

कई गरीब शक्तियों की व्यापकता की पुनः-
रिक्त ऐसे विनियम निम्नलिखित प्रावधान

एक के अध्यक्ष तथा अन्य सदस्यों तथा समि-
तियों के अन्य सदस्यों के मतों का भुगतान ।

भूमि के रजिस्ट्रार, अधिकारी तथा सेवकों
के संबंधी कार्य, शक्तियाँ, श्रवणकाश, निलंबन,
अच्युति तथा अन्य सेवा शक्तें ।

1. रूप में, जिसमें रजिस्ट्रार द्वारा परिपक्व
रखे जाते हैं ।

मंचारियों पर रजिस्ट्रार को पर्यवेक्षी शक्तियाँ ।

धारा 13 की उपधारा (1) के अंतर्गत पालनीय
तंत्र तथा प्रतिबंध तथा ध्वनियों द्वारा पंजीकरण
के लिये शठ्यक्रम का प्रगिक्षण, तथा परीक्षा,
परीक्षा तथा उत्तीर्ण करना ।

धारा 13 की उपधारा (1) के अंतर्गत पंजीकरण
के लिये श्रेय शुल्क, धारा 14 के अंतर्गत पंजी-
करण का नवीकरण तथा धारा 16 की उपधारा
(2) के प्रावधानों के अंतर्गत रजिस्ट्रार के नाम
की पुनःप्रविष्टि को हटाना ।

रजिस्ट्रार अथवा सूची में किसी प्रविष्टि की प्रतियाँ
देने के लिये परिपक्व अथवा रजिस्ट्रार के आदेशों
की प्रतियों के लिये देय शुल्क ।

नियम 24 के अंतर्गत संगठनों के लिए निर्धारण
नती के लिए इस कोड ।

निरस्तन तथा बनाव :— राष्ट्रीय राजधानी क्षेत्र
तथा प्रवृत्त पंचायत नर्स पंजीकरण अधिनियम 1932
तथा इस अधिनियम के प्रभावी होने की तिथि से
जाने जायेंगे ।

कि ऐसे निरस्तन प्रभावी नहीं होंगे :—

1) इस प्रकार निरस्त उपबंध या विधिवत किया गया
कोई कार्य या इससे प्रभावित पूर्ववर्ती कार्य ।

2) उपधारा (1) के प्रावधानों के अनुसार इस अधि-
नियम के अंतर्गत किया गया कार्य या की गई
कोई कार्यवाही या किये जाने के प्रयोजनार्थ
अहां तक इस अधिनियम के अनुकूल इसके द्वारा
निरस्त इस अधिनियम के संबद्ध उपबंध के अनुसार
किया गया कार्य या की गई कार्यवाही इस के
द्वारा जब तक इस अधिनियम के अंतर्गत किया
गया कार्य या की गई कार्यवाही के रह जाने
तक तदनुसार प्रवृत्त रहेगा ।

7. कठिनाइयों का निवारण :— इस अधिनियम के
नियमों को प्रभावी बनाने में यदि कोई कठिनाई उत्पन्न होती
सरकार सरकारी राजपत्र में प्रकाशित सामान्य अथवा
आदेश द्वारा इसके प्रावधान बनायेगी जो कि इस
DG/99 -2

अधिनियम के प्रावधानों के अंतर्गत न ही अथवा कठिनाइयों के
निवारण के लिए आवश्यक अथवा मर्यादा ।

वर्षों कि इस अधिनियम के लागू होने के दो वर्षों की
समाप्ति के पश्चात् ऐसे आदेश नहीं बनाए जायेंगे ।

38. धारा 34 के अंतर्गत बनाये गये नियम, धारा
35 के अंतर्गत बनाये गये नियम तथा धारा 37 के अंतर्गत
जारी किये गये आदेशों को विधान सभा के समक्ष प्रस्तुत
करना :— इस अधिनियम की धारा 34 के अंतर्गत बनाये
गये सभी नियम, धारा 35 के अंतर्गत बनाये गये सभी
विनियम तथा धारा 37 के अंतर्गत बनाया गया प्रत्येक
आदेश, इसके बनाये जाने के तुरन्त पश्चात् दिल्ली संघ
राज्य क्षेत्र की विधान सभा के समक्ष रखे जायेंगे, अगर
यह सत्र एक अथवा दो या इससे अधिक सत्रों में तीस दिन
से अधिक तक जारी है और यदि उपरोक्त सत्र, उसके तुरन्त
बाद के सत्र अथवा बाद के सत्र के समाप्त होने से पहले
विधान सभा नियम अथवा विनियम अथवा आदेश में कोई
संशोधन करने में सहमति देती है अथवा इस न बनाने के
लिए सहमति देती है तब उक्त नियम विनियम व आदेश
उक्त संशोधित रूप में प्रभावी होगा अथवा इसका कोई प्रभाव
नहीं होगा ।

अतः तथापि ऐसा कोई भी संशोधन अथवा अतिक्रमण
उक्त नियम विनियम के अंतर्गत पहले से कुछ भी किये
गये को वैधता को छोड़कर होंगे ।

DEPARTMENT OF LAW JUSTICE AND LEGIS-
LATIVE AFFAIRS

Notifications

Delhi, the 11th March, 1999

No.F.14/5/97-99/L.A./78.—The following Act of
the Legislative Assembly received the assent of the
President on 4-3-1999 and is hereby published for
general information.

The Delhi Nursing Council Act, 1997
(Delhi Act No. 3 of 1999)

AN

ACT

To provide for the constitution of the Delhi
Nursing Council for regulation of registration and
training of nursing personnel (nurses, mid-wives,
auxiliary nurse midwives/female health worker/female
health assistant/supervisors) and matters connected
therewith.

Be it enacted by the Legislative Assembly of
the National Capital Territory of Delhi in the Forty
eighth Year of the Republic of India as follows ;

CHAPTER—I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Delhi Nursing Council Act, 1997.

(2) It extends to the whole of the National Capital Territory of Delhi.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

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

- (a) "affiliated institution" means an institution or hospital or health centre for preventive, promotive, curative care and rehabilitative nursing services, which is recognised and affiliated to the Council;
- (b) "auxiliary nurse-midwife" or "female health worker" means a person who possesses a certificate of auxiliary nurse midwife, or, as the case may be, of female health worker from a recognised institution registered under section 13;
- (c) "council" means the Delhi Nursing Council constituted under section 3;
- (d) "female health assistant or supervisor" means a person who possesses a certificate from an institution recognised and registered under section 13;
- (e) "Government" means the Government of the National Capital Territory of Delhi;
- (f) "licensing authority" means an officer authorised by the Government to issue licences under this Act;
- (g) "Lieutenant Governor" means the Lieutenant Governor of the National Capital Territory of Delhi referred to in clause (1) of article 239AA and appointed by the President under article 239 of the Constitution;
- (h) "Inspector" means a nurse appointed by the Council;
- (i) "list" means a list of nurses, midwives, auxiliary nurse-midwives or female health workers or female health assistants or supervisors maintained under section 16;
- (j) "member" means a member of the Council;
- (k) "nurse" means a person who possesses a certificate in nursing and midwifery from an institution recognised in this behalf and registered with the council;

- (l) "prescribed" means prescribed under the rules;
- (m) "President" means the President of the Council;
- (n) "register" means a register maintained under section 15;
- (o) "registered" means registered in accordance with the provisions of section 13;
- (p) "registrar" means Registrar appointed under section 19;
- (q) "regulation" means a regulation made by the Council under this Act.
- (r) "rule" means a rule made by the Government under this Act, by notification in the Official Gazette.

CHAPTER II

Delhi Nursing Council

3. Constitution and incorporation of the Council.—

(1) The Government shall, as soon as may be after the commencement of this Act, constitute a Council called 'The Delhi Nursing Council'. The Council shall consist of the following members, namely :—

- (a) The Director of Health Services, Government of National Capital Territory of Delhi—Ex-Officio.
- (b) The Director of Indian Systems of Medicine and Homoeopathy—Ex-Officio.
- (c) The Medical Officer of Health, Municipal Corporation of Delhi—Ex-Officio.
- (d) The Nursing Advisor to the Government of India—Ex-Officio.
- (e) Three Nursing Chief Officers of the hospitals in the National Capital Territory of Delhi to represent one hospital each, to be nominated by the Government by rotation, from the following :—
 - (i) Hospitals of Central Government;
 - (ii) Hospitals of Government of National Capital Territory of Delhi;
 - (iii) Hospitals of Municipal Corporation of Delhi/New Delhi Municipal Council.
- (f) Two Members of the Legislative Assembly of the National Capital Territory of Delhi to be nominated by the Speaker of the Assembly.
- (g) Three persons to be nominated by the Government to represent an

PART IV]

of the Council shall be a meeting held at such place as may be decided by the Council.

(10) A member of the Delhi Branch of Tribes and Castes, and of the Indian States, to be elected by the members of the Council.

(11) For the purpose of electing from Central Boarding and Midway Schools and Colleges, a member of the Council, the Principal from Auxiliary Boarding and Midway Schools, to be elected from amongst the running institutions.

(12) The Council shall have power to acquire, manage, sell, lease, mortgage, and dispose of property, whether movable or immovable, and to do all things necessary for the purposes of this Act, and may be the donee of any trust or be sued.

(13) The President and the Vice-President of the Council shall be elected from amongst the members of the Council to the procedure as may be provided.

1. Term of Office. (1) The term of office of a member of the Council shall be three years from the date of nomination or until a successor has been duly nominated, whichever is earlier.

(2) A member appointed to the Council in his ex-officio capacity shall cease to hold office as a member if he ceases to hold such office.

(3) The President shall hold office from the date of election until a successor has been duly elected, and a member ceases to hold office if he ceases to hold office as a member or until a successor has been duly elected.

(4) If at any time a member ceases to hold office by reason of death, disability, resignation, removal or disqualification, a new member shall be nominated by the Government and such nomination shall hold office only for the remainder of the term for which the member was nominated.

(5) A member shall be deemed to have vacated office if he absents himself from three consecutive meetings of the Council without leave of the Council.

(6) The President may resign from his office by notice in writing addressed to the Secretary of the Council. Such resignation shall take effect from the date on which it is accepted by the Council.

(7) A member may resign from office by notice in writing addressed to the President and every such resignation shall take effect from the date on which it is accepted by the President.

(8) Notwithstanding anything contained in this Act, the Government may—

(a) remove a member from office on being found disqualified as per sub-section (3) of this section, or

(b) if the Council decides at a meeting by two-thirds majority of the total membership that the continuation of a member in office is prejudicial to the interest of the Council, remove the member from office.

(9) A person shall be disqualified for being elected or nominated, and for continuing, as a member—

(a) if he is an undischarged insolvent; or

(b) if he is of unsound mind and stands so declared by a competent court; or

(c) if his name has been removed from the register and has not been re-entered therein; or

(d) if he is a whole-time officer or servant of the Council; or

(e) completes 65 years of age.

5. Meetings of the Council. (1) The Council shall meet at least once in a year and may also meet as many times as necessary in a year to transact its business.

(2) The President, when present, shall preside over meetings of the Council and in his absence the Vice-President shall preside. In case both are absent, any other member elected by the members present from amongst themselves shall preside at such meetings.

(3) All transactions of business at a meeting shall be decided by majority vote.

(4) In the case of equal votes, the President shall have a casting vote.

6. Quorum. The quorum necessary for the transaction of business at a meeting of the Council shall be one-third of the total number of members including the President.

Provided that if at any meeting of the Council a quorum is not present, the President or the presiding member, as the case may be, shall adjourn the meeting to such hour of the day or some future day, as he may notify by notice on the notice Board at the office of the Council. The business before the original meeting shall be brought before the adjourned meeting and may be disposed of at such meeting or any subsequent adjournment thereof, whether there be a quorum present or not.

7. Vacancies in the Council not to invalidate act, etc.—No act or proceeding of the Council shall be invalid by reason of existence of a vacancy in the Council or on account of any defect or irregularity in its constitution.

8. Executive Committee.—The Executive Committee shall consist of five members who shall be elected by the Council from amongst its members in the manner as may be prescribed.

9. Other Committees.—The Council may constitute sub-committees for such purposes as the Council considers necessary.

10. Staffing of Council.—(1) The Council shall, with the previous approval of the Government, appoint a full time nurse as a Registrar and another full time nurse as a Deputy Registrar and such other staff as may be necessary.

(2) The Council shall adopt the Central Civil Services Rules mutatis mutandis.

(3) The pay and allowances payable to the Registrar, officers and other employees of the Council shall be fixed by the Council with the previous approval of the Government.

(4) The Council may, with the previous sanction of the Government, suspend, dismiss or remove any person appointed as the Registrar, or impose any other penalty upon him in the manner as may be provided by regulations.

(5) The Registrar shall be the Secretary and the Executive Officer of the Council. He shall attend all meetings of the Council, and of its Executive Committee, and shall keep minutes of the meetings and names of members present and of the proceedings of such meetings.

(6) The accounts of the Council shall be kept by the Registrar, in the manner as prescribed by regulations.

(7) The Registrar shall have such supervisory powers over the staff as may be prescribed by regulations and may perform such other duties and discharge such other functions as may be specified in this Act, or as may be prescribed by regulations.

(8) The Registrar shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

11. Fees and Allowances for meetings.—The President and other members of the Council shall be paid such fees and allowances as may be prescribed by regulations.

12. Income and Expenditure of the Council.

(1) The income of the Council, shall be—

- (a) registration fees received from practitioners ;
- (b) grants received from the Government if any; and
- (c) gifts and donations or any other moneys raised by the Council.

(2) The Council shall apply the moneys so received in the manner as may be prescribed.

CHAPTER III

REGISTRATION AND ENLISTMENT

13. Registration of nurses, midwives, nurse midwives/female health workers, female health assistants/health supervisors.—(1) Any person who fulfills academic qualifications and training prescribed under the regulations shall be registered on payment of such fees as prescribed, in the manner as may be prescribed, for a period of five years.

(2) The Council shall follow such procedure as may be prescribed by regulations.

(3) For the purpose of an appeal under the provision of section 23, the Council shall be deemed to be a Court within the meaning of the Indian Evidence Act, 1872 and shall exercise all the powers of a Commissioner under the Public Servants (Inquiries) Act, 1850:

Provided that nothing contained in any Act shall prevent the Council from holding an inquiry or hearing.

14. Fee for renewal of registration.—Any person shall renew his/her registration in the manner as prescribed by regulations and on payment of such fees.

15. Registers to be maintained.—(1) The Registrar shall maintain such registers as may be prescribed.

(2) It shall be the duty of the Registrar to maintain entries in the register, from time to time, to renew the same and to issue certificates of registration in accordance with the provisions of this Act, and the rules made thereunder.

16. Maintenance of list of persons practising as nurse, auxiliary nurse midwife, female health worker, female health assistant health supervisor.—(1) The Council shall keep a list of such persons as are not eligible for registration under section 13 but who are practising as nurses.

(2) If a person who, not being qualified for registration under this Act, proves within ninety days from the date of commencement of this Act, to the satisfaction of the Council that he was in regular practice as a nurse for a period not less than two years before such commencement, shall on payment of such fees as may be prescribed be entitled to have his name entered in the list :

Provided that any person whose name has been removed from the register maintained under this Act or under any other law for the time being in force in any part of India, or from the register of any other country on the ground of any professional or other misconduct, shall not be entitled to have his name entered in the list.

(3) The provisions of sections 13, 14 and 15 shall mutatis mutandis apply to such list.

17. Persons not registered or not in the list not to practise or be employed as nurses, etc.—No person other than a person registered under this Act or a person whose name is entered in the list under section 16 shall practise directly or by implication as practising habitually or for personal gains as a nurse.

18. Supply of orders of the Council or the Registrar or of any entry in the Register or list.—Copies of any order passed by the Council or the Registrar or of any entry in the register or in the list shall be supplied on payment of such fees as may be prescribed by regulations.

19. Publication of Registers and list.—(1) The Registrar shall, on or before a date to be fixed in this behalf by the Council and thereafter every year, cause to be printed and published the names for the time being entered in the registers.

(2) The provisions of sub-sections (1) and (2) in shall mutatis mutandis apply to the publication of the list prepared under section 16.

CHAPTER IV

Nurses, Auxiliary nurse midwife, Female Health worker, Female Health Assistant/Health Supervisors entitled to practise and control licensing authorities.

20. Licensing and Supervision.—(1) Subject to the provisions of this Act and the rules and regulations made thereunder, every licensing authority shall exercise general supervision and control on the nurses, auxiliary nurse midwives, female health

workers, female health assistants health supervisors practising within the area under its jurisdiction.

(2) The licensing authority may delegate any of its powers to such officer as may be authorised in this regard.

21. Notice to licensing authority before commencement of practice.—(1) Every person registered under this Act who intends to practise anywhere in the National Capital Territory of Delhi as a nurse, auxiliary nurse-midwife, female health worker, female health assistant/health supervisor, shall give notice in writing to the licensing authority in the month of January and every five years thereafter during the period if he continues to practise within the said area.

(2) Every such notice shall contain such particulars and shall be in such form as may be prescribed.

22. Recognition of training institutions.—(1) No nursing educational institute shall be started without the prior approval of the Council and the Government.

(2) The Council may, by regulations specify examinations to be held as laid down by the Indian Nursing Council constituted under the Indian Nursing Council Act, 1947 (XL VIII of 1947) from time to time.

(3) The Council may in accordance with the regulations and after inspections and such inquiry as it deems fit, recognise any institution for training of nurses, auxiliary nurse midwives, female health workers, female health assistants/health supervisors for appearing at any examination held by the Council.

(4) No school, hospital or other institution which is not approved and recognised under this section shall issue to any person a certificate or enter the name of any person in any document purporting to show that such person is qualified by reason of having passed any examination or undergone any course of training to practise as a nurse, auxiliary nurse midwife, female health worker, female health assistant, health supervisor unless his/her name is registered under this Act or entered in the list.

(5) No person shall issue any certificate to any person who does not fulfil the regulations of the Indian Nursing Council.

(6) No registered hospital, nursing home or diagnostic centre shall employ nursing personnel who do not possess the minimum requisite qualification laid down in the Indian Nursing Act, 1947.

23. Appeal against refusal to recognise Institution.—Any person aggrieved by any decision of the

Registrar under this Act including a decision refusing to approve and recognise any institution to train nurses, auxiliary nurse midwives, female health workers, female health assistants/health supervisors may appeal within sixty days from the date on which such decision is communicated to him, to the Council which shall hear and determine the appeal in the prescribed manner. The decision of the Council under this Act shall be final.

24. Affiliation.—The Council, may in accordance with the regulations and after inspection and holding such inquiry as it deems fit, affiliate to any institution or hospital for preventive, promotion curative, and rehabilitative nursing care of clients or patients.

25. Withdrawal of recognition.—(1) When upon report by the Executive Committee, it appears to the Council—

- (a) that the courses of study training and the examinations to be gone through in order to obtain a recognised qualification from any authority in any State or Union territory or the conditions for admission to such courses or the standards of proficiency required from the candidates at such examinations are not in conformity with the regulations made under this Act or fall short of the standards required thereby, or
- (b) that an institution recognised by the Council for the training of nurses, auxiliary nurse midwives, female health workers, female health assistants/health supervisors does not satisfy the requirements of the Council,

then the Council shall send to the Government of the State/Union territory in which the authority or institution, as the case may be, is situated a statement to such effect and the State Government/ Union territory Administration shall forward it, along with such remarks as it may think fit to the authority or institution concerned and in a case referred to in clause (b) to the Council also, with an intimation of the period within which the authority or the institution may submit its explanation to the Government.

(2) On receipt of the explanation or, where no explanation is submitted within the period fixed, then on the expiry of the period the Government shall make its recommendations to the Council.

(3) The Council, after such further inquiry, if any, as it may think fit to make, and in a case referred to in clause (b) of sub-section (1) after considering any remarks which the Council may have addressed to it, may declare—

(a) in a case referred to in clause (a) of that section that the qualifications granted by the authority concerned shall be recognised only when granted before a specified date, or

(b) in a case referred to in the said clause with effect from a date specified in the declaration any person holding a recognised qualification whose period of training study preparatory to the grant of the qualification passed at the institution concerned shall be entitled to be registered only in the State/Union territory in which the institution is situated.

(4) The Council may declare that any qualification granted outside the Delhi by any State/Union territory shall be a recognised qualification only before or after a specified date.

CHAPTER V MISCELLANEOUS

26. Penalties.—(1) Any person who acts in contravention of the provisions of section 17 shall, on conviction be punished with fine which may extend to two thousand rupees for the first offence; to one thousand rupees for the second offence; and to five hundred rupees for any subsequent offence. Sentence may be commensurate with the gravity of the offence.

(2) Any person who fails to comply with the provision of sub-section (1) of section 22 shall, on conviction, be punished with fine which may extend to two thousand rupees for the first offence; to one thousand rupees for the second offence; and to five hundred rupees for any subsequent offences. Such institutions shall not be considered for recognition under this Act.

(3) Any person who fails to comply with the provisions of sub-section (4) of section 22 shall, on conviction, be punished with fine which may extend to ten thousand rupees and shall also be liable to imprisonment which may extend to three months.

(4) Any person found issuing a certificate in violation of sub-section (5) of section 22 shall, on conviction, be punished with fine which may extend to five thousand rupees or with imprisonment for a term which may extend to six months or with both.

(5) Any registered hospital or nursing home or diagnostic centre found appointing any nursing personnel who does not possess the minimum requisite qualification laid down under the Indian Nursing Council Act, 1947, shall be liable to conviction.

with fine which may extend to ten thousand rupees or with simple imprisonment for a term which may extend to six months or with both.

27. Punishment for dishonest use of certificates.—Any person—

- (a) who dishonestly makes use of any certificate of registration issued under the provisions of this Act; or
- (b) who procures, or attempts to procure registration under the provisions of this Act by making or producing, or causing to be made or produced any false or fraudulent declaration or representation whether in writing or otherwise; or
- (c) who willfully makes or makes false representation in any matter relating to the register or the list or any certificate issued under the provisions of this Act; or
- (d) who knowingly or willfully makes or causes or prepares any other person to make any false statement in any notice under this Act;

shall, on conviction, be punished—

- (a) for the first offence, with fine which may extend to five thousand rupees; and
- (b) for any subsequent offence, with simple imprisonment for a term which may extend to six months or with fine which may extend to ten thousand rupees or with both.

28. Penalty for unlawful assumption of title of registered nurse, etc.—Any person who, not being a registered nurse, auxiliary nurse midwife, female health worker, female health assistant/health supervisor takes or uses the name or title of a registered nurse, auxiliary nurse-midwife, female health worker, female health assistant/health supervisor or uses any name, title, description, specified uniform, object or signboard with the intention that may be believed that such person is registered shall, on conviction, be liable to be punished—

- (a) for the first offence, with fine which may extend to five thousand rupees; and
- (b) for any subsequent offence, with simple imprisonment for a term which may extend to three months, or with fine which may extend to ten thousand rupees or with both.

29. Offence by Companies.—(1) Where an offence under this Act has been committed by a company—

- (a) every person who, at the time the offence was committed was in charge of, and responsible to the company for the conduct of the business of the company; and

(b) the company,

shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation—For the purpose of this section—

- (a) "company" means a body corporate, includes a firm or other association of individuals; and
- (b) "director" in relation to firm, means a partner in the firm.

30. Cognizance of Offences.—No Court shall take cognizance of any offence under this Act except on a complaint made with the previous sanction of the Council.

31. Exemption of registered medical practitioners from the provisions of this Act.—Nothing in this Act shall apply to a registered medical practitioner.

Explanation—In this section a registered medical practitioner means a person practising medicine and registered as such under any law relating to the registration of persons practising medicines.

32. Power of Government to dissolve and reconstitute the Council.—If, at any time, it appears to the Government that the Council has failed to exercise or exceeded or abused any of its powers conferred upon it under this Act, or failed to perform the duties conferred upon it by or under this Act, it may by an order published together with a statement of reasons therefore, in the official Gazette, dissolve the Council and in case of dissolution of the Council cause all or any of the powers, duties and functions of the Council to be exercised, performed and discharged by an administration who is qualified as senior nursing officer till a new Council is constituted.

33. Audit.—The accounts of the Council shall be audited in such manner as may be prescribed.

34. Power to make rules.—(1) The Government may, by notification in the official Gazette, and subject to the condition of previous publication make rules to carry out the purposes of this Act. Such rules may be made to provide for all or any matters expressly required or allowed by this Act to be prescribed by rules.

(2) In particular, and without prejudice to the generality of the foregoing power, the Government may make rules for all or any of the following matters, namely :—

- (a) the manner in which the President and the Vice President of the Council shall be elected under sub-section (3) of the section 3;
- (b) the manner in which the meetings of the Council shall be convened held and conducted under sub-section (1) of section 5;
- (c) the manner in which the members of the Executives Committee shall be elected under Section 8;
- (d) the manner in which the money received by the Council shall be applied under sub-section(2) of section 12;
- (e) the procedure to be followed by the Council in disposing of appeals under sub-section (3) of section 13 and section 23;
- (f) the Form of register to be maintained under section 15;
- (g) the Form of list to be maintained under section 16;
- (h) the Form of notice to be given to the licensing authority under section 21;
- (i) the auditing of the accounts of the Council under section 33.

35. Power to make regulations.—(1) the Council may with the previous sanctions of the Government, by notification in the official Gazette, make regulations not inconsistent with the provisions of this Act or the rules made thereunder to carry out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing powers, such regulations may provide for—

- (a) the payment of allowances to the President and other members of the Council and to other members of the Committees;
- (b) the duties, powers, leave, suspension, removal and other terms and conditions of service of the Registrar, officers, and servants of the Council and the payment of salaries or allowances to such persons;
- (c) the manner, in which the accounts of the Council shall be kept by the Registrar,

- (d) the supervisory powers of the Registrar over the staff;
- (e) the conditions and restrictions which are to be complied with and the courses of training and examinations which are to be completed and passed by persons for registration under sub-section (1) of section 13;
- (f) the fee payable for registration under sub-section (1) of section 13, the renewal of registration under section 14 and the entry of names removed from the registers and the fee payable for such entry under sub-section (2) of section 16;
- (g) the fee payable for the copies the order of the Council or of the Registrar and for the supply of a copy of any entry from the register or list;
- (h) prescription of regulations for affiliation under section 24;
- (i) dress code for nurses.

36. Repeal and Saving.—(1) As from the date of the commencement of this Act, the Punjab Nurses Registration Act, 1932 as in force in the National Capital Territory of Delhi shall stand repealed.

(2) Notwithstanding the provisions of sub-section (1) of this section —

- (a) the previous operation of the provisions so repealed or anything duly done or suffered thereunder;
- (b) subject to the provisions of sub-section (1) anything done or any action taken under the Act hereby repealed shall, in so far as it is not inconsistent with this Act, be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under this Act.

37. Removal of difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Government may, by general or special order published in the official Gazette, make such provision not inconsistent with the provision of this Act as appear to it to be necessary or expedient for the purposes of removing difficulty;

Provided that no such order shall be made after the expiration of two years from the commencement of this Act.

38. Laying of rules made under section 34, regulations made under section 35 and orders issued under section 37 before the House of the Legislative Assembly.—Every rule made under section (34) every regulations made under section 35, and every order made under section 37 of this Act shall be laid, as soon as may be after it is made, before the House of the Legislative Assembly of the National Capital Territory of Delhi, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session or the successive sessions aforesaid, the House agrees in making any modification in the rule or regulation or order should not be made, the rule or regulation or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification for annulment shall be without prejudice to the validity of any thing previously done under that rule or regulation or order.

संख्या भा. 14/7/98-99/विद्यार्थी कार्य/84.—
राजधानी की दिनांक 1-3-1999 को मिली अनुमति के अन्तर्गत दिल्ली विधान सभा द्वारा पारित निम्नलिखित अधिनियम जायज्याकरण के सूचनायें प्रकाशित किया जा रहा है।

दिल्ली भारतीय चिकित्सा परिषद् अधिनियम, 1998
(दिल्ली अधिनियम संख्या : 4, 1999)

एक

अधिनियम

दिल्ली राष्ट्रीय राजधानी के लिए तथा इस सम्बद्ध विषयों के लिए भारतीय चिकित्सा परिषद् का गठन हेतु तथा भारतीय चिकित्सा (इंडियन मेडिसिन) के लिए एक गतिशील के रख रखाव की व्यवस्था करने के लिए।

भारतीय गणतंत्र के 49वें वर्ष में दिल्ली राष्ट्रीय राजधानी की विधान सभा द्वारा निम्न प्रकार अधिनियमित किया जाय।

1. संक्षिप्त शीर्षक विस्तार एवं प्रारम्भ.—(1) इस अधिनियम को भारतीय चिकित्सा परिषद् अधिनियम, 1998 कहा जाय।

(2) यह सम्पूर्ण दिल्ली राष्ट्रीय राजधानी में विमानित होगा।

(3) यह उन तिथि में प्रभावी हो, जो सरकार, राजपत्र में सार्वजनिक अधिसूचना द्वारा निर्दिष्ट करे।

1998, 1999

2. परिभाषाएँ.—जब तक संदर्भ में अन्यथा अपेक्षित न हो तब तक इस अधिनियम में —

(क) "निश्चय दिन" के अर्थ यह तिथि जिस तिथि के अन्तर्गत धारा (1) के अन्तर्गत इस अधिनियम के अन्तर्गत धारा (1) की उपधारा (3) के अन्तर्गत प्रभावी होगी।

(ख) भारतीय चिकित्सा (इंडियन मेडिसिन) का अर्थ अन्तर्गत आयुर्वेद सिद्ध तथा यूनानी तिव्व अनु-पूरित हो या न हो, शल्य चिकित्सा तथा प्रसूति विज्ञान सहित आधुनिक चिकित्सा पद्धति की सभी शाखाओं में आधुनिक शिक्षा भद्रित।

(ग) "केन्द्रीय परिषद्" का अर्थ भारतीय केन्द्रीय चिकित्सा परिषद् अधिनियम, 1970 (1970 का केन्द्रीय अधिनियम 48) की धारा 3 के अन्तर्गत गठित भारतीय चिकित्सा केन्द्रीय परिषद्।

(घ) "अध्यक्ष" का अर्थ परीक्षा निकाय का अध्यक्ष,

(ङ) "दिल्ली" का अर्थ दिल्ली राष्ट्रीय राजधानी में है।

(च) "परीक्षा निकाय" का अर्थ धारा 33 की उपधारा (1) के अन्तर्गत गठित परीक्षा निकाय में है।

(छ) "सरकार" का अर्थ संविधान के अनुच्छेद 239कक के खण्ड (1) में संदर्भित उपराज्यपाल में है।

(ज) "एकीकृत चिकित्सा" का अर्थ आयुर्वेद/सिद्ध/यूनानी तिव्व तथा शल्य चिकित्सा तथा प्रसूति विज्ञान सहित आधुनिक वैज्ञानिक चिकित्सा पद्धति की सभी शाखाओं में संयुक्त समवर्ती अध्ययन प्रशिक्षण तथा प्रैक्टिस।

(झ) "उपराज्यपाल" का अर्थ संविधान के अनुच्छेद 239 के अन्तर्गत राष्ट्रपति द्वारा नियुक्त दिल्ली राष्ट्रीय राजधानी के उपराज्यपाल में है।

(ञ) "परिषद्" का अर्थ धारा 3 के अन्तर्गत स्थापित एवं गठित, दिल्ली भारतीय चिकित्सा परिषद् में है।

(ट) "चिकित्सा व्यवसायी" का अर्थ भारतीय चिकित्सा पद्धति (इंडियन सिस्टम ऑफ मेडिसिन) से सम्बद्ध चिकित्सा व्यवसाय करने वाला कोई चिकित्सा व्यवसायी।

(ठ) "अध्यक्ष" का अर्थ परिषद् के अध्यक्ष में है।

(ड) "सहायक चिकित्सा प्रशिक्षण के लिए अहंक परीक्षा" का अर्थ है भारतीय चिकित्सा के संघ में योग्यता, तकनीकियन तथा नमिन