

The U.P. Government Doctors (Allopathic) Restriction on Private Practice Rules, 1983

UTTAR PRADESH

India

The U.P. Government Doctors (Allopathic) Restriction on Private Practice Rules, 1983

Rule

THE-U-P-GOVERNMENT-DOCTORS-ALLOPATHIC-RESTRICTION-ON-PRIVATE-PRACTICE-RULES-1983

- Published on 30 August 1983
- Commenced on 30 August 1983
- [This is the version of this document from 30 August 1983.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Government Doctors (Allopathic) Restriction on Private Practice Rules, 1983Published vide Notification No. 5774-Section 14/5 - 323-83, dated August 30, 1983, published in U.P. Gazette, (Extraordinary), dated 30th August, 1983In exercise of the powers conferred by the provision to Article 309 of the Constitution of India, and in supersession of the Uttar Pradesh Government Doctors (Allopathic) Private Practice Rules, 1982 notified, vide Notification No. 7271-Section 14/V-411-82, dated October 31, 1982 and all existing orders on the subject, the Governor is pleased to make the following rules restricting private practice of teachers of State Medical Colleges and Government Doctors (Allopathic) in Uttar Pradesh:

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Government Doctors (Allopathic) Restriction on Private Practice Rules, 1983.(2)They shall come into force on September 1, 1983.

2. Definitions.

- In these rules, unless the context otherwise require:(a)"Constitution" means the Constitution of India;(b)"Government" means the Government of Uttar Pradesh;(c)"Government doctors" means the doctors working on any post in the Pradeshik Medical Services, Pradeshik Health Services, Pradeshik Medical and Health Services, Uttar Pradesh Dental Surgeon Service or on the post of a teacher or on any ex-cadre post, created by the Government from time to time;(d)"Governor" means the Governor of Uttar Pradesh;(e)"Private Practice" means medical aid, including giving

consultation, for pecuniary consideration in cash or kind;(f)"State Medical Colleges" means the following Medical Colleges:(i)King George Medical College.(ii)Sarojini Naidu Medical College, Agra.(iii)Ganesh Shanker Vidyarthi Smarak Medical College, Kanpur.(iv)Moti Lal Nehru Medical College, Allahabad.(v)Lala Lajpat Rai Memorial Medical College, Meerut.(vi)Maharani Laxmi Bai Medical College, Jhansi.(vii)Baba Raghav Das Medical College, Gorakhpur.(viii)Any other Medical College under the control of the State Government.(g)"teacher" means a doctor working in any State Medical College and attached hospitals and includes a House Officer, Resident Officer, Junior Resident, Senior Resident, Chief Resident Demonstrator, Registrar and a Tutor working therein.

3. Restriction on private practice.

- Notwithstanding anything to the contrary contained in any rules or orders, contract or any other instrument and subject to the provisions of Rule 4, a Government doctor shall not be entitled to private practice.

4. Payment in lieu of private practice.

(1)In lieu of private practice a Government doctor shall be paid such amount, by way of non-practising pay or allowance or both, as the Government may specify from time to time:Provided that non-practising pay or allowance, referred to in this sub-rule shall not be payable to:(a)a Government doctor who-(i)does not possess M.B.B.S., degree or B.D.S. or L.S.M.F. (LMP) diploma, or(ii)is not entitled to be registered by the Indian Medical Council/Indian Dental Council, or(iii)is debarred by the Indian Medical Council/Indian Dental Council from doing private practice;(b)(i)Director and Additional Director, Medical, Health and Family Welfare;(ii)Director and Additional Director, Medical Education and Training; and(iii)Principals of the State Medical Colleges;(c)an incumbent of a post for which M.B.B.S., degree or B.D.S. or L.S.M.F. (LMP) diploma qualifications are not essential.

5. Relaxation from conditions of these rules.

- Where the State Government is satisfied that the operation of the rule restricting private practice causes undue hardship in any particular case or cases, it may, notwithstanding anything contained in the rules, by general or special order, dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner or in public interest.

6. Power to remove difficulties etc.

- The Government may, by order published in the Gazette, make provision for any matter not covered by these rules to regulate the restriction on private practice of Government doctors and to ensure the effective implementation of, or for removing any difficulty in giving effect to these rules.

7. Misconduct.

- A Government doctor committing breach of these rules shall be guilty of misconduct under Rule 3 of the Government Servant's Conduct Rules, 1956.