

DENTISTS (COPE OF ETHICS) REGULATIONS, 1976

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(q) fi;q-r a, für Rfqfrz, frpa-i iüü li fir; 15 1973 (R) 'AtiFr LIT fh:qr Zi; Ttq FeR) VIE, citwr (?) æiä•racr f*TtFF fäqtT," (R) 'Afr>r fkFTfrF O: ä, fäftü 15 973 (R) Grt•q qr, ä«fiarfä-ëf fiTlü 'lit fiat ä qrft<T Q, *rif Ter fi;rü q-aGtp.Fff. ü, qrrülü. crftq•x iiiii. fä;ü - 4 fk.-rtZB 15 1973 O, Grä ft; Qqr fQüiV @ Fcmr IT(T.r. 5•iE.ni, ur fh fix ärqr fk7TieT {i RfrGrq, fi;ar (GI) qi* q r 4T q; RFii rete ctIV(..— F- rte.' 4 -a 24, .73) ALI 4. -2 23 3068 15 1973 OT) Q {i'r ft-ait "tr 'Rt.ibr qprifilil fi-piötr utr«r titr ft; Dét f.3ä qfkqa 0, ITFrr;r. fi; rar TV'S) (üö#r) ufä qir qqr cvatQ.-r (xrV4Rta e v,) (qrciT 15 1 973 IFT) (Brr R (r,-r, qv.'k) MADI IYA PRADESH Acer No, of 1973 PRADESH U)'CHARIKA, PRASAVIKA, SAHAI TATHA swÅSTI1IYA •REGISTRICARAN ADIINIYAM, 1972 OF CONTEN"IS Sections I, 2. Short title, extent and conuncncexncilt* Definitions. Incorporation of Nurscs Registtation Council. Cons t.i tion Council. and 'Of •tlic Council, l'residcnl rvlokke ot election. of ollice 01 V icc-President and Members ot Council. 15 1 973 v 6. (1) An under clauses (h), (i), (j) and (k) of suit. section (l) of sect ion shall bc conducted by the Ca'ouncü aud On) subsection (L) of an clccli0i1 nudct• clauses (g), (I) and sceLion 4 shall bc couduclcd by the .bodies rc[rrcd 1.1K.' vein in llic prescribed Inanner, (2) If an)' of I hc t)0dics rcrerrcd 10 in clauses (g), (t) and (111) or sub-section (l) of section docs not, by (latc as Inay bc prscribcd, CICC1 a person to bc a Ilteniber OE IHC Council, Slate Governmc.nt shall, by order in writing, appoint to (lit} vacancy a person qualified for cleclion lhercto; and the person so appaincd shall bc (lcclil('d to bc a mcncl>cr OE IHC CounGl as iK he had did)' clcctcd by the said body. (3) Whcre any dispute arises regarding any clcctio.n t.o the Conncil], it shall bc to lhc Stalc Government wiltkin such period .a.s litay bc prescribed aud the decision of tbc Slate Government shall bc final. 367-3 etcet.ion. 7. (IO The V icc-Prsidcllt shall hold oflice for a teun oi of onc calen ar year. Vice-President Mt:tlber\$ 01 (2) Every Ine.'lkher of the Council other [ban an cx-o[licio Council. Incrnber shall hot(l oflice ror a lcrlll of three years rrojn the (laic, his election 01' nonlination is notified in the Gazede nnder section (2) of section 4 : Provided (.hat. notwithstanding the expiry his i.CE'111, such Ille-ntljcr shall cont inue to hold oflice until the elect. ion or sc [cc- t'iÜn, as the case Inay bc, 01 his successor is duly nolificd the Gazette. 8. (l) An or lilcmber may al any Lilli? , Casual vacancies. resign his mncnll)crsllip by tenderjng his resignation in. w Yiting under his hand Io lhc President, and scat shall becotnc vacant. (2) An eicctc(i nonfinatcd Incnlber shall bc dccnlecl to have vacated his seat if.— (i) he is absent. without excuse sufficient in the opinion or the Council, fronu thrc consccntive orc.linary meet iug.s, of the Council ; or (ii) he is absent out Df India Tor a period excccding six C(ln.SC.C.Uf ive anonlhs ; or is rerul)vcd [roni {Lie Slate Regi51cr under) is nan 10 section 17. dispute or donl)t. arises wll('l (3) If any u I "ler su it: shall bc vacancy has occltrr by the Stalc Goverlunent arid its c.lccision shall bc final. the Council shall bc fi!led by ('lcc.. A casual in tion or nomination as lhc case may bc, aud the person elcc(.e.d nt)lnatcd to [ill hc vacancy shall Olli cc ror the uu- ex pired term of Ili.s predcci.'5.r,or. 3 15 1973 PRN)ESH ACT No. oc 1973 UPCIHAIUKA, PRASAVJKA, Til F, MADI IVA SA U A1 IA TATHA SWASTI PARIDARSUAK REGIS'TIUKARAN ADUINIYAM, 1972 Received Ibe assent lhc President on the 6th November 1973, aslent ('irsL IMaclhya Pr;nclsl Gazcttc•• (Extraordinary) da Led die publi'hcd in the 15th Nov clnber 1973'] Act to the laws rciaing to registration or Nurses, M Auxiliary Nu idwives Visitors in Bladbya l'radcstl and Lo prov;sion for (hc constitution or (he- Nu rses Registration Council for ILIC Sidle and ('or nvatters connctcd thercw;tll. Bc it cnacled by Ille Nfadhya Pvadcsll in (-1ze rrwenty-third Year of the RCIJub]ic Ok India as lollows;— I-PRELIMINARY (l) tl'his Act Inay bc called tlié Madhya l'radeslk Up. Short 1. chärika, Prasas•ika, Sahai Upcbarika.Prasavika r I 'allia and conunence-Suto•qhya Paridnr.shak •Registration Adhiniyatn, 1972

2. In this Act, unless the context otherwise requires,—(3) It shall come into force on such date as the State Government may, by notification, appoint

2. In this Act, unless the context otherwise requires,—(a) (b) (c) (d) 'Council' means the Madhya Pradesh Registration Council established under section 3; "Nurse" includes a male nurse; "recognised qualification" means any of the qualifications in the Schedule to the Indian Nursing Council Act, 1947 (No. 48 of 1947); registered means as defined under "State registration" section and expressions "registered" and "registration" shall be construed accordingly.

PART MADHYA PRADESH NURSES REGISTRATION COUNCIL (1) The State Government shall, as soon as may be, by a notification, constitute a Nurses Registration Council with the following objects to be specified therein:—

(2) The Council shall be a body corporate by the name of the Madhya Pradesh Nurses Registration Council, having perpetual succession and a common seal with power to acquire and hold property, movable and immovable, and to do all such other things as may be necessary for the purposes of its constitution and may sue or be sued in its corporate name.

Registra- 2-7 Composition of Council in the Madhya Pradesh. (1) The Council shall consist of the following members, namely:— (a) The Director of Health, Madhya Pradesh; (b) Two Superintendents of Hospitals approved and recognised by the Council under section 21, nominated by the State Government; (c) The Assistant Director of Health Services (Nursing) and in the event of the said office being vacant, the Superintendent, Nursing Services; (d) The Principal, College of Nursing, Indore; (e) Two Matrons from Medical College Hospitals nominated by the State Government; (f) Two Sister tutors of Schools or Nursing Institutions in Madhya Pradesh nominated by the State Government; (g) One nurse elected by the Madhya Pradesh Branch of the Indian Nurses Association among registered nurses residing in Madhya Pradesh; (h) Three nurses elected by registered nurses other than those who are members of the Madhya Pradesh Board of Registered Nurses Association from amongst themselves; (i) One midwife elected by registered midwives from amongst themselves; (j) One auxiliary nurse-midwife elected by registered auxiliary nurse-midwives from amongst themselves; (k) One health visitor elected by registered health visitors from amongst themselves; (l) One member elected by the Madhya Pradesh Branch of the Red Cross Society from its members residing in Madhya Pradesh; (m) One member elected by Madhya Pradesh Branch of the Red Cross Society from amongst its members: Provided that no person shall at the same time serve as a member in more than one capacity. (2) The name of every person elected or nominated under sub-section (1) shall be notified in the Gazette of India. (3) The Director of Health Services, Madhya Pradesh shall be ex-officio President of the Council. He shall be elected by (2) and the Vice-President of the Council shall be elected by the Council from amongst its members. (4) Any of the bodies referred to in clauses (g), (l) and (m) or sub-section (1) of an election under clauses (g), (l) conducted by the bodies referred to in sub-section (1) shall in the prescribed manner. (5) Any of the bodies referred to in clauses (g), (l) and (m) or sub-section (1) of section 4 shall, by such date as be prescribed, a person to be a member of the Council, the State Government shall, by order in writing, appoint to the vacancy a person qualified for election thereto; and the person so appointed shall be deemed to be a member of the Council if he had been elected by the said body. (6) Where any dispute arises regarding any election to the Council it shall be referred to the State Government. Council, such provision as may be prescribed and the decision of the State Government thereon shall be final. 7. (1) The Vice-President shall hold office for a term of one year and his successors shall be elected by the Council. (2) Every member of the Council other than the President shall hold office for a term of three years, the date, his election or nomination is notified in the Gazette under sub-section (1) of section 4: Provided that notwithstanding the expiry of his term, a member shall continue to hold office until his election or re-election, as the case may be, or his successor is duly notified in the Gazette. (3) (1) An elected or nominated member may at any time, resign his membership, by tendering his resignation in writing to the President, and his resignation shall be deemed to be accepted if— (i) he is absent without leave sufficient in the opinion of the Council, for three consecutive meetings, or Council; or (ii) he is absent out of India for a period exceeding six consecutive months; or is removed from the State Registration under section 17. dispute or doubt, arises whether a vacancy has occurred under sub-section (2), it shall be decided by the State Government. Its decision shall be

final. the Council shall tion or notnua tion. as the case may be, and the persnn fill t lie varaucy shall hold oiiiiee for the un- ex pired term of h is 3674 Leave or absenca Rlqqa, fänitil' 15 1973 ' l'he Council Inay perniit any ntctube.)' Lo ali.scent fronl the meclings of the Council for any period not excceding to INQInbors. six nionths. Meetings of the 10. (l) 'l'he Council shall Inect at least oncc in each year Council. Yacancy not to tnvnldate pro- ceedlngs. Qto. Payment ot at sucti time •and place as Inay be appointed by the Council. all ;u-L5 of the Council shali bc. decided by l'he Ina iority of the ntenflyers presnt and voting. In the case of an cqoa}ity of votes, Lhe pel presiding shall have a casting vole

11. No act of the Council shall be invalid Ittet•el)' by rea.son (a) any vacancy in, or dcÉcct in the constitution of IIC Council ; or (t) any defect in the cleclion 01' nozninal.ion of a person acting as a member thercoÉ ; or (c) any irregularity in its progcdure not aflceling the merits of the case

12. There shall be paid Io President, Vice-President allowances to Pre- ant.l ntembers of Lhe Council, such allowanccs for a Itcndin'r stdetll. Vice-Presi. nucclings as the Council may, by rcgnlations, dc•tertninc. dent and men)' bers o! Council, Registrar and other officers. •PART III—REGISTRATION 13. (1) The Conncil shall appoint a Rcgi5t t•ar who .ghall also act as Secretary of the Council (2) The Council shall appoint a Treasnrer who shall excr- cisc gencral control over the -funds of Lhe Council : l'rovi(lcet that pending the appoint n of r l'ccascu•e-r. Registrar may, if so rcquired by Ilic Council. act as Treasurer for a period thot e.xcccding onc year. (3) The Council tnay cm ploy such olher persons as it clecn•n necessary to carry out the purposc.s the Act. V (l) The qualifications, the conditions of appointül('tl! alid service and scale of pay as rc.gpec.ts (hc Regi.slar surc.r be such as ntay be pvcscribe.d and as yrspect.s the other crnplnycc.s shall be such as t.hc Council tn.ty, willi the sanct ian ot tl!C State Government (ict.crtnili(.•. (5) The Council shall rcqnire antl take Troni the Regist rare rct• 01' Ironl any o cur ployce such securi ty l'cn• the (luc. perrormance of his ties as the Council nccc.ss;ll v. (G) The Regi5frar.)yccs ap- the Treasu rer and 0111 (r I loin: by the Council l'his .gcc.Eion hr to he scrvaut.s q'it 11 in the sncanin;• •sect 21 l'he • Indian 1800 (45 of 1800). 3682 Repeat. 15 1 973 (e) all records and papers betongiug fo (hc Board referred to in clause (a) shan vcs! 111 and be transferred to l'he Council eslab[i.shcd under scctton 3

36. As from IIC dale specified for {lie.eslablishtnelll of l'he Coatcil under sub-section (i) of section 3, l'he Central Provinces and Berar Nurses Registration Acq 193G (No. 23 'd lid the Madhya Pradesh Sia (a [ory Bodies of 1936) Cuns(ilitation) Act, 1956 (No. 17 of 195b) in far as it relates to (be said Act, the Madhya Bharat Dais Registra- Act, 1953 (ND. 22 of 1953), and the Madhya 'l ral Nurses, Midwives and Health Visitors Registration Aci, 1955 (No. 2 of 1955), shall stand repealed. arcr R7fizr—1973. (b) 1 5 1 973 EIIC tvlüflhya sElall Bharat Dais Registra lion Boar d *laud dissolved ail assels liabiljlies the Councils/ referred IJ in clause (a) 511 a 11 a lid be decilled Io be the asscl.s belt) ng IQ liabilities of the Council established aud under section 3 363 L 9 (c) all such registered nurses, ntidwives, auxiliary nurse.midwives, health visitors and dais regis- tered under any oi the ACIS. rpealed under sec.lion 36 and possessing recognised (Ill;ltilicâ. (ions the cotnjnencejncnt of this Act, shall be deened to be enrolled as registered nu rse, wife, auxiliary .nurse-midwtfe kea III' as IIC ease inay bc, in the Stale Register tilis Act; (d) all mnployees belonging to dr under [he. control of (Ile Councils/Board referred Io in clause (a) itiJ11iedately before the date aforesaid shall bc decitted Io be l'he of the Council esti- blished under seetioil 3 and shall, Illitil ollicr provision is Illade in accordance wilh l'he provi- sit)11S ot Illis Act, receive salary and allowances and be Subject to conditions oi service Io wllicb they were erlljl led or subject imutcdialely herore such date: Providccf [hat il shali be c.01npelenf 10 l'he selii('él (o the previous sanction or IIC Sl;.lle. fillie}ll. [O discontinue service oi ctnptoyee, who in its opinion is 1101 It) the vucli canp!oyec stich noi to he given by the ternifi (If Ilis enillloy- alid every such eluployee shall bc enli{ let; Io such leave, pension, providcjl fund iLiil' ns he wt)llid have been enlilled Io t.l'ke receive on being inva lidatedcl 0111 or service as ii IIC. Council (Board the etnploy of which was had not ecased to exist. [lla(l'he lei'ilfs O} Provided such etnployee do not contain any such requite.- he shall. if he has pot itt III* dil ycat'ls con(inllous service in {he Council/ Board be entit ted to recover from l'he Council esta under c:ction 3 by way or a Sl.tfl equal Io hfs exisling pay and allowances for one month; 3680 Information to be furnished by Council and pub- l!cation thereof. Power to flanke 15 J 9? 3' 32. The Council' shalt urnish sacli reports, copies .33 carry out the purposes of this Act. this section shall be laid (2) All filles made Lin the table of the Asscnql)l'•. The Council Illa v. 34. witli [hc previous aclion Power to Make Sta (-ioverfllilient and subject Io les Eiiarle regulation. section 33, purposes of for— (a) (b) (c) (e) Ina ke regu \ a

Under this Act, this power, such regulations may provide the manner of the properly of the Council and the maintenance and its of accounts the summoning and holding of meetings or the Council, the times and places where such meetings are to be held, the mode of business thereat the resignation of members of the Council the powers and duties of the mode of appointment and conduct of committees the tenure of office, powers and duties and other conditions of registration and other or the Council ; to ensure the establishment of Council under section 3. (g) the particulars to be stated, for registration (h) the form in which State register maintained (i) any rule for which under this Act provision may be made by rule 35. As from the date specified for the establishment of the Council in the notification under sub-section section 3, the following shall be applicable : (a) the Maharashtra Nurses Registration Council, the Biachya Bharal Nurses, established in 1973 for causes to be made any law or rule or order or regulation or order or regulation issued under the provisions of this Act ; , on conviction, he punished with fine which extend to Rs. 250 for first offence and for any subsequent offence with fine which may extend to Rs. 500 or with imprisonment for a term which may extend to six months or with both. Any person not being a registered nurse, midwife, auxiliary nurse-midwife or health visitor, takes or uses the name or title of registered nurse, midwife, auxiliary nurse-midwife or health visitor or uses any name, title, description, prescribed for the object of sign-board with the intention that it be believed or with the effect that it is likely to be believed that such person is a registered nurse, midwife, auxiliary nurse-midwife or health visitor shall, on conviction, be punished with fine which extend to Rs. 100 for the first offence and for any subsequent offence with fine which may extend to Rs. 200 simple imprisonment for a term which may extend to three months or with both. (1) No court shall take cognizance of an offence under this Act, upon complaint in writing by the Registrar or any other officer authorised by the Council in this behalf by general or special (2) No court inferior to that of a District Court shall try any offence punishable under this Act

30. No prosecution or other legal proceeding shall lie against the State Government, the Council or any committee thereof, or any member or servant of the Government or the Council [or any thing which is in good faith done or intended to be done under this Act. If at any time it appears to the State Government that the Council has failed to exercise or has exceeded or abused any of its powers conferred upon by or under this Act, or has failed to perform any of the duties conferred 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, cause the Council to be dissolved and may cause to be conferred upon it any of the powers and duties of the Council (" ") and may exercise and by person and for such period not exceeding two years as it may think fit and shall take steps to bring into existence a new Council. Penalty for a person who is a registered midwife, auxiliary or health visitor, who contravenes the provisions of sub-section (3) shall, on conviction, be liable to be punished with fine which may extend to Rs. 500. (5) Where a person contravening the provisions of sub-section (3) is a company or other body corporate or an association of persons (whether incorporated or not), every person who at the time of the offence was a director, manager, secretary, agent or other officer or person concerned with the management of the company or other body or association, unless he proves that the offence was committed without his knowledge or consent, shall be deemed to be guilty of such offence

25. Any person aggrieved by the refusal of the Council to approve and recognise any institution as competent to train nurses, midwives, health visitors, auxiliary nurses, midwives, health visitors may appeal, within three months from the date of such refusal, to the State Government, and the decision of the State Government, on any such appeal, shall be final

PART V—MISCELLANEOUS 26. Every Registrar of Births and Deaths shall, if he is notified of the death of any person who he knows to be or has reason to believe is a registered midwife, shall forthwith transmit to the Council a certificate or registration of such death signed by him and stating the time and place of death, and the name of such person shall be recorded in the register

27. Any person who—(a) dishonestly makes use of a certificate of registration issued under the provisions of this Act to himself or to any other person; procures or attempts to procure registration under the provisions of this Act by himself or procuring or causing to be made good use of any false or fraudulent statement, certificate or representation in writing or otherwise; or 3677.9 15 1973 P. c. ovi (ted lita l.) be specified in the certificate, for a further period not exceeding three months. (3) On an application made by a person such as a midwife, a health visitor or a nurse, before the expiry of the period specified in the certificate, shall incorporate the name of the applicant in the list. (4) The provisions of section 20 shall apply to any order passed by the Council under sub-section (3) as if it were section 15 or 17. (5) The person whose name is included in the list shall be entitled to the privileges of a registered person specified in section 20. (6) He shall, as soon as may be, after the expiry of the period specified in sub-section (2) or such other period as may be extended thereunder, (7) in the list of persons prepared under sub-section 15 shall be included and the publication of such list shall be conclusive evidence of the eligibility of the person included therein to practice as a nurse, midwife, auxiliary nurse as the case may be, midwife, health visitor or pursuance of the provisions of this section. (8) Save as provided in this Act, no person shall directly or indirectly or hold himself out, shall practise or practice except as indirectly as practising habitually or for personal gain as provided in the a nurse, midwife, auxiliary nurse-midwife, health visitor or Act. (9) within the State. who contravenes (2) Any provision of section 20 shall be punishable with fine which may extend to rupees five hundred

PART IV--TRAINING INSTITUTIONS (1) The institutions which have been approved and Training Institutions- 24, recognised by IIC Council after inspection by its representatives. (2) The Council may withdraw recognition from any such institution after its inspection by a representative of the Council. The order of such withdrawal shall be in writing and shall be served in the prescribed manner. Provided that no action shall be taken without giving an opportunity to the authorities in charge of the institution before being heard. A Joint Order of State Executive Council. Procedure In enquiry. Appeal against the decision of council. Departmental. Maintenance of persons in practice. other Enquiries." e) Report for those or deemed to be enrolled on Statutory Register. 15 1973 Council be held in camera by majority of two-thirds and voting at the request of any member of the Council in any professional respect. it considers it so to do, and 18. (1) The Council may and enquire and give due notice to the person concerned his objections, if any, order Registrar to show cause why he should not be removed or have been removed or brought about, be cancelled or amended. If the Council may direct removal altogether, a specified period the State. Registrar or the Director, under any registered nurse, auxiliary or visitor for the same reasons for which registration may be given by the Council under section 17. If the Council think that any person employed in (2) shall be subject to such conditions, if any, which the Council may impose. 19. part of any enquiry under section 17, the Council may also inquire into any matter within its powers, under section 33 shall be done. It is the duty of the Indian Evidence Act, 1872 ((1872), and shall exercise all the powers under the Public Servants (Inquiries) Act. 1850 (37 of 1850), and so enquiries shall be conducted in accordance with the provisions of section 5 of the said Public Servants (Inquiries) Act 1850 (\$7 of 1850). It is the duty of the State Government. (1) An appeal against every decision of the Council under section 15 or section 17 and the decision of the State Government shall be preferred in any appeal under sub-section (1) (2) within three months from the date of the decision by the person concerned of a copy of such decision.

21. All fines real.sed undev this Act. and received by (.1LC Council untler lhi.s Act \$11 ali be applied purposes of (his Act or .tlu rtilcs or. regulations lhercundc.r. (l) The Council shall c&ansc t.o be prepared 22. persons practising a5 n tn•sc, [c, aux ilia ry hea It li visit nr or dai in the Slate inuncdialclv tic ('orc l) nt.lcr .Gllb.sc.ct;on (I) or see-lion (hereina rt i ion referred to as the "specified dale") as re eligible rot' tion under (hc Act or are (Iceiltcd bc left nn (he State Register under clause (c) or .sm-•tion .85. (2) Any practitioner falling (Tcsirou.s get. ting lli.s o incnrpn ill Ill c to (herein. .sllal snhnait in together M'itlt lhc prcscl•ibcd fec 1(.) six l,uontlrs fron) the spccified (late : 1973 3675 (L) 'The C0LI"cil shall cause to be maintained in {lke prescribed ntanner a register of— (i) Nurses, (ii) Midwives, (iii) Auxilary Nurse-Midwives, 'and (iv) IJcalth Visitors, resident in Madhya Pradc.sll who are eligible for enrolment under

section [5 (o be known as State Register. (2) It shall be the duty of the Registrar of the Council to keep the State Register in accordance with the provision of this Act and of any Orders made by the Council* and from time to time to revise the register* in the prescribed manner and publish it in the Gazette. (3) Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (1 of 1872) and may be proved by a copy published in the Gazette

15. Every person possessing recognised qualification shall be eligible for enrolment on the State register on furnishing be registered and to the Registrar proof of such qualification and on payment of registration fee. Such fee as may be prescribed and different fee may be prescribed for different persons mentioned in section 14B. (1) Subject to the conditions and restrictions laid down in this Act regarding as nurse, midwife, auxiliary registered medical officer, health visitor by person possessing certain recognised qualifications, every person whose name is for the time being borne on the State Register shall be entitled, according to his qualifications to practice in the State as a case may be, and recover in due course of law in respect of such practice any to which he may be entitled. (2) No person other than a registered nurse, midwife, auxiliary nurse or health visitor shall be appointed as health visitor, midwife, auxiliary nurse or health visitor in any hospital, asylum, infirmary, dispensary, maternity or child welfare centre or any other medical public health upon reference from the Registrar. Power of Council otherwise for the removal or the removal from the State Register of any person— or (3) direct (5) who has been sentenced by a Criminal Court to removal for an offence committed in the State Register. The Council may direct as respects the enrolment or conduct, character, conduct or fitness of any person in the register undesirable; in which case the Council may direct as respects the removal of any person from the register.