

The M.P. Paramedical Council (Maintenance, Publication and Revision of Register and Appeal) Rules, 2001

MADHYA PRADESH

India

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Rule

THE-M-P-PARAMEDICAL-COUNCIL-MAINTENANCE-PUBLICATION-AN of 2001

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The M.P. Paramedical Council (Maintenance, Publication and Revision of Register and Appeal) Rules, 2001 Published vide Notification No. F. 5-46-2002-55-ME-1, M.P. Rajpatra (Asadharan), dated 18-10-2002 at pages 992 (51-55) In exercise of the powers conferred by sub-section (1) of Section 45 read with Sections 34 and 39 of the Madhya Pradesh Sah Chikitsiy Parishad Adhiniyam, 2000 (No. 1 of 2001), the State Government hereby makes the following Rules, namely ;-

1. Short title and commencement.

(1) These rules may be called the Madhya Pradesh Paramedical Council (Maintenance, Publication and Revision of Register and Appeal) Rules, 2001. (2) They shall come into force on the date of their publication in the "Madhya Pradesh Gazette".

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Madhya Pradesh Sah Chikitsiy Parishad Adhiniyam, 2000 (No. 1 of 2001); (b) "Council" means the Madhya Pradesh Paramedical Council constituted under Section 3 of the Act; (c) "Form" means a form appended to these rules; (d) "Register" means the Register maintained under Sections 34 and 39 of the Act; (e) "Section" means a Section of the Act; and (f) "Year" means a calendar year.

3. State Register of Paramedical Practitioners.

(1)The Register shall be in Form I.(2)Each page of the Register shall be verified and signed by the Registrar.(3)Any change in the address of the enrolled Practitioner shall be communicated by such Practitioner to the Registrar and the Registrar shall enter the changed address in the Register accordingly.

4. Publication of the Register.

(1)The Registrar shall revise the Register every live years and enter therein :-(i)the number of practitioners, practitioners already enrolled;(ii)the number of practitioner enrolled during the period of five years preceding the revision of the Register;(iii)the names of practitioners whose names have been restored to the Register;(iv)the number of practitioners whose names have been removed from the Register during the period five years preceding the revision of the Register stating the sub-section and section of the Act, under which the names have been removed; and(v)the number of practitioners whose names have been removed by reason of death during the period of five years preceding the revision of the Register.(2)The first Register shall be published in the "Madhya Pradesh Gazette" within 180 days after 3 years from the date of constitution of the first Council.(3)The revised Register shall he published in the "Madhya Pradesh Gazette" within 180 days after completion of the period of five years preceding the revision of the Register and the enrolled practitioners adversely affected by the revision shall be informed of the adverse effects on them, by registered post.(4)A copy of the first Register or the revised Register, as the case may be, so published, shall be affixed on the notice-board of the Council.(5)Printed copies of the Register may he made available for sale at a price to be decided by the Council from time to time.(6)The Registrar shall keep a printed inter leaved copy of the Register wherein he shall make, during each year, any entry, alteration or erasure that may he necessary.

5. Application and fees for Registration.

- The application for enrolment under sub-section (1) of Section 39 shall be in Form-II and shall be accompanied by satisfactory proof of payment of fee of Rs. 400/- and a true copy of certificate of recognised qualifications duly attested by a Magistrate or a Gazetted Officer. The applicant may also enclose attested copies of such other certificates and documents in support of his application as he may think necessary and the Registrar may also require the applicant to furnish such other certificates and testimonials or the original certificates verification of which is considered necessary.

6. Certificate of Registration.

- Every enrolled paramedical practitioner shall be given a certificate of enrolment in Form-III. In the event of such certificate being lost, defaced or destroyed, a duplicate thereof shall he issued by the Registrar, on payment of a fees of Rs. 25/- and the certificate so issued shall be marked duplicate.

7. Manner of Payment of Fee.

- The fee required to be paid under sub-section (1) of Section 39 of the Act may be paid by money order, demand draft or in cash. In case the fee is paid in cash a receipt therefor may be obtained from the Registrar.

8. Memorandum of Appeal.

(1) Every appeal under the Act shall—(a) be filled within nineteen days from the date of communication of the order against which the appeal is to be filed; (b) be accompanied by a satisfactory proof of payment of a fee of Rs. 200.00 (Rupees Two Hundred); (c) be in writing; (d) specify the name and address of the appellant; (e) specify the date of the order against which appeal is to be filed; (f) specify the date on which the order was communicated to the appellant; (g) contain a clear statement of facts; (h) state precisely the relief prayed for; and (i) be signed and certified by the applicant in the following form, namely :—"I the appellant named in the above memorandum of appeal do hereby declare that what is stated therein is true to the best of my knowledge and belief" Signature (2) The memorandum of appeal shall be accompanied by an authenticated copy of the order against which the appeal is preferred, unless the appellant satisfies the Appellate Authority at the time of presentation of the appeal that there is good cause for omission in which case it shall be filed within such time as may be fixed by the said authority. (3) The memorandum of appeal shall be in duplicate and shall either be presented to the Appellate Authority by the appellant or his agent or sent to such authority by registered post. When an appeal is presented by an agent duly authorised by the appellant it shall be accompanied by a duly stamped letter of authority appointing him as such.

9. Summary Rejection of Appeal.

(1) If the memorandum of appeal does not comply with all or any of the requirements of Rule 8, the appeal may be summarily rejected : Provided that no appeal shall be summarily rejected under this sub-rule, unless the appellant is given such opportunity as the Appellate Authority thinks fit to amend such memorandum of appeal so as to bring it into conformity with the requirements of rule. (2) An appeal may also be summarily rejected on any other grounds which shall be reduced in writing by the Appellate Authority : Provided that before passing any order rejecting an appeal under this sub-rule, appellant shall be given reasonable opportunity of being heard.

10. Hearing of Appeal.

(1) If the Appellate Authority does not reject the appeal summarily, it shall fix date for hearing the appellant or his duly authorised agent. (2) The said authority may at any stage adjourn the hearing of an appeal to any other date. (3) If on the date fixed for hearing or any other date to which the hearing is adjourned, the appellant does not appear before the said authority either in person or through an agent duly authorised by the appellant, the said authority may dismiss the appeal or may declare it ex parte as it thinks fit. (4) When an appeal is dismissed or decided ex parte under sub-rule (3), the

appellant may, within 30 days from the date of communication of such order apply to the Appellate Authority for remission or rehearing of the appeal and if the Appellate Authority is satisfied that the appellant or an agent duly authorised was prevented by sufficient cause from appearing when the appeal was called for hearing, he may readmit or rehear the appeal upon such terms including terms as to cost and conditions as it may think fit.(5)After hearing, the Appellate Authority shall pass the order as he thinks fit and just.

11. Supply of Copy of order passed in Appeal.

- A copy of the order passed in appeal shall be supplied free of cost to the appellant and another copy shall be sent to the officer whose order forms the subject matter of the appeal. Form I[See Rule 3 (1)]Madhya Pradesh Paramedical Council State Register of Paramedical Practitioners

S.No.	Enrolment No.	Name with Father's/ Husband's name	Address	Qualifications and date when obtained with name of University or Board	Fees
(1)	(2)	(3)	(4)	(5)	(6)
	Age with date of birth	Place of practice	Date and place of enrolment	Signature of Registrar	Remarks
(7)		(8)	(9)	(10)	(11)

Form II[See Rule 5]Form of Application for EnrolmentTo, The Registrar, Madhya Pradesh Paramedical Council, Bhopal. Sir, I have the honour to request that my name be enrolled in the State Register of Paramedical Practitioners maintained under Section 39 of the Madhya Pradesh Sah Chikitsiy Parishad Adhiniyam, 2000 (No. 1 of 2001) and I may kindly be furnished with the certificate of enrolment.

2. The information necessary for enrolment is given below :-

Copies of degree, diplomas, certificates and testimonials fully attested by a Gazetted Officer are enclosed herewith.

3. Rs. 400 as Registration Fee has been sent by Money Order/Bank Draft under No.....dated.....

(1)Name (in full block letters).....(2)Father's/Husband's name.....(3)Address.....

4. Date of birth and age on the date of presenting application.....

5. Place of practice :

(a)Town or village.....(b)Post
Office.....(c)District.....

6. Qualifications and date of obtaining them.

7. The name of college or institution from when he passed the examination.....

8. Date on which applicant started practice.....

It is certified that the above given information is true and I promise that I shall abide by the rules laid down by the Madhya Pradesh Paramedical Council from time to time in respect of etiquette or practice to be observed as practitioner.....Signature of applicant.Form III[See Rule 6]Madhya Pradesh Paramedical Council, Bhopal(Seal)Certificate of EnrolmentCertificate No.....

1. Name

2. Father's/Husband's Name.....

3. Address.....

4. Qualifications.....

5. Age.....

6. Place of practice.....

7. Date of enrolment.....

It is certified that this is a true copy of the entry of the above specified name in the State Register of Paramedical Practitioners maintained by the Madhya Pradesh Paramedical Council, Bhopal.Bhopal.....Dated.....Registrar.Madhya Pradesh Paramedical Council.Bhopal.