

The Punjab Nurses Registration Council (Reconstitution and Reorganisation) Order, 1971

HARYANA

India

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Rule

THE-PUNJAB-NURSES-REGISTRATION-COUNCIL-RECONSTITUTION- of 1971

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The Punjab Nurses Registration Council (Reconstitution and Reorganisation) Order, 1971 Published vide Notification S.O. 1741, Government of India Extraordinary dated 21.4.1971 Part 2, Page 1980

1. Short title and commencement.

(1) This order may be called the Punjab Nurses Registration Council (Reconstitution and Reorganisation) Order, 1971. (2) It shall come into force on the 1st day of May, 1971.

2. Definitions.

(1) In this Order, unless the context otherwise requires, -(a) "Act" means the Punjab Nurses Registration Act, 1932 (Punjab Act 1 of 1932); (b) "appointed day" means the date of commencement of this Order; (c) "existing Council" means the Punjab Nurses Registration Council constituted under the Act and functioning and operating immediately before the appointed day in the State of Punjab as it existed immediately before the 1st day of November, 1966; (d) "Haryana Council" means that Haryana Nurses Registration Council constituted under the Act, as from the appointed day, for the State of Haryana; (e) "Punjab Council" means the Punjab Nurses Registration Council constituted under the Act, as from the appointed day, for the State of Punjab; (f) "successor Council" in relation to the existing Council means the Punjab Council, the Haryana Council or the Government of Himachal Pradesh functioning as the Council in relation to the transferred territory, and the Administrator of the Union Territory of Chandigarh functioning as the Council under the Act in relation to that Union Territory; (g) "transferred territory" means the territory forming part of the

State of Himachal Pradesh by virtue of section 5 of the Punjab Reorganisation Act, 1966 (31 of 1966), read with section 3 of the State of Himachal Pradesh Act, 1970 (53 of 1970)(2)All other words and expressions used herein but not defined in this Order shall have the meanings assigned to them in the Act.

3. Dissolution of the existing Council and constitution of separate Nurses Registration Councils for the States of Punjab and Haryana.

- As from the appointed day, -(a)the existing Council shall stand dissolved and the members thereof shall vacate their offices;(b)the Government of Punjab shall constitute a Nurses Registration Council for the State of Punjab in the manner, specified in clause (2) of section 3A of the Act;(c)the Government of Haryana shall constitute a Nurses Registration Council for the State of Haryana in the manner specified in clause (3) of section 3A of the of the Act;(d)the members of the Nurses Registration Council constituted under clause (b) or clause (c) shall, notwithstanding anything contained in section 4 of the Act , hold office for a period of five years from the appointed day or until such time as the said Council is duly constituted under section 3 of the Act, whichever is earlier; and(e)the Vice-President of each of the Nurses Registration Councils constituted for the transferred territory and the Union Territory of Chandigarh (sic) contained in sub-section (2) of section 8 of the Act, be nominated from amongst the members of the Nurses Registration Council by the Government of the State for which the said Council has been constituted.

4. Powers of Nurses Registration Council in the transferred territory and the Union Territory of Chandigarh to be exercised by the Government of Himachal Pradesh and the Administrator of Chandigarh respectively.

- Until such time as a Nurses Registration Council is duly constituted under section 3 of the Act for the transferred territory and the Union Territory of Chandigarh, the Government of Himachal Pradesh and the Administrator of the Union Territory of Chandigarh shall, in the transferred territory and Union Territory, respectively, exercise the powers and perform the functions of the said Council under the Act.

5. Appointment of Registrars.

(1)The Registrar of the existing Council, holding office immediately before the appointed day, shall, as from that day, be deemed to have been appointed as the Registrar of the Punjab Council and the terms and conditions of service applicable to the Registrar shall be the same as were applicable to him immediately before that day, until they are varied by a competent authority under the Act.(2)Until a Registrar is duly appointed by the Haryana Council under section 10 of the Act, the Government of Haryana shall appoint a Registrar for the said Council on such terms and conditions as it deems fit.

6. Allocation of Staff.

- The staff of the existing Council holding office immediately before the appointed day, shall as from that day, be deemed to have been allotted to serve under the Punjab Council on the same terms and conditions as were applicable to them immediately before that day, until such terms and conditions are varied by competent authority under the Act :Provided that the conditions of service applicable to any such officer or other employee immediately before the appointed day shall not be varied to his disadvantage except with the previous approval of the Government of Punjab.

7. Provision regarding register.

- The register duly maintained under the Act and in force immediately before the appointed day, shall be deemed to be the register for each of the States of Punjab and Haryana, for the transferred territory and for the Union Territory of Chandigarh and accordingly the names of nurses, health visitors and midwives shall, without further fee or charge, be continued on each such register for a period of six months from the appointed day and thereafter, on the register of any of the said States or Territory in which the registered person desires to continue his or her registration :Provided that such registration shall continue for the period for which it was made until the register is duly amended or until the name is duly removed under the Act.

8. Recovery of outstanding fees and other dues.

- All fees and other dues payable to the existing Council under the Act, upto the appointed day shall, -(a)if the dues are payable by a person ordinarily residing in the area of any successor Council, be recovered by that Council; and(b)in any other case, be recovered by the Punjab Council.

9. Division of Cash Balance of the Existing Council.

- The cash balance held by the existing Council immediately before the appointed day, shall, after deduction of all the liabilities of that Council upto that day, be apportioned among the successor Council in proportion to the number of registered nurses, health visitors and midwives, ordinarily residing in the area of each successor Council.

10. Residuary Provision.

- Any other assets or liabilities of the existing Council immediately before the appointed day, not expressly hereinbefore provided for, shall be apportioned in the manner indicated in paragraph 9.

11. Legal Proceedings.

- Where immediately before the appointed day, the existing Council is a party to any legal proceedings instituted in any Court, by or against any registered or other person, the successor Council within whose area such registered or other person is ordinarily residing, shall be deemed to

be substituted for the existing Council as a party to those proceedings, and the proceedings may continue accordingly.

12. Contracts.

- Where immediately before the appointed day, the existing Council has made any contract which on that date is subsisting such contract shall be deemed to have been made -(a)if the purposes of the contract are, as from the appointed day exclusively relatable to the area of any successor Council, by the Council;(b)in any other case, by the Punjab Council;and all rights or liabilities which have accrued or may accrue under any such contract shall, to the extent to which they would have been the rights or liabilities of the existing Council, be the rights or liabilities of the appropriate successor Council.

13. Transfer of certain Proceedings pending before the Existing Council.

- Any proceedings relating to any registered or other person, which are pending immediately before the appointed day before the existing Council shall on that day stand transferred to that successor Council within whose area such registered or other person is ordinarily residing for disposal according to law.

14. Holding of Examinations.

- Until the other successor Council intimate to the Punjab Council that the former have made arrangements for holding the qualifying examinations, which, immediately before the appointed day, were being held by the existing Council, the Punjab Council shall allow the students from the State of Haryana, the Union Territory of Chandigarh and the transferred territory to appear for the qualifying examinations held by the Punjab Council and the fees received from such students shall be paid to the Punjab Council.

15. Saving.

- All rules and regulations framed in respect of, or by the existing Council, shall, until any other provision is made under the Act in respect of the relevant successor Council, be deemed to be the rules and regulations framed in respect of or by that Council, and shall continue to apply to them *mutatis mutandis*.

16. Adaptations and Modifications in the Act.

- As from the appointed day, the Act shall, until altered, repealed or amended by the competent Legislature, have effect in the States of Punjab and Haryana, the transferred territory and the Union Territory of Chandigarh, subject to the adaptations and modifications specified in the Schedule annexed hereto.