

ARUNACHAL PRADESH INDIAN MEDICINE COUNCIL (ELECTION) RULES, 2015

The Arunachal Pradesh Gazette EXTRAORDINARY PUBLISHED BY AUTHORITY No. 120, Vol. XXII, Naharlagun, Tuesday, June 2, 2015, Jyaistha 12, 1937 (Saka) GOVERNMENT OF ARUNACHAL PRADESH DEPARTMENT OF HEALTH AND FAMILY WELFARE ITANAGAR NOTIFICATION The 29th May, 2015 ARUNACHAL PRADESH INDIAN MEDICINE COUNCIL (ELECTION) RULES, 2015 No. APIMC/08/2014.— In exercise of the powers conferred under section 15 of the Arunachal Pradesh Indian Medicine Council Act, 2013 (Act No. 1 of 2014): The Arunachal Pradesh Indian Medicine Council with the previous sanction of the State Government hereby makes the following rules, namely:- 1. Short title : (i) These rules may be called the Arunachal Pradesh Indian Medicine Council (Election) Rules, 2015 (ii) They shall come into force on the date of their publication in the official Gazette

2. Definitions;- (b) (c) (d) 'Act' means The Arunachal Pradesh Indian Medicine Council Act, 2013 (Act No.1 of 2015) ; 'Form' means form annexed to these rules; 'President' means the President of the Arunachal Pradesh Indian Medicine Council ; 'Returning Officer' means any officer appointed by the State Government for the purpose of these rules: Section' means a section of the Act : 3. 4. 5. 6



7. ELECTION TO THE ARUNACHAL PRADESH INDIAN MEDICINE COUNCIL UNDER SUB-SECTION (1) OF SECTION 15 OF THE ACT All persons whose name are enrolled on Arunachal Pradesh State Register of Indian Medicine, shall be entitled to vote at the election of members under section 15 of the Act. The Returning Officer shall call upon persons enrolled on the State Register of Indian Medicine to elect such number of members as is determined by the Government under Section 4 of the Act. If any questions arises as to whether a person is or is not entitled to vote in the election or to stand for the election, the question shall be referred to the Returning Officer who shall decide the same. The Returning Officer shall appoint and notify in the official Gazette and in such manner as he thinks fit, the date, time and place for - (a) (b) (c) (d) (ii) The receipt of the nomination papers and their scrutiny; The dispatch of voting papers to the electors; The poll and ; The scrutiny and counting of votes; Any person qualified to stand for the election under Section 4 of the Act may be nominated as a candidate for election and such nomination shall be made by means of a nomination paper in



Form-I which shall be supplied by the Returning Officer to any elector who may apply for the same. Each candidate wishing to stand for election shall pay to the Registrar a fee of 1000/- (Rupees one thousand) only by crossed Bank Draft of nationalized Bank of India in favour of Arunachal Pradesh Indian Medicine Council payable at Naharlagun. The fee so paid shall be credited to the Council Account and shall not be refunded. Persons entitled to vote. Returning Officer to hold the election. Questions relating to persons to stand for election. Fixation of dates of various stages of election. Nomination of candidates. 2

Nomination paper. Rejection of Nomination paper. Scrutiny of Nomination paper. Withdrawal of Nomination paper. poll. Return of voting papers. Rejection of voting papers. Scrutiny and counting of votes. Declaration of Result. The Arunachal Pradesh Extraordinary Gazette, June 2, 2015 8. 9. 10. 11. 12. 13. 14. 15. 16 (i) Each nomination paper shall be subscribed by two electors as proposer and seconder and shall contain a declaration signed by the person proposed signifying his consent to stand for the election. (ii) On receipt of each nomination paper the Returning Officer shall forthwith endorse thereupon the date and hour of receipt. A nomination paper which is not received before the date and time appointed in that behalf shall be rejected. (i) On the date and at the time appointed by the Returning Officer for the scrutiny of the nomination papers, the candidates and the proposer and the seconder of each candidate may attend the office of the Returning Officer, who shall allow them to examine the nomination papers of all the candidates which have been received by him as aforesaid. (ii) The Returning Officer shall examine the nomination papers and shall decide all objections and if he thinks it is to be rejected, he shall do so by stating the reasons for rejection in writing. Any Candidate may withdraw his candidature within seven days after the scrutiny of nomination papers by notice in writing signed by him and delivered it to the Returning Officer. (i) Where the number of candidates duly nominated is equal to or less than the number of members to be elected, the Returning Officer shall forthwith declare such candidates to be duly elected. (ii) Where the number of such candidates is less than the number of members to be so elected, the Returning Officer shall commence fresh proceedings for the election of the remaining members to be elected. (iii) Where the number of such candidates exceeds the number of members to be elected, the Returning officer shall publish their names and addresses in the official Gazette and shall further cause their names to be entered in the voting papers in form-II. (iv) If a poll is found necessary, the Returning Officer shall, thirty days before the appointed date send by registered post to each elector, a letter of intimation in Form-IV together with numbered declaration paper in Form-III, a voting paper in Form-II containing the names of the candidates in alphabetical order and bearing the Returning Officer's initial or facsimile signature, a voting paper cover addressed to him (the Returning Officer) and an outer envelope addressed to him. (v) An elector, who has not received the voting and connected papers sent to him by post, may make requisition to the Returning Officer not later than seven days before the date appointed for the poll for fresh papers. (VI) In every case in which fresh papers are issued, a mark shall be placed against the number relating to the elector's name to denote that fresh papers have been issued. (vii) No election shall be invalid by reason of the non-receipt by an elector of his voting paper. (viii) Each elector shall have as many votes as there are members to be elected, but shall give only one vote to any one candidate of his/her choice. Every elector shall send their vote by post at their own cost to the Returning Officer or deliver it in person in the office of the Returning Officer so as to reach him not later than by 4.00 P.M on the date fixed for the Poll. All votes received after that day and hour shall be rejected. The Returning Officer can reject the voting paper if it is not properly filled/or completed. The Returning Officer shall attend, for the purpose for scrutiny and counting of the votes on the date and time and place appointed by him in this behalf. The Returning Officer may appoint officers/ persons to assist for the purpose. All the voting papers other than those received late and rejected shall be placed together then scrutinized and the valid votes counted. When the counting of votes has been completed, the Returning Officer shall draw up list of candidates in the order of highest votes polled in favour of each candidate and shall declare candidates successful in that and shall declare/inform the successful candidates by post or in such other manner as he thinks fit, of being elected to the Council. If, after the counting of the votes is completed, equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of those candidates to be declared elected, the Returning Officer shall forthwith decide between those candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote. The Arunachal Pradesh Extraordinary Gazette, June 2, 2015 PART - III SECRETARY 1 REGISTRAR 18. (1) The Secretary of the Council, who shall act as Registrar of first State Council under the clause (a) of sub-section (1) of section 3

of the Act shall exercise his powers and duties as contained in the provisions of the Act, and the rules and regulations, and standing orders of the Council. (2) The Registrar cum Secretary shall be a whole time salaried regular employee and shall be appointed by the State Council under sub-section (1) of section 5 of the Act, and his pay scale shall be fixed as per Recruitment Rules made by the Council in accordance with the pay scale as admissible to the State Government officers of the equivalent rank and status. (3) The term of office of the Secretary/Registrar shall be fixed by the Council at the time of appointment. He shall normally retire on attaining the age of 58 years (inconsonance with the State Government rule) unless otherwise determined by the Council provided that he may be granted extension of service beyond 58 years for a total period not exceeding two years. (4) The Registrar shall be the Executive officer of the Council. (5) He shall perform such duties as assigned to him under the Act and the Rules, and also as assigned by the President. He shall also be responsible for the safety of the property of the Council, the control and management of the office and for the accounts and correspondences. He shall see that the office staff attend punctually, and generally fulfill all such duties as may be required of him by the Council for the purposes of the Act. (6) The Registrar shall, not less than 90 days before the expiry of the terms of any members of the Council, draw the attention of the President to the approaching vacancy and the latter shall forthwith report it to the State Government so that a new member may be nominated or elected to fill the vacancy from the date on which the vacancy occurred. (7) The Central Civil Service (conduct) Rules, 1964 and Central Civil Service (classification, control and Appeal) Rules 1965 as adapted and applied by the State Government from time to time shall mutatis mutandis apply to the Registrar of the Council.

STAFF 19. (1) Till such time regular employees are appointed, the Council shall engage/ appoint suitable number of ministerial as well as lower grade staff on contract basis or ad-hoc basis or on any other suitable term and conditions. (2) The Central Civil services (conduct) Rules and Central Civil Service (classification, control and Appeal) Rules shall mutatis mutandis apply to all employees of the Council. (3) The duties and responsibilities of the staff shall be such as may be laid down from time to time in the standing orders as may be framed for the purposes by the Council. (4) Subject to the approval of the President, the Registrar shall appoint the clerical and lower grade staff from time to time and pay a reasonable rate of remuneration to such personnel, provided it does not exceed the rate sanctioned by the State Government for corresponding permanent staff. These appointments shall be subject to ratification by the Council.

PART - IV 3 Powers and duties of Secretary and term of office

20. Subject to the control of the Council, the President, Vice-president and the Secretary Management of shall have full powers and authority to do all such acts and deeds in respect of the property, property of the Council which may be necessary or expedient to do so for the purpose of finance and the Council and spend money there from, and in particular and without prejudice to the Accounts• generality of this provision.

21. (1) The Bankers of the Council shall be the local branch of any Nationalized Bank of India. All Funds of the Council shall be paid into the Council's account with that Bank and shall be withdrawn by means of Cheques signed by the Registrar or in other words the Registrar is the Drawing and Disbursing Officer. The Cheque books shall remain in the personal custody of the Registrar or with the concerned Assistant. (2) The Registrar shall have power to sanction expenditure on miscellaneous item of contingent nature up to an amount not exceeding 50,000 (Rupees fifty thousand) only at a time and not exceeding (Rupees five lakhs) only in a year. Expenditure in excess of the amount shall require the sanction of the President. (3) A permanent advance of 25,000 shall be made to the Registrar. (4) The following account registers of the Council shall be maintained :- 17. 18. 1. 2. 3. 4. 5. 6. 7. 8

9. The Arunachal Pradesh Extraordinary Gazette, June 2, 2015 3 Scaling and Upon the completion of the counting and after the result has been declared the Returning custody of Officer shall seal up the voting papers and all other documents relating to the election election and shall retain the same for a period of six months and thereafter, on obtaining permission papers.from the State Government

the same may be destroyed. Result of The Returning Officer shall intimate the name of the persons so elected to the State election. Government who shall take steps to publish names of the elected persons in the Official Gazette. Indra Mallo, IAS Secretary (Health & Family Welfare), Government of Arunachal Pradesh, Itanagar. FO M-.—1 (See rule 7 ofTheArunachal Pradesh In ian Medicine Council Election)

Rules, 2015 Arunachal Pradesh ndian Medicine Council Name of the Candidate Father's Name / Spouse Name Age Sex Qualification in Indian Medicine Registration No. in the State Register of Indian Medicine Address (Residential) Signature of the Proposer Registration number of Proposer in the State Register of Indian Medicine 10. Signature of Seconder 11. Registration number of Seconder in the State Register of

Indian Medicine DEC TION BY THE CANDIDATE I hereby declare that I have agreed to this nomination. This nomination paper was receiv d by me at . on the date. Signature of the Candidate with date . Hour Returning Officer 4 The Arunachal Pradesh Extraordinary Gazette, June 2, 2015

INSTRUCTIONS (1) Nomination papers which are not received by the Returning Officer before . .(Hour) on the shall be rejected. Date (2) The names of the proposer and seconder as they appear in the State Register of Indian Medicine and their registered qualifications shall be clearly written below their respective signature.



FORM—II (See rule 12(iv) of The Arunachal Pradesh Indian Medicine Council Election) Rules, 2015 VOTING PAPER Serial No. ..(in words* member (s) is/are to be elected under section 4 of the Arunachal Pradesh Indian Medicine Council Act. 2013 (Act No. 1 of 2014) Sl. No. Name and address of candidates duly nominated INSTRUCTIONS Vote Returning Officer 1. 2. 3. 4. (a) (b) (c) (d) Each elector has number of votes as the number of members to be elected. Each elector shall give only one vote to any one candidate. He shall vote by placing the Mark 'X' opposite the name of the candidate/ candidates to whom he/she wishes to vote. The Voting paper shall be invalid if- It does not bear the Returning Officer's initials or facsimile signature ; or The voter signs his name or writes any word or makes any mark on it, by which it becomes recognizable as his voting paper; or No vote is recorded thereon ; or The number of votes recorded thereon exceeds the number of seats to be filled; or There is uncertainty of the vote exercised. • Number in words The Arunachal Pradesh Extraordinary Gazette, June 2, 2015 FORM—III 5 (See rule 12(iv)) of The Arunachal Pradesh Indian Medicine Council Election) Rules, 2015 DECLARATION PAPER Election to the Arunachal Pradesh Indian Medicine Council under section 4 of the Arunachal Pradesh Indian Medicine Council Act, 2013 (Act No.1 of 2014) Serial No Elector's Name Number on the State Register of Indian Medicine ELECTOR'S DECLARATIONS (Name in full and designation if any) declare that I am elector for the election to Arunachal Pradesh Indian Medicine Council by the electorate under section 4 of the Act and that I have signed no other voting paper at this election. Station Date. Signature . FORM—IV (See rule 12(iv)) of The Arunachal Pradesh Indian Medicine Council Election) Rules, 2015 Letter of intimation Sir/Madam, The persons, whose names are printed on the voting paper sent herewith, have been duly nominated as candidates for the election to the Arunachal Pradesh Indian Medicine Council. Should you desire to vote at the election, I request that you shall - (b) (c) (d) Fill up and sign the declaration paper; Mark your vote/ votes in the column provided for the purpose in the voting paper as directed on the voting paper ; Enclose the voting paper in the smaller cover (hereafter called the voting paper cover) and stick it up ; and Enclose the smaller cover and the declaration paper in outer envelope addressed to the undersigned and return the same to the undersigned by post or deliver it in person in the office of the undersigned so as to reach undersigned not later than year 4:00 p.m on the of 6 2. 3. 4. 5

6. The Arunachal Pradesh Extraordinary Gazette, June 2, 2015 The voting paper cover shall be rejected if- (b) (c) (d) (O The outer envelope enclosing the voting paper cover is not sent by post or delivered in person in the office of the undersigned or is received later than the day and hour fixed for the closing of the poll; or The outer envelope contains no declaration paper outside the voting paper cover ; or The declaration paper is not the one sent by the Returning Officer to the voter ; or The declaration paper is not signed by the elector ; or The voting paper is placed outside the voting paper cover ; or More than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope ; or A voting paper shall be invalid, if ; It does not bear the Returning Officer's initials or facsimile signature ; or (ii) The voter signs his name, or writes word or makes an mark by which it becomes recognizable as his voting paper ; or (iii) No vote is recorded thereon ; or W) The number of votes recorded thereon exceeds the number of seats to be filled ; or (v) There is uncertainty of the vote exercised.If a voter inadvertently spoils a voting paper, he can return it, not later than seven days before the date appointed for the poll, to the Returning Officer who shall, if satisfied of such inadvertence, issue to him another voting paper. The scrutiny and counting of votes shall begin on at . (Hour) at ..(date) (place). No person shall be present at the time of scrutiny and counting of votes except the Returning Officer, such Officer / person as he may appoint to assist him and the candidate or their duly representatives duly intimated to the Returning officer prior to scrutiny of counting of votes. Published and printed by Directorate of Printing, Naharlagun.242/2015-DoP-250+DHS-80-6-2015.