

CHHATTISGARH CHIKITSA MANDAL ADHINIYAM, 2001

18 2001 CHHATTISGARH BILL (No. 70 of 2001) .4THIE CHHATTISGARH CHIKITSA• MANDAL ADHINIYAM, 2001 bill to provide for the establishment of a Chikitsa Mandal in the State to regulate In Modern Medicine and Surgery Education, and the practice by Practitioner in Medicine and Surgery Practitioners. 11 enacted by the Chhattisgarh Vidhan Sabha is the Fifty Fourth year of the republic of India

CHAPTER-I PRELIMINARY (1) This Act may be called the Chhattisgarh Chikitsa Mandal Adhiniyam, 2001. ' (2) It extends to the whole of Chhattisgarh. (3) It shall come into force on such date as the date as the State Government may, by notification appoint, and different dates may be appointed for different areas. In this Act, unless the context otherwise requires, means die Chhattisgarh Chikitsa Mandal under section 3, Register" means a register maintained under this Act and expression "Registered" and "Registration" shall be construed accordingly. (c) "Medicine" means modern medicine in all its branches and includes surgery and obstetrics, but does not include veterinary medicine and surgery. (d) "Recognized qualification" means any of the qualifications specified in the schedule. (e) "Registered Practitioner" means any person enrolled on the State Register under the provisions of this Act, (f) "Regulation" means a regulation made under section 32. (g) "Practitioner in Modern Medicine and Surgery" means a person who has been granted the certificate of Practitioner in Modern Medicine and Surgery. and who practices medicine.

CHAPTER-11 ESTABLISHMENT AND CONSTITUTION OF THE CHHATTISGARH CHIKITSA MANDAL (1) State Government shall, as soon as may be establish by notification, the Chhattisgarh Chikitsa Mandal from such date as may specified therein. (2) The Mandal shall be a body corporate by the name of the Chhattisgarh Chikitsa Mandal, and shall have perpetual succession and a common seal with power to acquire and hold, _ property both moveable and immoveable and subject to the provisions of this Act, to transfer any property held by it, and to contract. and do all other things necessary for the purposes of its continuation, and may sue and be sued in its corporate name. (1) The Mandal shall consist of the following members, namely :— . (J) Five members elected from amongst them selves by persons enrolled on the State Register. Provided that in case of the constitution of the Mandal for the first time after the commencements of this Act the members under this category shall be nominated by State Government, and such nominees may not be enrolled on the State Register. Short title, extent and or the Constitution or the 198 (16) IS 2001 (ii) Five members to be nominated by the State Government as follows (a) One representative on the Indian Medical Association, Chhattisgarh State Branch out of a Panel of five persons to be proposed by the State Branch of the said association. (b) One member from amongst the members of the Medical Faculties of the Universities in the State. (c) Two members from amongst the members of Chhattisgarh Government Health Service holding Group A post out of whom one shall be a lady doctor. (d) A Dean of one of the Medical Colleges of the State. (iii) Director Health Services Chhattisgarh. (iv) Director Indian Systems of Medicine Homeopathy, Chhattisgarh. S. 7. 8. (2) The name of every person elected or nominated shall be published in the official Gazette, and members shall enter and shall for the purposes of their term be deemed to have entered upon their respective offices with effect from the date of such publication. A person shall not be qualified for being nominated or elected as a member of the Mandal, if :— (a) He is not a citizen of India; or (b) He is an undischarged insolvent; or (c) He is of unsound mind and stands so declared by a competent court; or (d) He has been sentenced for an offence involving moral turpitude; or (e) He is an employee of the Mandal. and is remunerated by salary or honorarium; or (f) His name has been removed from State Register. () Otherwise provided in this Act. All elected and nominated members shall hold office for a of five years unless they are re-elected to their office as provided in sub-section (2) of section 4. Provided that the members nominated under proviso to clause (i) of sub-section (I) of section 4 shall hold office till the elected members have entered their offices, and the members so elected shall continue to be in office for the un-expired term of nominated members under clauses (ii) of sub section (I) of section 4. (2) Notwithstanding the expiration of the term specified under sub-section (I) the outgoing member shall continue in office till the nomination or election, as the case may be, of his nominated or elected member of the Mandal may resign from his office in such manner as may be prescribed by the regulations. (1) If any member other than ex-officio member of the Mandal during the period of his (a) absents himself from three consecutive meeting of the Mandal without permission of the Mandal; or (b) is absent out of India

for a period exceeding twelve consecutive months; or (c) becomes subject to any of the disqualifications specified in section 5; or (d) ceases to be registered practitioner under any Act for the time being in force. The Mandal shall declare his office as vacant; Provided that no declaration shall be made under this subsection unless a reasonable opportunity of being heard is given to the member concerned.

Disqualification for Membership.—Termination of Membership.—Resignation of Member.—Nominated or Elected Member.—Disabilities for continuing as Member or the Mandal 18 2001 198 (17) of equal President and Vice-President of the Mandal Business be per Rules. 9. 11. 12. (2) Any member aggrieved by a declaration under subsection (1) may prefer an appeal to the State Government within ninety days from the date of such declaration. and the decision of the State Government thereon shall be final. If a nominated or elected member of the Mandal dies or resigns. or for any Other reason whatever ceases to be a member, the vacancy, shall be filled, as soon as may be, by nomination, or election, as the case may be, and the person so nominated or elected shall hold office for the un-expired term of this predecessor. (i) The Director Health Services, Chhattisgarh shall be ex-officio President of the Mandal. (ii) The Dean of Government Medical College nominated by the Government as member of the Mandal shall be the Vice-President of the Mandal. (iii) The President and Vice-President shall subject to the provisions of this Act. exercise such powers and perform such duties as may be prescribed by this Act, or regulations there Business of the Mandal shall be conducted as prescribed by Rules.

CHAPTER-III POWERS AND FUNCTIONS OF THE MANDAL (1) Subject to the provisions of this Act and the Rules made there under, the Mandal shall exercise powers perform such functions as may be necessary for carrying out the purposes of this Act. (2) In particular, and without prejudice to the generality of the foregoing provision, the powers, and functions of the Mandal shall include :— (a) to maintain the State Register of Registered Practitioners; (b) to hear and decide appeals from the decisions of the Secretary in such manner as may be prescribed by regulations; (c) to prescribe by regulations a code of ethics for regulating the professional conduct of Registered Practitioners; (d) to reprimand a Registered Practitioner, to suspend or remove the name from the State Register, or to take such other disciplinary action against him, as may, in the opinion of the Mandal, be necessary expedient; (e) to permit any member to absent himself from the meetings of the board; (f) to promote innovations, research and development; and to formulate schemes for promoting Practitioner in Modern Medicine and Surgery education. (g) to lay down norms and standards for courses, curricula, facilities for instruction, training, assessment and examinations for Practitioner in Modern Medicine and Surgery; (h) to fix norms and guidelines for charging tuition fees for Practitioner in Modern Medicine and Surgery; (i) to advise the State Government in respect of grant of recognition to any Practitioner in Modern Medicine and Surgery School; (j) to provide guidelines for admission of students to Practitioner in Modern Medicine and Surgery schools; (k) to inspect or cause to be inspected any Practitioner in Modern Medicine and Surgery. School; (l) to conduct the examinations of Practitioner in Modern Medicine and Surgery Course; (m) to conduct the election of members under clause (i) of subsection (1) of section 4; (n) to perform such other functions as may be prescribed by Rules. 198 (18) Minimum Standards Of Practitioner in Modern Medicine and Surgery Practitioner in Modern 13. 14. 18 2001

CHAPTER-IV PRACTITIONER IN MODERN MEDICINE AND SURGERY SCHOOLS AND THEIR RECOGNITION. Mandal may prescribe the minimum standards of Medical Practitioner in Modern Medicine and Surgery Education required for the granting of a recognized qualification by practitioner in Modern Medicine and Surgery Schools in Chhattisgarh. (1) Notwithstanding anything contained in this Act or any other law for the time being in (a) "dish a in Modern Medicine and Surgery School; (b) no in Modern Medicine and Surgery School shall (i) open a new higher course of study or training which would enable a student of such course or training to qualify himself for the award of any recognized qualification; or (ii) increase its admission capacity in any course of study or training; except with the previous permission of the State Government obtained in accordance with the provisions of this Act. Explanation purposes of this section, includes any University or a trust does State Government. of election capacity" in to any in a in Medicine and School, means the maximum number of students that may be fixed by Mandal from time to time for being admitted to such course or training. (2) (a) Every person or Practitioner in Modern Medicine and Surgery School shall for the purposes Of obtaining permission under sub section (1), submit to the State Government a scheme in accordance with the provisions of clause (b), and the State Government shall refer the scheme to the Mandal for its recommendations. (b) scheme referred in (a) shall be in such form and contain such particulars in such manner and be accompanied with such fee

as may be prescribed. (3) On receipt of scheme by the Mandal the Mandal may obtain such particulars as may be considered necessary by it from the person or the Practitioner in Modern Medicine and Surgery School concerned, and thereafter it may. (a) if the scheme is defective and does not contain any necessary particulars, give a reasonable opportunity to the person or Practitioner in Modern Medicine and Surgery School concerned for making a written representation and it shall be open to such person or Practitioner in Modern Medicine and Surgery School to rectify the defects if any, specified by the Mandal. (b) consider the scheme, having regard to the factors referred to in sub-section (5), and submit the scheme together with its recommendations thereon to the State Government. (4) The State Government may after considering the scheme and the recommendations of the Mandal under sub-section (3) and after obtaining, where necessary such other particulars as may be considered necessary by it from the person or Practitioner in Modern Medicine and Surgery School concerned and having regard to the factors mentioned in sub-section (5), either approve (with such conditions if any as may be considered necessary) or disapprove the scheme, and any such approval shall be a permission under sub-section (1) (5) "The Mandal while making its recommendations under clause (b) of sub-section (3) and the State Government while passing an order, either approving or disapproving the scheme under sub-section (4), shall have due regard to the following factors, namely :— (a) Whether the proposed Practitioner in Modern Medicine and Surgery School, or the existing Practitioner in Modern Medicine and Surgery School, seeking to open a new or higher course of study or training, would be in a position to offer the minimum standards of Practitioner in Modern Medicine and Surgery education as prescribed by the Mandal. (b) Whether the person seeking to establish a Practitioner in Modern Medicine and Surgery School or the existing Practitioner in Modern Medicine and Surgery School seeking to open a new or higher course of study or training or to increase its admission capacity has adequate financial resources. (c) Whether necessary facilities in respect of staff, equipment, accommodation, training and other facilities to ensure proper functioning of Practitioner in modern Medicine and Surgery School or conducting of the new course of study or training or accommodating the increased admission capacity, have been provided or would be within the time limit specified in the scheme. (d) Whether the facilities having regard to the number of students likely to be enrolled in Modern Medicine and Surgery School or course of study or training as a result increased has been provided or would be provided within the time limit specified in the scheme. (e) Whether any arrangement has been made or programme drawn to impart proper training to students likely to attend such Practitioner in Modern Medicine and Surgery School on course of study or training, by persons as prescribed by the Mandal. (f) the requirement of manpower in the field of practice of Practitioner in Modern Medicine and Surgery. (g) any other factors as may be prescribed. (6) Where the State Government passed an order either approving or disapproving a scheme under this section, a copy of the order shall be communicated to the person or Practitioner in Modern Medicine and Surgery School concerned. (7) Where any Practitioner in Modern Medicine and Surgery School is established except with the previous permission of the State Government in accordance with the provisions of section 14 no qualification granted to any student of such a Practitioner in Modern Medicine and Surgery School shall be a recognized qualification for the purposes of this Act. (2) Where any Practitioner in Modern Medicine and Surgery School opens a new or higher course of study or training except with the previous permission of the State Government in accordance with the provisions of section 14 no qualification granted to any student of such Practitioner in Modern Medicine and Surgery, on the basis of such study or training shall be a recognized qualification for the purposes of this Act. (3) Where any Practitioner in Modern Medicine and Surgery School increases its admission capacity in any course of study or training except with the previous permission of the State Government in accordance with the provisions of section 14 no qualification granted to any student of such Practitioner in Modern Medicine and Surgery School on the basis of 198 (19) Non recognition or qualification in certain cases. 198 (20) Powers in respect of and Officers and 16. 17. 18. 19. 18 2001 the increase in its admission capacity shall be recognized qualification for the purposes of this Act. Explanation—For the purposes of this section, the criteria for identifying a student who has been granted a qualification on the basis of such increase in the admission capacity shall be such as may be prescribed. Every person or Practitioner in Modern Medicine and Surgery School which grants a recognized qualification shall furnish such information to the Mandal as Mandal may from time to time cause to be furnished in the Mandal and Schools to be deemed (1) When upon report of inspections or otherwise it appears to the Mandal (a) that the courses of study and examinations undergone in any Practitioner in Modern

Medicine and Surgery School, (b) that the staff, equipment, accommodation, training, and other facilities for instructions and training provided in such Practitioner in Modern Medicine and Surgery do confirm standards prescribed by Mandal. Mandal may make a representation to the State Government may end such representation Surgery School, with an intimation of the Modern Medicine School may submit. (3) On receipt of explanation, where no such explanation is received within the period fixed, State Government after making such further inquiry as it may think fit, may by notification in the official gazette, direct that an entry be made in the schedule against the said qualification declaring that the said qualification is granted to the students of a specified Practitioner in Modern Medicine and Surgery School shall be a recognized qualification only when granted before a specified date or as the case may be the said qualification is a qualification in relation to a specified Practitioner in Modern School only granted to a specified CHAYIER.

SECRETARY AND OTHER OFFICERS AND SERVANTS (1) Mandal shall with the prior approval of the State Government appoint a Secretary. (2) It may, employ such other officers, and servants as it may deem necessary for carrying out the provisions of this Act. (3) The qualifications, conditions of service and pay scales of the Secretary and other officers and servants of the Mandal shall be such as the Mandal may determine by regulations. (4) Secretary or any officer or servant appointed by the Mandal under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal code, 1860 (No. 45 of 1860).

20. 21. 22. 23. 18 2001 (1) It shall be the duty of the Secretary to keep the State Register in accordance with the provisions of this Act, and any order made by the Mandal, and to revise it from time to time in such manner as may be prescribed by regulations, to publish in the official gazette and to discharge such other functions as are or may be required to be discharged by him under this Act and the Rules, and Regulations made thereunder. (2) The Secretary shall see that the State Register is as far as possible correct at all times and may from time to time enter therein any material alteration in the address or qualifications of Registered Practitioners. (3) The Secretary may remove from the State Register the name of Registered Practitioner who dies, or whose name is directed to be removed from the State Register, or who ceases to be a Practitioner in Modern Medicine and Surgery Practitioner. (4) On receipt of intimation from the Practitioner if the Mandal is satisfied that the Practitioner has not ceased to practice then the Mandal may direct the Secretary to restore the name of such practitioner in the State Register and the Secretary shall comply with such direction.

CHAPTER-VI FUND OF THE MANDAL (1) The Mandal shall establish a fund to be called the fund of the Mandal. (2) The following shall form part of, be paid into fund of the Mandal : (a) any contribution grant by the Central State Government, (b) income of the Mandal from all sources including income from fees and fine, (c) trust, donation, endowment, and other grants, if any, (d) all other sums received by the Mandal. The fund of the Mandal may be utilized for the following purposes, namely; (a) the repayment of debts incurred by the Mandal for the purposes of this Act and the Rules, and Regulations made thereunder, (b) the expenses of any suit or legal proceeding to which Mandal is a party, (c) the payment of salaries and allowances to the officers and servants of the Mandal, (d) the payment of allowances to the office bearers of the Mandal, (e) the payment of any expenses incurred by the Mandal in carrying out the provisions of this Act and the Rules, and Regulations made thereunder, (f) any other expenses incurred for the promotion and development of Medical Practitioner in Modern Medicine and Surgery education, research, and training declared by the Mandal to be in general interest of the Medical Practitioner in Modern Medicine and Surgery profession. (i) The accounts of the Mandal shall be prepared before such date and at such intervals, and in such manner as may be prescribed. (2) The accounts of the Board shall be audited by a Chartered Accountant. The audit fees of the Chartered Accountant shall be fixed by the Mandal from time to time as per their regulations. (3) As soon as the accounts of the Mandal are audited, the Mandal shall send copy thereof together with a report of the Director Health Services thereon, to the State Government in such manner as may be prescribed.

198 (21) Fund of the Mandal. Purposes for which the Fund of the Mandal may be utilized. Accounts and Audit. **198 (22) to Register.** **24. 25. 26. 27. 18 2001** (1) The Secretary shall cause to be prepared, in such form as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure and shall lay it before the Mandal at such time and in such manner as may be prescribed. (2) Within 15 days from the meeting in which the budget is passed, it shall be forwarded to the State Government. (3) If State Government is of the opinion that the provisions of the budget so forwarded are not in conformity with the budget submitted by the Mandal (4) The Mandal may, if necessary, from one head to another and within such heads. (5) The Mandal shall as and when required, pass a

supplementary budget in such form and by such date as may be prescribed and the provisions of sub-section (2), (3), and (4) apply swh supplementary budget- CHAPTER-VII REGISTRATION AND STATE REGISTER (1) caug be in deprecrised mantEr a register of Pretitioo« in Suga-y to be known Register. wto any of in with m" by Mmdal from to time revise ttE regiser and publish in ttE official gazette, in such manner as may be prescribed. (3) State Register shall be deemed to be a public document within the meaning of the Indian Evidare Act, 1872 and may be proved by a copy published in the official gazette. (4) Every person possessing a recognized qualification shall eligible for enrollment on the State Register on furnishing to the Secretary the proof of such qualification and on pay- ment of swh fees as may be prescribed. nay from Sectr.gy by «der, entry in. ttr removal from RegiMer ttE nune any person has been sentenced by a criminal court to imprisontnent for an offence indicating in the opinion of the Mandal such a defect in character as would render the enrollment or con- tinuance of his name in the State Register undesirable; or (b) Whom the Mandal after reasonable inquiry has found guilty of infamous conduct in any professional respect by a majority of two thirds of members present and voting at the meeting. Provi&d that no order shall passed under this giving a reasonable opprotu- nity of being IEard to the person concerned. (i) The Mandalmay after giving the person concerned a reasonableopportunity ofbeing heard inquiring into his objections, if any, order that any entry in the State Register which in the opinion of the Mandal has been incorrectly of fraudulently been made or brought about, be cancelled or amended. 1, 28. 29. 30. 31. q-32. 18 2001 (2) The Mandal may direct removal for ever, or for a specified period from the State Register the name of any Registered Practitiongr for the same reason for which registration may be prohibited by the Mandal under section 26. For the purposes of any inquiry under the provisions of this Act; the Mandal or any committee appointed by the Mandal shall be deemed to be a court within the meaning of the Indian Evi- dence Act, 1872 (No. I of 1872), and the Code of Civil Procedure 1908 (No. 5 of 1908) and shall exercise all powers of a commissioner appointed under the public servants (inquiries) Act, 1850 (No. 37 of 1850) and such inquiries shall be conducted, as far as may be in accordance with the provisions of section 5 and section 8 to 20 of public servants (inquiries) Act, 1850 (No. 37 of 1850). Any person (l) Whose application for enrollment in the State Register has been rejected; or (2) Whose entry in the State Register has been prohibited under section 26; or (3) Whose name has been removed from the State Register; May within ninety days of the order rejecting. prohibiting, or removal, as the case may be, appeal to the State Governmeng and the decision of the State Government thereon shall be final. (1) No person whose name is nen enrolled on tlr State Register shall practice or hold himself. out, directly as practicing habitually for personal gain as a Practiti- orrr in Modern Medicine Survy within (2) Any of sub-section (l) shall be punistEd with imm-is«nmeot wiuc:h may extend 6 monds fire to five thousand rupees with CHAPTER-VIII RULES AND REGULATIONS (I) The State Government may make Rules to carry out the purposes of this Act. (2) All Rules made under this Act shall be laid on the table of the Vidhan Sabha. (I) Mmdal may with rrevious sanction of tir State Governrnet and subject to Rules un&r section 31 make Regulations. generally to cary out ttr purposes of this Act, and prejudice to generality of foregoing power, such Regulation may pro- vide fcy (a) lthe management of the property of the Mandal and the maintenance and audit of its account; (b) 'The manner of election of five menibers from Registered Practitioners under clause (i) of sub-section (I) of section 4. (c) The powers and duties of the President. and Vice-President: (d) lthe mode of appointment of committees, the summoning and holding of meetings and the conduct of business of such committees; (e) The travelling and other allowances payable to the members of the Mandal; (O manner of hearing and deciding appeals against the decision Of Secretary; (g) "The Code of ethics for regulating the professional conduct of Registered Practitioners; (h) qualifications, the conditions Of service, and pay of the Secretary, and other officers, and servants of the Mandal; (i) The form of State Register; (j) manner the revision of the State Register. 198 (23) Procedure in inquire Appeal against order or the Mandal. Prohibiti«• Ot prac- tice except as pro- the Act. Power to make Power to make Regu- 198 (24) Pek' to Sy 33. 35. 36. 37. 18 2001 (k) Manner of admissions to Practitioner in Modern Medicine and Surgery Schools in the State; (l) Manner in wfiiich examination will be conducted in the Practitioner in Modern Medicine and Surgery course. (m) Any other matter for which under diis Act provision may be made by Regulations. (2) Ille Stae Government, on peceiving Regulations for sanction may sanction them. subject to such modifications as it may think fit Ok return them to the Mandal for reconsideration. (4) my Reguiüim. CHAVTER-IX MISCELLANEOUS Any person who (a) dishonestly makes use of any certificate of Registration granted under this Act; or (b) Vocures attempts procure under

the provisions of this Act by making, producing or causing to be made any false fraudulent declaration, certificate whether in writing or otherwise; (c) Willfully makes any false representation in matter relating to the registration issued Act; be with which may be with the Secretary or any other officer authorized by the Mandal in its behalf general or special order. (2) No court inferior to that of a Magistrate of the first class shall try any Offence punishable under this Act. The State Government may by notification the Schedule. If at any time it appears the State Government that the Mandal has failed to exercise, or has exceeded or abused any powers conferred upon it by under this Act; has failed to perform any of the duties imposed upon it by or under this Act. the State Government may, if it considers such failure, excess or abuse, to be of a serious character, notify the particulars thereof to requiring it to remedy such failure, excess or abuse within the period in the notice, and if the Mandal fails to remedy such failure, excess or abuse within the period specified in notice, the State Government may dissolve the Mandal and cause all or any of the powers and duties of the Mandal to be exercised by such person and for such period not exceeding two years as it may think fit, and shall take steps to bring into existence a new Mandal. 198 (25) 1. 2. 18 2001 SCHEDULE [See under Section 2 (d)] Practitioner in Modern Medicine and Surgery

STATEMENT OF OBJECTIVES AND REASONS There is a great need of providing medical facilities in the remote areas of Chhattisgarh. There is a great paucity of qualified doctors in the state. As a result of this people in remote areas are not able to get proper medical care. As a result of this many unqualified persons have started practicing medicine in remote areas. Doctors with MBBS degree do not want to work in remote areas. For this reason there is a great need to start a course in Medicine and Surgery, which can provide doctors for rural areas. This can be done only by starting a three years course in Medicine and Surgery. It was therefore considered necessary to constitute a Chikitsa Mandal to regulate the education, and practice of Practitioner in Modern Medicine and Surgery, and this bill is brought for this purpose. Hence this bill. Raipur : Member-in-Charge. 23 2007 CHHATTISGARH Act (No. 9 of 2007) THE CHHATTISGARH CHIKITSA MANDAL (SANSKODHAN) Act, 2007 An Act further to amend the Adhiniyam, 2001 (No. 7 of 2001). Be it enacted by the Chhattisgarh Legislature in the Fifty-eighth Year of the Republic as follows (1) (2) "This Act may be called the Chhattisgarh Chikitsa Mandal (Sanskodhan) Adhiniyam, 2007. It shall come into force of its in Gazette. 478 (3) tkk Ce- 2. 2

3. In Section 2 of the Chhattisgarh Chikitsa Mandal Adhiniyam, 2001 (No.7 of 2001) (hereinafter referred to as the Principal Act), — clause (c), the following clause shall be substituted, namely "(C) "Medicine" means, Modern Holistic Medicine all its In the Principal Act and its Schedule wherever words "Practitioner in Alternative Medicine" occur, they shall be substituted by the words "Practitioner in Modern Medicine and Surgery". 18 28, 1923 3fr 18 2001 2001) 197 198 1. 2. 3. 4. s. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 18 2001 2001 qruz. 4 198(1) 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 18 2001 37E77Tq-5 qfra 7 3V-qrq—8 toot LOOZ 81 (z) 861 18 2001 198 (3) 4. 7. (ii) (71) (0 fifi. (iii) (2) •rait. (1) (ii) 3iTf7 itq 'lua E —h.IY•E COOZ •6 (v) 861 Eh—z 2â kkk.&.K Lih (S) 861 198 (6) 18 2001 qifilAi (5) •vii 04. (Z) fz*T (v) fig t.i@â (2) 14 18 2001 (3) 14 fivffa t. • 1860, (1860 45) 21 198 (7) 198 (8) 20. 21. 22. 23. 2001 gtq füftd (0) f&rq i, (2) 3ÄTü-z 3FiT&âZ (6) 861 Qb-A4h lhlh #2PJ 1? (Q) O) ZL8L (f) L-•hl.mye (S) SL 2E.h (Z) COOZ 81 198 (10) 27. 28. 29. 31. 32. 18 2001 (2) 26 3i77fa t qfqfd 1872 0872 Tiffin 1908 (q. 5) (•ti) 1850 (1850 37) 1850 (1850 37) 5 8 20 (2) 26 90 V<fü (2) (1) 6 5000 3qUtrq-8 (1) fiqq t. (1) 31 (u)) (i) fiatFFt. (M xiz« vO, (q) fifi 32 34 36 37 i. (1 l) 861 'Eke (i) 100t u 198 (12) 18 2001 t *Fit zrvit. mit. 3trt 2. Clauses t 18 2001 CHHATTISGARH BILL (No. 7 of 2001) THE CHHATTISGARH CHIKITSA MANDAL VIDHEYAK, 2001 TABLE OF CONTENTS CHAPTER-I PRELIMINARY 198 (13) 2, 4. 5. 6. 7, 11, 14, 19, 21. 22, 24, Short title, extent and commencement. Definition. CHAPTER-II ESTABLISHMENT AND CONSTITUTION OF THE CHHATTISGARH CHIKITSA MANDAL Establishment of Mandal. Constitution of Mandal. Disqualification from membership. Term of office of nominated and elected members of Mandal. Resignation by nominated or elected member. Disabilities for continuing as member of Mandal. Filling of casual vacancy. President and Vice-president of Mandal. Conduct of business to be as Rules. POWERS AND FUNCTIONS OF BOARD Powers and functions of Board. CHAPTER-IV PRACTITIONER IN MODERN MEDICINE AND SURGERY SCHOOLS AND RECOGNITION Minimum standards of Practitioner in Modern Medicine and Surgery Education. Permission for establishment of new Practitioner in Modern Medicine and Surgery

Schools, new courses of study etc. , Non recognition of qualifications in certain cases. Power to require information. Inspection of Practitioner in Modern Medicine and Surgery Schools. Withdrawal of recognition. CHAVIER-V SECRETARY AND OTHER OFFICERS AND SERVANTS Secretary and other officers and servants of Board. Duties of Secretary. CHAPTER-VI FUND OF MANDAL Fund Of Mandal. Purposes for which the fund of the Mandal may be utilized. Accounts and Audit. Budget. 198 (14) Clauses : 18 2001 CHAYTER-VII REGISTRATION AND STATE REGISTER 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36

31. Registration and State Register.Power of Board to prohibit entry in, or to order removal from. State Register name of any person. Alteration of State Register. Procedure in inquiries. Appeal against order of Mandal. Prohibition on practice except as provided in this Act. cg•m-vtn ANDs.emULATIONS Power to make rules. Power to make regulations. CHAYIER-IX MESCELLANEOUS Penalty for distynest ug of certificate. Congnizance of offence. Information to be furnished by Mandal. Pow« to s&duk. Courol Sue Gov«gnrat. as 2. 3. 4. 18 2001 CHHXITISGARH BILL (No. 70f 2001) to provide for the establishment of a Chikitsa Mandal in the State to regulate In Modern Medicine and Surgery Education, and the practice by Practitioner in Medlcine and Surgery Practitioners. 11 enacted by the Chhattisgarh Vidhan Sabha is the Fifty Fourth year of the republic of India CHATTER-I PRELIMINARY This Act may be called the Chhattisgarh Chikitsa Mandal Adhiniyam, 2001. extends to the whole of Chhattisgarh. It shall come into force on such date as the date as the State Government may, by notifi- cation appoint, and different dates may be appointed for different areas. rn this Act. unless the cohtext otherwise requires, , , (a) "Mandal" means the Chhattisgarh Chikitsa Mandal under section 3, (b)"State Register" means a register maintained under this Act and expression "Registered" and "Registration" shall be construed accordingly. (c) "Medicine" means modern medicine in all its branches and includes surgery and Obstetrics, but does not. include veterinary medicine and surgery. (d)"Recognized qualification- means any of the qualifications specified in the schedule, (e) "Registered Practitioner" means any person enrolled on the State Register under the provi- sions of this Act. (f) "Regulation" rmeans a regulation made under section 32. (g) "Practitioner in Modern Medicine and Surgery" means a person who has been granted the certificate of Practitioner in Modern Medicine and Surgery, and who practices medicine. CHATTER-11 ESTABLISHMENT AND CONSTITUTION OF THE CHHATTISGARH CHIKITSA MANDAL State Government shall. as soon as maybe establish by notification. the Chhattisgarh Chikitsa Mandal from such date as may be specified therein. The Mandal shall be a body corporate by the name of the Chhattisgarh Chikitsa Mandal, and shall have perpetual succession and a common seal with power to acquire and hold. • property both moveable and immoveable and subject to the provisions of this Act. to transfer any property held by it, and to contract, and do all other things necessary for the E. purposes of its continuation. and may sue and be sued in its corporate name. Mandal shall consist Of the following members. namely Five members elected from amongst them selves by persons enrolled on the State Register. rtovided that in case of the constitution of the Mandal for the first time after the , : . emmencements of this Act the members under this category shall be nominated by State Government, and such nominees may not be enrolled on the State Register. 198 Short title. extent and Commencement. Establishment the Constitution of the Mandat. 198 (16) 18 2001 (ii) Fave members to be nominated by the State Government as follows (a) One representative on the Indian Medical Association. Chhattisgarh State Branch out of a five persons to be proposed by the State Branch of the said association. (b) One member from amongst the members of the Medical Faculties of the Universities in the State. (c) Two members from amongst the members of Chhattisgarh Government Health Service holding Group A post out of whom one shall be a lady doctor. (d) A Dean of one of the Medical Colleges of the State. (iii) Director Health Services Chhattisgarh. (iv)urectoc Indian Systems of Medicine. arül Homeopathy. Chhattisgarfr 5. 7. 8. (2) The name of every person elected or nominated be published in the official Gazette. and members shall enter and shall for the purposes of their term be deemed to have ente- red upon their respective offices with effect from the date of such publication. A person shall not be qualified for being nominated or elected as a member of the Mandal. if (a) He is not a citiz.cn of India; or (b) He is an undischarged insolvent; or (c) He is of unsound mind and stands so declared by a competent court; or (d) He has been sentenced for an offence involving moral turpitude; or (e) He is an employee of Mandal. and is by or honoraum; or (f) His nattr has been removed from the Register. (I) Save as odrrv* in this Act. all electai and nominated members shall hold office for a of five yegs frcyn ttr date ttEir office as pcovi&d in sub- seciion (2) of 4. Provided that the

members nominated under proviso to clause (i) of sub-section (I) of section 4 shall hold office till the elected members have entered their offices, and the members so elected shall continue to be in office for the un-expired term of nominated members under clauses (ii) of sub section (t) of section 4. (2) Notwithstanding the expiration of the term specified under sub-section (I) the outgoing member shall continue in office till nomination or election. as the case may be, of his nominated or elected Marxial may at any tirtE resign from his office in such manner as may be ryescribed by ttr regulations. (I) If any member other than ex-officio member of the Mandal during the period of his office:— (a) absents himself from three consecutive ineeting of the Mandal without permission of the Mandal; or (b) is absent out of India for a period exceeding twelve consecutive months; or (c) becomes subject to any of the disqualifications specified in section 5; or (d) ceases to be registered practitioner under any Act for the time being in force. The Mandal shall declare his office as vacant; Provided that no declaration shall be made under this sub-section unless a reasonable oppor- tunity of being heard is given to the member concerned. Disqualification t Membership. Ekctea by N«ni- n•ted or Elected D"abilities ror eon. tinuing as Member or Mandal. 18 2001 198 (17) ot •od Vice. Ot the M •od•l, Ot nosiness be per Rule. 9. 11. (2) Any member aggrieved by a declaration under sub-section (I) may prefer an appeal to the State Government within ninety days from the date of such declaration, and the decision of the State Go.vgrnment thereon shall be final. If a nominated or elected member Of the Mandal dies or resigns. or for any other reason whatever ceases to be a member. the vacancy. shall be filled, as soon as may be. by nomination. or election. as the case may be. and the person so nominated or elected shall hold office for the un-expired term of this predecessor. (i) Director Health Services, Chhattisgarh shall be ex-officio President of the Mandal. (ii) The Dean of Government Medical College nominated by the Government ms member of the Mandal shall be the Vice-President of the Mandal. (iii) President and Vice-President shall subject to the provisions of this Act. exercise such powers and perform such duties as may be prescribed by this Act. or regulations there Business of the Mandal shall be conducted as prescribed by Rules. CHAPTER-III POWERS AND FUNCTIONS OF THE MANDAL (I) Subject to the rvovisions of this Act and Rules made there under. the Mandal shall exercise such powers and terf«m such functions as may be necessary for carrying out the mrmposes of this Act. (2)In pxticutz. and without ryejtxfice to the generality ofthe fcregoing provision, tte powers. and functions of the Mandal shall include (a) to maintain the State Register of Registered Practitioners; (b) to hear and decide appeals from the decisions of the Secretary in such manner as may be prescribed by regulations: (c) to prescribe by regulations a code of ethics for regulating the professional conduct of Registered Practitioners; (d) to reprimand a Registered Practitioner, to suspend or remove the name from the State Register, or to take such other disciplinary action against him. as may. in the opinion of the Mandal. be necessary expedient; (e) to permit any member to absent himself from the meetings of the board; (f) to prtÄnote innovations, research and development: and to formulate schemes for pro- rnoting Practitioner in Modern Medicine and Surgery education. (g) to lay down norms and standards for courses. curricula. facilities for instruction. trai- ning. assessment and examinations for Practitioner in Modem Medicine and Surgery: (h) to fix norms and guidelines for charging tuition fees for Practitioner in Modern Medi- Cine and Surgery: (i) to advise the State Government in respect of grant of recognition to any Practitioner in Modern Medicine and Surgery School; (j) to provide guidelines for admission of students to Practitioner in Modem Medicine and Surgery schools; (k) to inspect or cause to be inspected any Practitioner in Modern Medicine and Surgery. School; (l) to conduct the examinations of Practitioner in Modem Medicine and Surgery Course: (m) to conduct the election of members underclause (i) of sub-section (I) of section 4; (n) to perform such other functions as may be prescribed by Rules. 198 (18) Minimum or Practitioner in Modern Medicine Surgery —tab• Prac• tititioner in Uedern Nev 13. 14. •susso.v 18 2001 CHAPTER-IV PRACrITIONER IN MODERN MEDICINE AND SURGERY SCHOOLS AND THEIR RECOGNITION. Mandal may prescribe the minimum standards Of Medical Practitioner in Modern Medicine and Surgery Education required for the granting of a recongnii.ed qualification by Practitioner in Modern Medicine and Surgery Schools in Chhattisgarh. (I) Notwithstanding any thing contained in this Act or any other law for the time being in (a) a Pt&tittiooer in Modern Medicine and Surgery School: (b) no in Modern and Surgery School shall • (i) open a new higher course of study or training which would enable a student of such course or training to qualify himself for the award of any recognized qualifi- cation; or (ii) increaE its admission capacity in any course of study or training; except with the previous permission of the'State Government obtained in

accordance with the provisions of this Act. Explanation I—For the purposes of this section "person" includes any University or a trust or the State Government. 2—For the purposes of this section "admission capacity" in relation to any Practitioner in Modern Medicine and Surgery School, means the maximum number of students that may be fixed by the Mandal from time to time for being admitted to such course or training. (2) (a) Every person or Practitioner in Modern Medicine and Surgery School shall for the purposes of obtaining permission under sub-section (1) submit to the State Government a scheme in accordance with the provisions of clause (a) and the State Government shall refer the scheme to the Mandal for its recommendations. (b) the scheme referred in clause (a) shall be in such form and contain such particulars and be accompanied with such fee as may be prescribed. (3) On receipt of scheme by the Mandal the Mandal may obtain such other particulars as may be considered necessary by it from the person or the Practitioner in Modern Medicine and Surgery School concerned, and thereafter it may. (a) if the scheme is defective and does not contain any necessary particulars, give a reasonable opportunity to the person or Practitioner in Modern Medicine and Surgery School concerned for making a written representation and it shall be open to such person or Practitioner in Modern Medicine and Surgery School to rectify the defects if any, specified by the Mandal. (b) consider the scheme, having regard to the factors referred to in sub-section (4) and submit the scheme together with its recommendations thereon to the State Government. §.9- 15. 18 2001 (4) The State Government may after considering the scheme and the recommendations of the Mandal under sub-section (3) and after obtaining, where necessary such other particulars as may be considered necessary by it from the person or Practitioner in Modern Medicine and Surgery School concerned and having regard to the factors mentioned in sub-section (5), either approve (with such conditions if any as may be considered necessary) or disapprove the scheme, and any such approval shall be a permission under sub-section (1) (5) The Mandal while making its recommendations under clause (b) of sub-section (3) and the State Government while passing an order, either approving or disapproving the scheme under sub-section (4), shall have due regard to the following factors, namely (a) Whether the proposed Practitioner in Modern Medicine and Surgery School, or the existing Practitioner in Modern Medicine and Surgery School, seeking to open a new or higher course of study or training, would be in a position to offer the minimum standards of Practitioner in Modern Medicine and Surgery education as prescribed by the Mandal. (b) Whether the person seeking to establish a Practitioner in Modern Medicine and Surgery School or the existing Practitioner in Modern Medicine and Surgery School seeking to open a new or higher course of study or training or to increase its admission capacity has adequate financial resources. (c) Whether necessary facilities in respect of staff, equipment, accommodation, training and other facilities to ensure proper functioning of Practitioner in modern Medicine and Surgery School or conducting of the new course of study or training or accommodating increased admission capacity, have been provided or would be within the time limit specified in the scheme. (d) hospital facilities having regard to number of students likely to such Practitioner in Modern Medicine and Surgery School course of study as a result of increased admission capacity has been provided or would be provided within the time limit specified in the scheme. any arrangement has been made or programme drawn to impart proper training to students likely to attend such Practitioner in Modern Medicine and Surgery School course of study or training, by persons as prescribed by the Mandal. (f) the requirement of manpower in the field of practice of Practitioner in Modern Medicine and Surgery. (g) any other factors as may be prescribed. (6) Where the State Government passed an order either approving or disapproving a scheme under this section, a copy of the order shall be communicated to the person or Practitioner in Modern Medicine and Surgery School concerned. (I) Where any Practitioner in Modern Medicine and Surgery School is established except with the previous permission of the State Government in accordance with the provisions of section 14 no qualification granted to any student of such a Practitioner in Modern Medicine and Surgery School shall be a recognized qualification for the purposes of this Act. (2) Where any Practitioner in Modern Medicine and Surgery School opens a new or higher course of study or training except with the previous permission of the State Government in accordance with the provisions of section 14 no qualification granted to any student of such Practitioner in Modern Medicine and Surgery, on the basis of such study or training shall be a recognized qualification for the purposes of this Act. (3) Where any Practitioner in Modern Medicine and Surgery School increases its admission capacity in any course of study or training except with the previous permission of the State Government in accordance with the provisions of section 14 no qualification granted to any student of such Practitioner in Modern Medicine and Surgery School on

the basis Of 198 (19) Non recognition or qualifica«• in certain 198 (20) Powers to in• M•4er• Secretgy Omcers 16. 17. 18. 19. 18 2001 the increase in its admission capacity shall be recognized qualification for the purposes of this Act. Explanation—For the purposes of this section. the criteria for identifying a student who has tRen granted a qualification on the basis of such increase in the admission capacity shall be such as rmay be prescribed. Every person or Practitioner in Modern Medicine and Surgery School which grants a recogni- zed qualificaüon shall furnish such information to the Mandal as Mandal may from time to tiaE requücem to fuouh. cause au PTEtiicx•er in Modern and Sargery Schools to be *•ten deemed rrcessary. (1) WIETl upon report of inspections or otherwise it appears to the Mandal (a) that the courses of study and exminations undergone in any Practitioner in Modern Medicine and Surgery School, (b) that the staff. equipment, EcomrnKxiation. training. and other facilities for instructions and training provided in such Practitioner in Modern Medicine and Surgery do not confirm to the standards prescribed by the Mandal. tir Mandal may make a represen- tOa to that effect to the State Governnrnt. coas#Ering tie State Government may send sudi rresentation Surgery Sct»ol. with an of wUhi.n Mo&ra Medicine S•xgery may sub- mit its explutui«n Stae Govauarat. (3) On receipt of the explanation, or where no such explanation is received within the period fixed, State Government after making such further inquiry as it may think fit, may by notification in die official gazette, direct that an entry be made in the schedule against the said qualification declaring that the said qualifi:ation if granted to the students of a cified Practitioner in Modern Medicine and Surgery School shall be a recognized quali- fication only when granted before a specified date or as the case may be the said qualifi- caüoa shau be a recognized qualification in relation to a specified Practitioner in Modern Medicine Surg«y School only wtE:n granted aft« a specified date. CHAYIER-V SECRETARY AND OTHER OFFICERS AND SERVANTS (1) Mandal shall with the approval of the State Government appoint a Secretary. (2) •me Mandal may. employ such other officers, and servants as it may deem necessary for carrying out the provisions of this-Act. (3) The qualifications. conditions of service and pay scales of the Secretary and other officers and servants of the Mandal shall be such as the Mandal may determine by regulations. (4) Ibe Secretary or any OtIEr officer or servant appointed by the Mandal under this section shall be deemed to bea public servant within the meaning of section 21 of the Indian Penal code. 1860 (No. 45 of 1860). 20. 21. 22. 23. 18 2001 (I) It shall be the duty of the Secretary to keep the State Register in accordance with tyr pro- visions of this Act, and any order madeby the Mandal. and to revise it from to time in such manner as may be prescribed by regulations, to publish in the officials gazette and to discharge such other functions as are or may be required to be discharged by him under this Act and the Rules, and Regulations made there under. (2) The Secretary shall see that the State Register is as far as possible correct at all times and may from time to time enter therein any material alteration in the address or qualifications of Registered Practitioners. (3) The Secretary may remove from the State Register the name of Registered Practitioner who dies, or whose name is directed to be removed from the State Register, or who ceases to be a Practitioner in Modern Medicine and Surgery Practitioner. (4) On receipt of intimation from the Practitioner if the Mandal iS satisfied that the Practi- tioner has not ceased to practice then the Mandal may direct the Secretary to restore the name of such practitioner in the State Register and the Secretary shall comply with such direction. CHAPTER-VI FUND OF THE MANDAL (I) The Mandal shall establish a fund to tr called the fund of tie Mandal. (2) Ibe following shall fcym part of. or be paid into tte fund of the Marxial (a) any contribution or grant by the Central State Governnrnt. • (b) income of tir Mandal from all sources including income from fees and fine, (c) trust, donation. endowment, and other grants, if any. (d) all other sums received by the Mandal. The fund of the Mandal may be utilized for the following purposes, namely; (a) the repayment of debts incurred by the Mandal for the purposes of this Act and the Rules. and Regulations made there under. (b) the expenses of any suit or legal proceeding to which Mandal is a party, (c) the payment of salaries and allowances to the officers and servants of the Mandal. (d) the payment of allowances to the office bearers of the Mandal, (e) the payment of any expenses incurred by the Mandal in carrying out the provisions of this Act and the Rules. and Regulations made thereunder, (f) any other expenses incurred for the promotion and developrnt of Medical Practitioner in Modern Medicine and Surgery education. research. and training; declared by the Mandal to be in general interest of the Medical Practitioner in Modem Medicine and Surgery pro- (i) The accounts of the Mandal shall be prepared before such date and at such intervals, and in such manner as may be prescribed. (2) The accounts of the Board shall be audited by a Chartered Accountant. The audit fees of the Chartered Accountant shall be fixed by

the Mandal from time to time as per their regulations. (3) As soon as the accounts of the Mandal are audited, the Mandal shall send a copy thereof together with a report of the Director Health Services thereon, to the State Government in such manner as may be prescribed. 198 (21) Purp«e for which the Fund of the Mandal may be utilized. Accounts and Audit. 198 (22) to removal trau, State Reg•t«. Reeber. 24. 25. 26. 27. 18 2001 (1) Secretary shall cause to be prepared, in such form as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure and shall caa it to be laid before the Mandal at such time and in such manner as may be (2) Within 15 days from the meeting in which ttE budget is passed, it shall be forwarded to the State Government. (3) If the State Government is Of the opinion that the provisions of the bikiget so forwarded it em-Bag out this-Actat return the budget Vinay suggested by *ate Gevo•ament. (4) be such amcNrns may necessary from one head to another and within such heads. (5) *Ibe Mandal shall as and when required, pass a supplementary budget in such form and by such date as may be prescribed and the provisions of sub-section (2). (3). and (4) sRaII apply to such supplementary budget CHAPTER-VII REGISTRATION AND srATE REGISTER () caug nu.intained ia deprescribed mantEr a register ofPrEtiUoer in and PSEti00ters to be ktx»wn as tie Sta• RegiAet. any of ru:ognized be keep State RegiAer ia ecu•daxe with tiE vai«ns of any by tbc Mandal to time revise the register and publish it in ttr official gazette, in such manner as may be prescribed. (3) State Register shall be deemed to be a public docurnent within the meaning of the Indian Evidence Act. 1872 and may be proved by a copy published in the official gazette. (4) Every person possessing a recognizzd qualification shall be eligible for enrollment on the State Register on furnishing to the Secretary the proof of such qualification and on pay- ment of such fees as may be prescribd may S«retary by tte entry in. the removal from the State Register the name of any person (A) has beca sentenced by a criminal ccnart to imprisonment for an offence indicating in the opinion ofthe Mandal such a defect in character as would render the enrollment or con- tinuance of his name in the State Register undesirable; or (b) Whom the Mandal after reasonable inquiry has found guilty of infamous conduct in any professional respect by a majority of two thirds of the members present and voting at the meeting. Provi&d that no order shall be passed under this section without giving a reasonable opprotu- nity of being beard to the person concerned. () Mandal-may after giving the person concerned a reasonable opportunity ofbeing heard and inquiring into his objections. if any. order that any entry in the State Register which in the opinion of the Mandal has been incorrectly of fraudulently been made or brought about, be cancelled or amended. 28. 29. 30. 31. Vt-32. 18 2001 (2) 'The Mandal may direct removal for ever, or for a specified period from the State Register the name of any Registered Practitioner for the same reason for which registration may prohibited by the Mandal under section 26. For the purposes of any inquiry under the provisions ofthis Act; the Mandal or any committee appointed by the Mandal shall be deemed to be a court within the meaning of the Indian Evi- dence Act, 1872 (No. I of 1872). and the Code of Civil Procedure 1908 (No. 5 of 1908) and shall exercise all powers Of a commissioner appointed under the public servants (inquiries) Act, 1850(No.37 of 1850)andsuch inquiries shall beconducted. as far asmay bein accordance with the provisions of section 5 and section 8 to 20 of public servants (inquiries) Act. 1850 (No. 37 of 1850). Any person (I) Whose application for enrollment in the State Register has tren rejected; or (2) Wtxyse entry in the State Register has been prohibited under section 26; or (3) Whose name has been removed from the State Register; May within ninety days of the order rejecting, prohibiting, or removal. as the case may be, appeal to the State Government and the decision of the State Government thereon shall be final. (1) No person whose name is not enrolled tir State Register shall practice or hold himself. wtEtirr directly indirectly as pra:ticing habitually for personal gain as a Prutiti- in Mo&rn Surgery within tte St*e. (2) Any contraveæes tie rx•ovisims sub-ection (I) shall be manistrd with which may 6 oc fire to five th«.asand rupees with CHAPTER-VIII RULES AND REGULATIONS (I) Ihe State Government may make Rules to carry out the purposes of this Act. (2) All Rules rnxle under this Act shall be laid on the table of the Vidhan Sabha. (I) MÄiaI may with ryevious sanction of tir State Governrrrt and subject to Rules under section 3 t make Regulations, generally to cary the purposes of this Act, and with(Nt prejudice to tfr generality of foregoing power. such Regulation may pro- fry (a) managernent of the property of the Mandal and the maintenance and audit of its (b) manner of election of five members from Registered Practitioners under clause (i) of sub-section (I) of section 4. (c) The Bywers and duties of the President. and Vice-President; (d) The mode of appointment of committees, the summoning and holding of meetings and the conduct of business of such committees; (e) travelling and other allowances payable to the

members of the Mandal; (f) The manner of hearing and deciding appeals against the decision of Secretary; (g) Code of ethics for regulating the professional conduct of Registered Practitioners; (h) The qualifications, the conditions of service, and pay of the Secretary, and other officers, and servants of the Mandal; (i) The form of the State Register; (j) The manner of the revision of the State Register. 198 (23) in Appeal against order the pro— tice except pro— Act. Power to make Power to make Regu• 198 (24) Penalty for dbh—C 33. 35. 36. 37. 18 2001 (k) Manner of admissions to Practitioner in Modern Medicine and Surgery Schools in the State; (l) Manner in which examination will be conducted in the Practitioner in Modern Medicine and Surgery course. (m) Any other matter for which under this Act provision may made by Regulations. (2) The State Government, on receiving Regulations for sanction may sanction them, subject to such modifications as it may think fit or return them to the Mandal for reconsideration. (3).-AU (4) any Regulation. CHAVIER-IX MISCELLANEOUS Any person who :— (a) dishonestly makes use of any certificate of Registration granted under this Act; or (b) procures or attempts to procure registration under the provisions of this Act by making, or producing or causing to be produced any false or fraudulent declaration, or certificate of representation whether in writing otherwise; (c) Willfully makes use to be any representation in any matter relating to the Act; or (d) which may be any year with the Act. (1) No shall take cognizance of an offence punishable under this Act, except upon a complaint in writing made by the Secretary or any other officer authorized by the Mandal in his behalf by general or special order. (2) No court inferior to that of a Magistrate of the first class shall try any Offence punishable under this Act. The Mandal shall cause to be made up of its minutes, abstracts of its accounts, and other as State may require. The State Government may by notification amend the Schedule. If at any time it appears to the State Government that the Mandal has failed to exercise, or has exceeded or abused any powers conferred upon it by or under this Act; or has failed to perform any of the duties imposed upon it by or under this Act, the State Government may, if it considers such failure, excess or abuse, to be of a serious character, notify the particulars thereof to the Mandal requiring it to remedy such failure, excess or abuse within the specified in the notice, and if the Mandal fails to remedy such failure, excess or abuse within the period specified in the notice, the State Government may dissolve the Mandal and cause all or any of the powers and duties of the Mandal to be exercised by such person and for such period not exceeding two years as it may think fit, and shall take steps to bring into existence a new Mandal. 2 I. 2. 18 2001 SCHEDULE [See under Section. 2 (d) I Practitioner in Modern Medicine and Surgery STATEMENT OF OBJECTIVES AND REASONS There is a great need of providing medical facilities in the remote areas of Chhattisgarh. There is a great paucity of qualified doctors in the state. As a result of this people in remote areas are not able to get proper medical care. As a result of this many unqualified persons have started practicing medicine in remote areas. Doctors with MBBS degree do not want to work in remote areas. For this reason there is a great need to start a course in Medicine and Surgery, which can provide doctors for rural areas. This can be done only by starting a three years course in Medicine and Surgery. It was therefore considered necessary to constitute a Chikitsa Mandal to regulate the education, and practice of Practitioner in Modern Medicine and Surgery. and this bill is brought for this purpose. Hence this bill. 198 (25) Raipur : Member—in-Charge- 2-22-2001. " 47 J 18, 1928 7 2007 2001) 32 ttn VRT(4) 13 150 t, 375 (a) 95 96 7 2007 zag) ggwr-q *m." 7 2007 21 348 (3) 07-02-2007 t. Rai} wr. 7th Fetyuzy 2007 NO. P exercise of powers conferred by sub-section (4) of Section 32 and Section 33. (No. of 2001), the State Government, hereby makes the following amendments to the Regulations to prescribe minimum standards of Practitioner in Alternative Medicine Schools (three years course) admitting 150 students annually. namely AMENDMENT In the said Regulations,— For Regulation 4, the following Regulation shall be substituted, namely "internship three years or more a twelve months rotating in Government Hospitals as follows (a) (b) (c) (d) One month in a Sub-Health Centre. Three months in a Primary Health Centre. Four months in a Community Health Centre. Four months in a District Hospital (one month each in Obstetrics Department, Paediatrics Department, Medicine Department and Surgery Department) The Chief Medical Officer of the district concerned, shall issue a certificate on the basis of those issued by the departments concerned after successful completion of the rotating internship." By order and in the name of the Governor of Chhattisgarh. B. L AGRAWAL Secretary. 23 2007 CHHATTISGARH Act (No.9 of 2007) THE CHHATTISGARH CHIKITSA MANDAL (SANSKODHAN) ACT, 2007 An Act further to amend the Chhattisgarh Chikitsa Mandal Adhiniyam, 2001 (No. 7 of 2001). Be it enacted by the Chhattisgarh Legislature in the Fifty-eighth Year of

the Republic of India. as follows 478 (3) (2) this Act may be called the Chhattisgarh Chikitsa Mandal (Sanskodhan) Adhiniyam, 2001. It shall into force from the date of its publication in the Official Gazette. 2

3. In Section 2 of the Chhattisgarh Chikitsa Mandal Adhiniyam, 2001 (No. 7 of 2001) (hereinafter referred to as the Principal Act) For clause (c), the following clause shall be substituted, namely "(C) "Medicine" means, Modern and Holistic Medicine and all its branches." In the Act and its Schedule *hema words "Practitioner in Alternative Medicine" occur, they shall substituted by the words "Practitioner in Modern Holistic Medicine". 114/-009/2003, 20-01-03. 'i Nd, 30-5-2001. " 228. | t. 23 2007—YTK 1, 1929 27 2007 181/214", 11-08-2007 478 (1) 478 (2) 2 1. 2. (1) (2) (aga, 23 2007 9 2007) 2007 2001 (TqtG 7 2001) 2001 7 (Qt 27 2007 2007 t. 348 (3) 2007 9 t. -ag-ü4

