

Tamil Nadu Nurses And Midwives Act, 1926

TAMILNADU

India

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Act 3 of 1926

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Tamil Nadu Nurses And Midwives Act, 1926(Tamil Nadu Act 3 of 1926)Statement of Objects and Reasons - Tamil Nadu Nurses and Midwives Act, 1926 (Tamil Nadu Act III of 1926). - For Statement of Objects and Reasons, see Part IV of the Fort St. George Gazette, dated the 15th July 1924, pages 123-124; for Report of the Select Committee, see Proceedings of the Madras Legislative Council, Volume XXIX, pages 920-932; for Proceedings in Council, see ibid, Volume XIX, pages 494-497, Volume XXII, page 257, Volume XXVII, pages 512-528, and Volume XXIX, pages 890-902. Received the assent of the Governor on the 7th May 1926 and first published in the Fort St. George Gazette Extraordinary, dated 29th June 1926.[An Act to provide for the registration of nurses, midwives, health visitors, auxiliary nurse-midwives and dhais in the State of Tamil Nadu.] [This long title and preamble were substituted for the original long title of, and the preamble to, the Tamil Nadu Act III of 1926 by section 2 of the Tamil Nadu Act 26 of 1960.]Whereas it is expedient to provide for the registration of nurses, midwives, health visitors, auxiliary nurse-midwives and dhais in the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.]; It is hereby enacted as follows : -

1. Short title.

(1)This Act may be called the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.] Nurses and Mid-wives Act, 1926.(2)Extent. - It shall extend to the whole of the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.].(3)Commencement. - It shall come into force on such date as the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.] may, by notification, appoint.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context, -(a)"Council" means the [Tamil Nadu Nurses and Midwives Council] [Substituted for the expression 'Madras Nurses and Midwives Council' by paragraph 4 of, and the Schedule to, the Tamil Nadu Adaptation of Lazes Order, 1970.] established under this Act;(b)"Dhai" means an untrained woman practising the profession of mid-wifery;(c)"Nurse" includes a male nurse;(d)"Prescribed" means prescribed by rules or by-laws made under this Act;(e)["Register" means a register maintained under this Act and registered means registered or deemed to be registered under this Act.] [Substituted for original clause (e) by section 4 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).]

3. Constitution of the Council and the term of office of the members.

(1)A Council, called the [Tamil Nadu Nurses and Mid-wives Council] [Substituted for the expression 'Madras Nurses and Midwives Council' by paragraph 4 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970.], shall be constituted for the State of Tamil Nadu, consisting of -(a)[the Director of Medical Services;] [Substituted for clauses (a) and (b) by section 5(ii) of the Tamil Nadu Nurses and Midwives (Amendment) Act 1960 (Tamil Nadu Act 26 of 1960).](b)[three officers of the Public Health Department of Government nominated by the State Government, of whom one shall be a nurse;] [Substituted for clauses (a) and (b) by section 5(ii) of the Tamil Nadu Nurses and Midwives (Amendment) Act 1960 (Tamil Nadu Act 26 of 1960).](bb)[an officer of the Medical Department of Government, nominated by the [State Government] [Inserted after clause (b) of sub-section (1) of section 3 by section 2 of the Madras Nurses and Midwives (Amendment) Act, 1942 (Madras Act XXIII of 1942), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).];(c)[[Original clauses (b), (c), (d), (e), (f), (g) and (h) were re-lettered as clauses (c), (d), (e), (f), (g), (h) and (I), respectively, by section 2(i)(a) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] the [Dean] [Substituted for the word 'Superintendent' by section 5(iii) of the Tamil Nadu Nurses and Mid-wives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] of the General Hospital, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).];(d)[[Original clauses (b), (c), (d), (e), (f), (g) and (h) were re-lettered as clauses (c), (d), (e), (f), (g), (h) and (I), respectively, by section 2(i)(a) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] the Superintendent of the Government Hospital for Women and Children, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).];(e)[[Original clauses (b), (c), (d), (e), (f), (g) and (h) were re-lettered as clauses (c), (d), (e), (f), (g), (h) and (I), respectively, by section 2(i)(a) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] one Registered Medical Practitioner nominated by the [State Government] [Substituted for the word 'Provincial' by the Adaptation Order of 1950.];(f)[[Original clauses (b), (c), (d), (c), (f), (g) and (h) were re-lettered as clauses (c), (d), (e), (f), (g), (h) and (I), respectively, by section 2(i)(a) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] [one Registered Medical Practitioner] [Substituted for the words 'two Registered Medical Practitioners, one of whom shall be a woman' by

section 2(i)(b) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).], nominated by the Medical Council established under sub-section (1) of section 5 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Medical Registration Act, 1914 [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act IV of 1914);(g)[[Substituted for the original clause by section 2(i) of the Madras Nurses and Midwives (Amendment) Act, 1941 (Madras Act XVI of 1941), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).] the [Nursing] [Substituted for the word 'Matron' by section 5(iv) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] Superintendent of the General Hospital, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], and the [Nursing] [Substituted for the word 'Matron' by section 5(iv) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] Superintendent of the Government Hospital for Women and Children, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).];(h)[[Original clauses (b), (c), (d), (e), (f), (g) and (h) were re-lettered as clauses (c), (d), (e), (f), (g), (h) and (I), respectively, by section 2(i)(a) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] [two registered nurses] [Substituted for the words 'one registered nurse' by section 2(ii) by the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] elected by the registered nurses and one registered midwife elected by the registered midwives in the manner prescribed; [xxx] [The word 'and' was omitted by section 2(i)(c), of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).](i)[[Clauses (i), (j) and (k) were inserted by section 2(i)(d) by the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934).] one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Trained Nurse's Association of India as are so registered;(j)[[Original clause (j) was omitted and clauses (k) and (I) were re-lettered as clauses (j) and (k) by section 2(iii) of the Madras Nurses and Midwives (Amendment) Act, 1941 (Madras Act XVI of 1941), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).] one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Nurse's Auxiliary of the Christian Medical Association of India (South India Branch) as are so registered; and](k)[[Original clause (j) was omitted and clauses (k) and (I) were re-lettered as clauses (j) and (k) by section 2(iii) of the Madras Nurses and Midwives (Amendment) Act, 1941 (Madras Act XVI of 1941), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).] two non-officials, not of the classes referred to above, one of whom shall be a woman, nominated by the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.]. [The Director of Medical Services] [Substituted for the words 'The Surgeon-General' by section 5(v) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] shall be the President of the Council.[xxx] [[The following proviso to section 3(1) was omitted by section 2(i)(e) of the Madras Nurses and Midwives (Amendment) Act, 1934 (Madras Act VII of 1934):-Provided

that for a period of one year from the commencement of this Act, the two matrons referred to in clause (f) shall be nominated by the Surgeon-General, and the nurse and the midwife referred to in clause (g) shall be nominated by the Local Government.]](2)The members of the Council other than members ex-officio shall hold office for a term of three years -"except members nominated under the proviso to sub-section (1) who shall hold office till the expiry of one year from the commencement of this Act."(3)If the place of a member of the Council becomes vacant by the expiration of his term of office or by death, or by resignation or otherwise, the vacancy shall be filled in the manner provided for the filling of the vacancy by sub-section (1).(4)An outgoing member of the Council shall be eligible for re-election or re-nomination.(5)The powers of the Council may be exercised notwithstanding any vacancy in the Council.

4. Effect of failure to attend meetings of the Council.

- A member who fails to attend three consecutive meetings of the Council shall cease to be a member unless restored by the Council at its next meeting.

5. [Registration of nurses, midwives, health visitors and auxiliary nurse-midwives. [Substituted for the original section 5 by section 6 of the Tamil Nadu Nurses Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).]

(1)The Council shall maintain a register of nurses, midwives, health visitors and auxiliary nurse-midwives and in such register shall be entered the names of all nurses, midwives, health visitors and auxiliary nurse-midwives, who have undergone the course of training and passed the examinations and fulfil the conditions prescribed.(2)The register referred to in sub-section (1) shall consist of such parts and shall be maintained in such manner as may be prescribed.]

5A. [Nurses and midwives registered under Travancore-Cochin Act X of 1953 deemed to be registered under this Act. [This section was inserted by section 7, of the Tamil Nadu Nurses Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).]

(1)Notwithstanding anything contained in this Act, any person registered under the Travancore-Cochin Nurses and Midwives Act, 1953 (Travancore-Cochin Act X of 1953), who, immediately before the first day of November 1956, was holding any appointment as nurse or midwife in any hospital, dispensary or infirmary not supported entirely by voluntary contributions in the transferred territory or who, immediately before the said day, was practising as nurse or midwife in that territory shall, subject to the provisions of section 7, be deemed to be registered as a nurse or, as the case may be, a midwife under this Act.Explanation. - For the purpose of this sub-section, the expression "transferred territory" shall mean the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.(2)The Council shall, subject to such conditions and restrictions as may be prescribed, enter in the register referred to in sub-section (1) of section 5, the

name of any person who, under sub-section (1) of this section, is deemed to be registered under this Act.]

6. Registration of dhais.

- The Council shall maintain a register of dhais, admission to which shall be regulated by such conditions and restrictions as may be prescribed.

7. Removal and restoration of names.

- Subject to such conditions and in such manner as may be prescribed, the Council may refuse to enter the name of [any nurse, midwife, health visitor, auxiliary nurse-midwife or dhai] [Substituted for the words 'any nurse, midwife or dhai' by section 8 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] in the register or remove the name of [any nurse, midwife, health visitor, auxiliary nurse-midwife or dhai] [Substituted for the words 'any nurse, midwife or dhai' by section 8 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] from the register or restore thereto the name of [any nurse, midwife, health visitor, auxiliary nurse-midwife or dhai] [Substituted for the words 'any nurse, midwife or dhai' by section 8 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] so removed.

7A. [Special provision for amending the register of nurses, register of midwives and register of dhais. [Inserted by paragraph 3 of, and the Schedule to the Madras Adaptation of laws Order, 1961.]

(1)Notwithstanding anything contained in this Act, the Council may, by order in writing, register or amend the register of nurses, register of midwives nurses, register or register of dhais by deleting therefrom the name of any person who, by reason of the alteration of boundaries under the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959), has ceased to reside or practise in the [State of Tamil Nadu].The Council may likewise amend the said register by adding thereto the name of any person whose residence or place of practice has, by reason of the said alteration of boundaries, become part of the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into, force on the 14th January 1969.]:Provided that the Council may, before passing an order, make such inquiry as it deems necessary.(2)Any person aggrieved by an order under sub-section (1) may appeal to such authority and within such time, as may be specified in this behalf by the State Government and such authority shall pass such order on the appeal as it thinks fit.(3)An order of the Council under sub-section (1), or where an appeal has been preferred against it under sub-section (2), the order of the appellate authority, shall be final.(4)The provisions of this section shall cease to be in force from such date as the State Government may, by notification, appoint.]

8. Appeal from Council to Tribunal.

(1)[Any nurse, midwife, health visitor, auxiliary nurse-midwife or dhai] [Substituted for the words 'Any nurse, midwife or dhai' by section 9(i) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] aggrieved by an order of the council under section 7 may, within three months from the date on which notice of such order is given, appeal against the order of the Council.(2)Such appeal shall be heard by a Tribunal of three persons selected in rotation - (a)one from a panel of not less than six persons of not less than twelve years experience as a Magistrate or Civil Judge nominated by the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.];(b)one from a panel of not less than six registered medical practitioners selected in the prescribed manner by the Medical Council established under sub-section (1) of section 5 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Medical Registration Act, 1914 [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act IV of 1914); and(c)one from a panel of not less than six registered nurses holding both general and maternity certificates and selected in the prescribed manner by the registered [nurses, mid wives, health visitors and auxiliary nurse-midwives] [Substituted for the words 'nurses and midwives' by section 9(ii) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).]. (3) The order of the Tribunal shall be final.

9. Appeal to the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.] against refusal by the Council to approve training institution or person.

- Any person aggrieved by the refusal of the Council to approve any institution or person under any rules relating to training made under this Act, may appeal against the refusal to the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.] and the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.] may give such directions as they think proper and the Council shall comply with the directions so given.

10. Disabilities of unregistered persons.

(1)Except with the special sanction of the [State Government] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.], no person shall, after the expiry of three years from the

commencement of this Act, be competent to hold any appointment as [nurse, midwife, health visitor or auxiliary nurse-midwife] [Substituted for the words 'nurses or midwife' by section 10 by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] in any hospital, dispensary, or infirmary not supported entirely by voluntary contributions unless such person is registered as [nurse, midwife, health visitor or auxiliary nurse-midwife] [Substituted for the words 'nurses or midwife' by section 10 by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] under this Act.[Explanation. - In relation to a health visitor or auxiliary nurse-midwife, the expression 'commencement of this Act' in this sub-section shall be construed as referring to the date of the coming into force of the [Tamil Nadu] [This Explanation was added by section 10 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] Nurses and Midwives (Amendment) Act, 1960.](2)After the expiry of one year from the commencement of this Act, no subsidy shall be paid by the [State Government] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into, force on the 14th January 1969.] or by a local authority to any medical practitioner who employs a dhai other than a registered dhai.

11. Rules by the State Government.

(1)The [State Government] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into, force on the 14th January 1969.] may, after previous publication, make rules to carry out all or any of the purposes of this Act not inconsistent therewith.(2)In particular, and without prejudice to the generality of the foregoing power, they may make rules -(a)regulating the conduct of the elections of members of the council;(b)regulating the conditions of admission to the register;(bb)[prescribing the conditions and restrictions subject to which the Council shall enter in the register referred to in sub-section (1) of section 5, the name of any person under sub-section (2) of section 5-A;] [Inserted by section 11(i)(a) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).](c)regulating the conduct of any examinations which may be prescribed as a condition of admission to the register, and any matters ancillary to or connected with such examinations;(d)prescribing the causes for which, the conditions under which and the manner in which, the [nurses, midwives, health visitors, auxiliary nurse-mid-wives and dhais] [Substituted for the words 'nurses, midwives and dhais' by section 11(i)(b) by the Tamil Nadu Adaptation of Laws Order, 1969. as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] may be removed from the register and the procedure for restoration to the register of [nurses, midwives, health visitors, auxiliary nurse-midwives and dhais] [Substituted for the words 'nurses, midwives and dhais' by section 11 (i)(b) by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] who have been removed therefrom;(e)regulating the selection of the panels and the constitution of the Tribunal specified in sub-section (2) of section 8 and the procedure to be followed by the Tribunal;(f)prescribing the fees to be paid in respect of an appeal under this Act;(g)determining the manner in which all fees levied under this Act and all moneys received by the Council shall be applied for the purposes of this

Act.(3)[All rules made under this Act shall, as soon as possible after they are made, be placed on the table of [the Legislative Assembly] [Added by section 11 (ii), the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session.]

12. By-laws by the Council.

(1)The Council may make by-laws not inconsistent with this Act or any other law -(a)for regulating the compilation, maintenance and publication of the register;(b)for regulating and supervising the practice of their profession by registered [nurses, midwives, health visitors, auxiliary nurse-midwives and dhais] [Substituted for the words 'nurses, midwives and dhais' by section 12 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).];(c)for regulating the publication of the names of registered [nurses, mid-wives, health visitors, auxiliary nurse-midwives and dhais] [Substituted for the words 'nurses, midwives and dhais' by section 12 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] and their residences;(d)for prescribing the rates of fees to be charged for examinations prescribed for admission to the register and for registration;(e)for regulating the summoning of meetings of the Council and its proceedings; and(f)for regulating the expenditure of the Council and providing for the audit thereof.(2)No by-law made by the Council shall come into force until it has been confirmed by the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.] with or without modification or amendment.(3)Every such by-law shall, when so confirmed, be published.

12A. [Prohibition of unauthorised conferment. [Inserted by section 13 of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).]

(1)Save as provided in this Act or the rules or by-laws made thereunder, no person shall confer, grant or issue or hold himself out as entitled to confer, grant or issue any degree, diploma, licence, certificate or other document stating or implying that the holder, grantee or recipient is qualified to practise the profession of a registered nurse, midwife, health visitor, auxiliary nurse-midwife or dhai.(2)Whoever contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to one thousand rupees; and if the person so contravening is an association, every member of such association who knowingly and wilfully authorises or permits the contravention, shall be punishable with fine which may extend to five hundred rupees.]

13. Penalty for dishonest use of certificate for procuring registration by false means and for falsification of register or certificate.

- Any person who -(a)dishonestly makes use of any certificate of registration issued under the provisions of this Act to him or to any other person,(b)procures or attempts to procure registration

under the provisions of this Act by making or producing or causing to be made or produced any false or fraudulent declaration, certificate or representation whether in writing or otherwise, or(c) wilfully makes or causes to be made any false representation in any matter relating to the register or the certificates issued under the provisions of this Act, shall be punishable with fine not exceeding two hundred and fifty rupees.

14. Penalty for posing as registered nurse, midwife or dhai by a person who is not such.

(1) Any person, who, not being a [registered nurse or health visitor] [Substituted for the words 'registered nurse' by section 14(i) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] takes or uses the name or title of [registered nurse or health visitor] [Substituted for the words 'registered nurse' by section 14(i) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] or uses any name, title, description, uniform, badge or signboard, with the intention that it may be believed or with the knowledge that it is likely to be believed that such person is a [registered nurse or health visitor] [Substituted for the words 'registered nurse' by section 14(i) of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] shall be punishable with fine not exceeding the one hundred rupees. (2) Any person, who, not being a [registered midwife, auxiliary nurse-midwife or dhai] [Substituted for the words 'registered midwife or dhai' by section 14(ii), of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] takes or uses the name or title of [registered midwife, auxiliary nurse-midwife or dhai] [Substituted for the words 'registered midwife or dhai' by section 14(ii), of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] or uses any name, title, description, uniform, badge or signboard, with the intention that it may be believed or with the knowledge that it is likely to be believed that such, person is a [registered midwife, auxiliary nurses-midwife or dhai] [Substituted for the words 'registered midwife or dhai' by section 14(ii), of the Tamil Nadu Nurses and Midwives (Amendment) Act, 1960 (Tamil Nadu Act 26 of 1960).] shall be punishable with fine not exceeding fifty rupees.

15. Magistrates empowered to try offences under this Act.

- No Magistrate other than a Presidency Magistrate or a Magistrate of the first class shall take cognizance of or try any offence under this Act. According to clauses (a) and (c) of sub-section (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), which came into force on the 1st April 1974, any reference to a magistrate of the first class shall be construed as a reference to a Judicial Magistrate of the first class and any reference to a Presidency Magistrate shall be construed as a reference to Metropolitan Magistrate.