study he shall compulsorily serve for a minimum period of three years in any district in West Bengal other than Calcutta, to be mentioned by him in such bond.(3)For the purpose of sub-section (3) of section 5 the selection of candidates shall be made on the basis of competition in the Joint Entrance Examination amongst candidates for these reserved seats only, for the purpose of sub-section (6) of section 5 the selection of candidates shall be made on the basis of competition in the Joint Entrance Examination amongst candidates for the reserved seats of each district only and for the purpose of sub-section (7) of section 5 the selection of candidates shall be made on the basis of competition in the said Examination amongst the remaining candidates.

7. Admission. -

(1)A list showing the total number of selected candidates, including candidates selected in each category and allotted for admission to the different Medical and Dental Colleges in West Bengal together with the marks secured by these candidates, if any, shall be hung up on the notice board of the Medical College, Calcutta, and the relevant portions of such list shall also be hung up on the notice boards of the individual Medical and Dental Colleges.(2)Every candidate selected for admission to a Medical or Dental College shall undergo a medical test to be arranged by the Principal of the College concerned.(3)On being found physically and mentally fit the candidates shall be asked to deposit the requisite fees by the date or dates to be fixed by the Principal.(4)On being admitted to the Pre-Medical Course in any of the Medical or Dental Colleges the candidates concerned shall abide by the rules and regulations of that college and shall not seek transfer from one college to another or from one course to another except under such circumstances and subject to such conditions as may be prescribed.

8. Decision of the Central Selection Board to be final. -

The decision of the Central Selection Board in the matter of selection and allotment of candidates or in the preparation of the waiting lists shall be final.

9. Power to remove difficulty. -

If any difficulty arises in giving effect to the provisions of this Act, or the rules made thereunder, the State Government may, upon request by the Central Selection Board or by a Principal of any of the Medical or Dental Colleges or on its own initiative, by order, authorise anything to be done which appears to it to be necessary for the purpose of removing such difficulty and the decision of the State Government in this connection shall be final.

10. Transitional provision. -

(1)Notwithstanding anything contained elsewhere in this Act, it is hereby declared that the Joint Entrance Examination for admission to Engineering Degree Colleges and Pre-Medical Course in the Medical and Dental Colleges in West Bengal held in May, 1973, under the authority of the West Bengal Board of Examination for admission to Engineering Degree Colleges, constituted under the Government of West Bengal, Education Department (Technical Branch) Order No. 164-Edn.(T)/6E-1/71, dated the 18th February, 1972, as subsequently amended by the Government of West Bengal, Education Department (Technical Branch) Order No. 1671-Edn.(T)/6E-8/72, dated the 12th December, 1972, shall be deemed to be the Joint Entrance Examination for the year 1973 held in pursuance of the provisions of section 4, by the Central Selection Board constituted under section 3 and the selection and allotment of candidates and the preparation of the waiting lists for admission to the Pre-Medical Course in the year 1973 shall take place accordingly.(2)For the purpose of sub-section (1), the Central Selection Board may require a candidate to comply with all or any of the requirements enumerated in sub-section (1) of section 6.

11. Power to make rules. -

(1)The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.(2)Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-(a)the manner in which the Joint Entrance Examination referred to in clause (a) of section 4 shall be held;(b)the form of application, amount of fees and other formalities referred to in clause (a), form of the certificate referred to in clause (b), form of the bond referred to in clause (c), other qualifications referred to in clause (e), of sub-section (1), and the qualifications referred to in sub-section (2), of section 6;(c)the circumstances under which and the conditions subject to which transfer may be sought from one college to another or from one course to another, referred to in sub-section (4) of section 7;(d)any other matter which may be or is required to be prescribed.

12. Repeal and savings. -

The West Bengal Medical and Dental Colleges (Regulation of Admission) Ordinance, 1973, is hereby repealed.(2)Anything done or any action taken under the said Ordinance shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 7th day of August, 1973.