

# Rajasthan Ayurved Nursing Council Act, 2012

RAJASTHAN

India

## Rajasthan Ayurved Nursing Council Act, 2012

### Act 17 of 2012

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Rajasthan Ayurved Nursing Council Act, 2012(Rajasthan Act No. 17 of 2012)Statement of Objects and Reasons. - The role of Ayurved Nurses to impart health services including attending patients visiting Ayurvedic/Unani/ Homoeopathic/Naturopathy Hospitals and Dispensaries, preparing medicine mixtures and prevention of diseases by virtue of special skills is paramount. They are indispensable in the important tasks of Panchkarm Therapy, Kshar Sutra Therapy, Jalukawacharan (Leech therapy) etc.. The Ayurved Nurses are most critical manpower for providing promotive, preventive and curative health services. There is no law at present in the State which provides for regulation of the profession of Ayurved Nurses and for recognition of institutions imparting training to Ayurved Nurses. It is, therefore, proposed to enact a law to provide for the constitution of a Ayurved Nursing Council, regulation of Ayurved Nursing Profession and recognition of institutions imparting education or training in Ayurved Nursing subjects in the State and for matters connected therewith or incidental thereto. This Bill seeks to achieve the aforesaid objectives. Hence the Bill. Published in Rajasthan Gazette, Extraordinary Part 3(A), dated. 16.4.2012, Pages 7(47) and 7(48). [Dated 15.5.2012.] An Act to provide for the constitution of a Ayurved Nursing Council, regulation of Ayurved Nursing Profession and recognition of institutions imparting education or training in Ayurved Nursing subjects in the State and for matters connected therewith or incidental thereto. Be it enacted by the Rajasthan State Legislature in the Sixty-third Year of the Republic of India, as follows: -Chapter - I Preliminary

### 1. Short title, extent and commencement.

(1) This Act may be called the Rajasthan Ayurved Nursing Council Act, 2012. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force at once.

### 2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "Council" means the Rajasthan Ayurved Nursing Council established under section 3; (b) "member" means a member of the

Council;(c)"Nurse" means a person who holds recognized Ayurved Nursing qualification and is registered as such in the Register of Ayurved Nursing Professionals maintained under this Act;(d)"Ayurved Nursing subject" means a Ayurved Nursing subject mentioned in the Schedule;(e)"prescribed" means prescribed by this Act or rules or regulations made under this Act;(f)"President" means the President of the Council;(g)"recognized institution" means an institution imparting education or training in any of the Ayurved Nursing subjects and recognized under the provisions of this Act;(h)"recognized Ayurved Nursing qualification" means a degree, diploma or a certificate in any of the Ayurved Nursing subjects granted by a recognized institution or a qualification declared to be a recognized qualification under section 32;(i)"registered" means registered in accordance with the provisions of this Act and the rules and regulations made thereunder;(j)"Registrar" means the Registrar of the Council appointed under section 15; and(k)"Vice-President" means the Vice-President of the Council.

Chapter - II Rajasthan Ayurved Nursing Council

### **3. Establishment and incorporation of the Rajasthan Ayurved Nursing Council.**

- The State Government shall, by notification in the Official Gazette, establish a Council to be known as "the Rajasthan Ayurved Nursing Council" for the purpose of carrying out the provisions of this Act and such Council shall be a body corporate, having perpetual succession and a common seal, with power to acquire or hold property both movable and immovable and shall by the said name sue and be sued.

### **4. Constitution and composition of Rajasthan Ayurved Nursing Council.**

- The Council shall consist of the following members, namely: -(a)six members elected by registered Ayurved Nursing Professionals from amongst themselves:Provided that at the first constitution of the Council, the State Government may nominate, in place of elected members, such persons as are qualified for registration as Ayurved Nursing Professionals;(b)five members nominated by the State Government from amongst the persons having special knowledge in the Ayurved Nursing subjects:Provided that not more than one member shall be nominated from amongst the persons having special knowledge in any one Ayurved Nursing subject;(c)three members elected by the teachers of the recognized institutions from amongst themselves:Provided that at the first constitution of the Council, the State Government may nominate, in place of elected members, such persons who are teachers in institutions imparting education or training in Ayurved Nursing subjects in the State;(d)the Dean, Faculty of Ayurved, Homoeopathy and Unani, Rajasthan Ayurved University, Jodhpur ex-officio;(e)the Director, Ayurved Department, Government of Rajasthan ex-officio;(f)the Director, Homoeopathy Department, Government of Rajasthan ex-officio;(g)the Director, Unani Department, Government of Rajasthan ex-officio;(h)the Registrar, Indian Medicine Board, State of Rajasthan ex-officio;(i)the Registrar, Homoeopathy Board, State of Rajasthan ex-officio:Provided that a person shall not be qualified for being elected or nominated as a member of the Council, if -(i)he/she is not a citizen of India; or(ii)he/she is an undischarged insolvent; or(iii)he/she is of unsound mind and stands so declared by a competent court; or(iv)he/she has been sentenced for any offence involving moral turpitude; or(v)he/she is an employee of the Council

and is remunerated by salary or honorarium: Provided further that no person shall at the same time serve as a member in more than one capacity.

## **5. President and Vice-President of the Council.**

- The President and the Vice-President of the Council shall be elected by the members of the council from among themselves: Provided that at the first constitution of the Council, the President and the Vice-President shall be nominated from amongst the members of the Council by the State Government, who shall hold office for three years or during the pleasure of the State Government, whichever is earlier.

## **6. Publication of names of the President, Vice-President and members.**

- The names of the President, Vice-President and all the members of the Council shall be published in the Official Gazette.

## **7. Mode of elections.**

- Elections to the offices of the President, Vice-President and the members shall be conducted in the prescribed manner, and where any dispute arises regarding any such election, it shall be referred to the State Government whose decision shall be final.

## **8. Term of office.**

(1) An ex-officio member of the Council shall continue as such so long as he/she holds the office by virtue of which he/she is a member of the Council. (2) The term of office of a member of the Council, other than the ex-officio member, shall be three years from the date of his/her election or nomination, as the case may be, but he/she shall be eligible for re-election or re-nomination as such member. (3) The President or the Vice-President of the Council shall hold office for three years from the date of his/her election or so long as he/she is a member of the Council, whichever is earlier but he/she shall be eligible for re-election if he/she is a member of the Council. (4) An elected or a nominated member or the Vice-President may, by writing under his hand addressed to the President of the Council, and the President may, by writing under his hand addressed to the Governor, resign his/her office. (5) The President, Vice-President or a member of the Council may be declared by the State Government, by notification in the Official Gazette, to have ceased to be such President, Vice-President or, as the case may be, member, if he/she -(a) submits his/her resignation, or (b) dies, or (c) has been absent out of India for more than one year continuously, or (d) is absent from three consecutive meetings of the Council without the leave of the Council, or (e) has incurred any of the disqualifications specified in the first proviso to section 4: Provided that no such declaration shall be made in respect of any of the matters mentioned in clauses (d) and (e), unless the person concerned has been given a reasonable opportunity of being heard. (6) The State Government may at any time, by notification in the Official Gazette, remove the President, Vice-President or any member of the Council from his office, after affording him/her a reasonable

opportunity of explanation, for any reason which the State Government may deem to be affecting the public interest adversely, and the member so removed shall not be eligible for being elected or nominated for a period of three years from the date of his/her removal.

## **9. Conditions of the office of the President, Vice President or the member.**

- The President, Vice-President or a member of the Council shall not be entitled to receive any salary or remuneration from the Council but he/she may be paid such compensatory allowances as may be prescribed by regulations.

## **10. Filling up of vacancies.**

- Any vacancy occurred in the office of the President, Vice-President or a member shall be filled up, as soon as may be, in accordance with the provisions of this Act.

## **11. Vacancy not to affect proceedings and acts.**

- No act or proceedings of the Council shall be deemed to be invalid merely by reason of any vacancy or of any defect or irregularity, not affecting the substance, in the election or nomination of a person as the President, Vice-President or a member of the Council.

## **12. Conduct of the business of the Council.**

(1) For the purpose of transaction of its business, the Council may make regulations consistent with this Act and the rules made thereunder. (2) The regulations made under this section may provide for all or any of the following matters, namely: -(a) the time and place of its meetings; (b) the issue of notices of such meetings to the members; (c) the conduct of business at such meetings; (d) the quorum necessary for the transaction of business; and (e) the appointment of committees to deal with any part of business before the Council.

## **13. Powers and functions of the Council.**

(1) Subject to the provisions of this Act and the rules made thereunder, the Council shall exercise such powers and perform such functions as may be necessary for carrying out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing provisions, the powers and the functions of the Council shall be -(a) to maintain the Register of Ayurved Nursing Professionals; (b) to hear and decide appeals from the decision of the Registrar in such manner as may be prescribed by regulations; (c) to prescribe by regulations a code of ethics for regulating the professional conduct of registered Ayurved Nursing Professionals; (d) to reprimand a registered Ayurved Nursing Professional, to suspend or remove the name from the Register of Ayurved Nursing Professionals, or to take such other disciplinary action against him/her as may, in the opinion of the Council, be necessary or expedient; (e) to permit any member to remain absent from three consecutive meetings of the Council; (f) to promote innovations, research and development in

establishment of new Ayurved Nursing subjects;(g)to recommend to the State Government to include new Ayurved Nursing subjects in the Schedule;(h)to formulate schemes for promoting Ayurved Nursing education;(i)to promote an effective link between Ayurved Nursing education and Ayurved/Homoeopathy/Unani education, and to promote research and development in Ayurved Nursing subjects;(j)to lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment and examinations in Ayurved Nursing education;(k)to fix norms and guidelines for institutional charges and other fees;(l)to recognize the institutions conducting courses in Ayurved Nursing subjects;(m)to provide guidelines for admission of students to Ayurved Nursing institutions imparting Ayurved Nursing education;(n)to inspect or cause to be inspected any Ayurved Nursing institution;(o)to constitute a board for conducting the examination in Ayurved Nursing subjects so as to maintain uniformity of standard; and(p)to perform such other functions as may be prescribed by rules.

#### **14. Power of Council to invite any person having special knowledge or experience in Ayurved Nursing subjects.**

(1)The Council may invite any person having special knowledge or experience in Ayurved Nursing subjects to its meetings. Any person so invited shall have right to take part in the discussion held at the meeting but shall not have the right to vote.(2)The Council may pay to a person invited under sub-section (1) such compensatory allowances as are admissible to a member of the Council under the provisions of section 9.

#### **15. Registrar and staff.**

(1)The State Government shall appoint an officer of the State service to be the Registrar of the Council who shall act as Secretary to the Council and shall perform such other duties as are assigned to him/her by this Act or the rules or regulations made thereunder or as may be specially assigned to him/her by an order of the Council.(2)The Council may, with the prior approval of the State Government, appoint such other officers and servants as it may consider necessary for the purpose of carrying out its functions under this Act.(3)The salary and other conditions of service of the officers and the servants of the Council shall be such as may be determined by it with the prior approval of the State Government.(4)The Registrar and other officers and servants of the Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act No. 45 of 1860).Chapter - III Registration of Ayurved Nursing Professionals

#### **16. Orders for maintenance of registers.**

(1)The Council shall, as soon as conveniently may be, after the commencement of this Act and from time to time as occasion may require, make orders for regulating the maintenance of a register of Ayurved Nursing Professionals arranged in several parts in which the persons to be registered shall be classified in accordance with their qualifications.(2)The registers shall be kept in the form prescribed by the Council.

## **17. Persons entitled to be registered.**

- A person having recognized Ayurved Nursing qualification shall be entitled to be registered as a Ayurved Nursing Professional.

## **18. Applications for registration.**

- An application for registration by any of the persons mentioned in section 17 shall be made to the Registrar in the prescribed form and shall be accompanied with the prescribed fees.

## **19. Disposal of applications by Registrar.**

(1) If the Registrar is satisfied, after holding in the prescribed manner such inquiry as he/she considers necessary, that the applicant for registration is entitled to be registered under section 17, he/she shall enter his/her name in the appropriate register. (2) If the Registrar is not satisfied as aforesaid, he/she shall make an order rejecting the application for registration and refund the fee paid with it.

## **20. Maintenance of registers.**

(1) The Registrar shall keep and maintain the registers in accordance with the provisions of this Act and the rules and regulations made thereunder and of any orders made by the Council under section 16 and shall make necessary alterations in the registered addresses and appointments, in the registered qualifications and in the classification of registered Ayurved Nursing Professionals and may erase therefrom the name of any Ayurved Nursing Professional. (2) In order to fulfil the duties imposed upon him/her by sub-section (1), the Registrar may send through the post a registered letter to any person registered as a Ayurved Nursing Professional, addressed to him/her according to his/her registered address or appointment, to inquire whether he/she has ceased to practice or whether his/her residence or appointment has been changed; and if no answer to any such letter is received within a period of six months from the date of its despatch, the Registrar may erase the name of such person from the register: Provided that any name erased under this sub-section may be re-entered in the register under the direction of the Council.

## **21. Erasure on death.**

- Whenever a reliable information is received regarding the death of a registered Ayurved Nursing Professional, the Registrar may, after satisfying himself/herself about the fact of such death, erase the name of the deceased person from the register.

## **22. Erasure of fraudulent and incorrect entries.**

- Any entry in the registers, which is proved to the satisfaction of the Registrar to have been fraudulently or incorrectly made, may be erased therefrom, by an order recorded in writing, by the

Registrar.

### **23. Prohibition of registration etc.**

(1)The Council may prohibit the registration of any person as an Ayurved Nursing Professional and, if such person is already so registered, may direct the removal of his/her name from the register on any of the following grounds, namely: -(a)that he/she has been convicted of any such offence as implies in the opinion of the Council any defect of character such as would render him/her unfit for Ayurved Nursing Profession; or(b)that he/she has been found by the Council to be guilty of an offence which, in its opinion, indicates professional incompetence, negligence or contravention of regulations ordinarily included in the performance of his/her duty; or(c)that he/she has been found by the Council to be guilty of professional misconduct or of infamous conduct in any professional respect; or(d)that there are defects in his/her character which, in the opinion of the Council, would render the entry or retention of his/her name on the register undesirable:Provided that no action shall be taken by the Council under this section until after due inquiry, at which the person concerned has been given a reasonable opportunity of being heard in his defence, the person concerned is found to be disqualified as specified in clause (a) or clause (b) or clause (c) or clause (d).(2)Any name removed from the register under sub-section (1) may afterwards be re-entered in the register, and any order of prohibition of registration passed under sub-section (1) may be withdrawn, under the direction of the Council given by a majority of two-thirds of the members present and voting at the meeting.

### **24. Entry of new titles and qualifications in the register.**

(1)If any person whose name is registered under this Act obtains any title or qualification other than the title or qualification in respect of which he/she has been registered, he/she shall on payment of the prescribed fees be entitled to, and may apply to the Registrar for, an entry respecting such other title or qualification made against his/her name in the register either in substitution for or in addition to the entry previously made.(2)The Registrar may, after making such inquiry as he/she thinks necessary, either make the entry applied for or reject the application for reasons to be recorded in writing.

### **25. Appeals from orders and decisions of Registrar.**

(1)Any person aggrieved by an order or decision of the Registrar under section 19 or section 20 or section 21 or section 22 or section 24, may, within thirty days of such order or decision, appeal to the Council.(2)Every such appeal shall be heard and disposed of in the prescribed manner.

### **26. Appeals from orders of Council.**

- Any person aggrieved by an order or decision of the Council under proviso to sub-section (2) of section 20 or under section 25 may, within three months from the date of such order or decision, appeal to the State Government whose decision thereon shall be final.

## **27. Preparation, publication and use of annual lists of registered Ayurved Nursing Professionals.**

(1)The Registrar shall, in every year on or before a date to be fixed in this behalf by the Council, caused to be prepared, printed and published in the prescribed manner lists in the prescribed form and specifying the prescribed particulars of all the registered Ayurved Nursing Professionals.(2)In every proceeding it shall be presumed that any person whose name is entered in the latest of the lists published under sub-section (1) is a registered Ayurved Nursing Professional:Provided that, in the case of a person whose name may have been entered in a register after the publication of a list under sub-section (1) and before the publication of a fresh list thereunder, a certified copy of such entry, signed by the Registrar, shall be an evidence that such person is registered under this Act.Chapter - IV Recognition of Institutions

## **28. Recognition of Institutions.**

(1)No person shall establish an Ayurved Nursing Institution or conduct any course in Ayurved Nursing subjects for preparing students to obtain any recognized Ayurved Nursing qualification, without the recognition by the Council.(2)An application for recognition of an Ayurved Nursing Institution shall be made to the Registrar in such form and shall be accompanied with such fee, as may be prescribed.(3)For the purpose of ascertaining whether recognition may be given or not, the Council shall conduct such enquiry by appointing such number of inspectors whether from among members of the Council or otherwise as it deems necessary and shall, by order grant recognition or reject the application for recognition.(4)The educational or training institutions conforming to the standards fixed by the Council by regulations made under this Act alone shall be given recognition under this Act.(5)Notwithstanding anything contained in sub-section (1), all institutions conducting Ayurved Nursing courses as on the date of commencement of this Act shall apply for and obtain the recognition within six months from the date of commencement of this Act:Provided that if the institution applying for recognition under this sub-section does not conform to the standards fixed by the Council in this regard, temporary recognition may be granted to the institution subject to the condition that the facilities in accordance with the standards fixed by the Council shall be provided within a period of one year from the date of grant of temporary recognition.(6)If the institution fails to fulfil the condition specified in proviso to sub-section (5) within the period specified therein, the temporary recognition granted under that sub-section shall stand withdrawn forthwith.

## **29. Withdrawal of recognition.**

- The Council may, for the reasons to be recorded in writing and after affording a reasonable opportunity of being heard to the governing body or authority of the concerned institution, withdraw the recognition of an institution with immediate effect.



### **30. Appeal to the State Government.**

- Any person aggrieved by the order of the Council granting or refusing to grant recognition any institution under section 28 or withdrawing such recognition under section 29 may, within three months from the date of such order, appeal to the State Government whose decision thereon shall be final.

### **31. Power of Council to call for information from institutions etc.**

(1)The Council shall have power to call upon the governing body or authority of any recognized institution-(a)to furnish reports, returns or other information as the Council may require to enable it to judge the efficiency of the institution or the education or training imparted therein; and(b)to provide facilities to enable any member of the Council, deputed by the Council in this behalf, to be present at the examinations to be held by any such institution.(2)The Council shall have power to inspect any such institution and may for the purpose appoint a committee of not less than three and not more than five members of the Council to inspect the same and submit a report in regard thereto to the Council.

Chapter - V Recognition of Certain Qualifications

### **32. Qualifications granted outside the territories to which this Act extends.**

- The Council, if it is satisfied that any qualification in Ayurved Nursing subjects granted by an authority outside the territories of the State of Rajasthan affords a sufficient guarantee of the requisite skill and knowledge, may declare such qualification to be a recognized qualification for the purpose of this Act, and may for reasons appearing to it sufficient at any time declare that such qualification shall be deemed, subject to such additional conditions, if any, as may be specified by the Council, to be recognized only when granted before or after a specified date:Provided that no person, other than a citizen of India, possessing such qualification shall be deemed to be qualified for registration under this Act unless by the law and practice of the State or Country, in which the qualification is granted, persons of Indian origin holding such qualification are permitted to enter and practice as Ayurved Nursing Professional.

### **33. Mode of declarations.**

- The declarations under section 32 shall be made by resolution passed at a meeting of the Council and shall have effect as soon as it is published in the Official Gazette.

Chapter - VI Finances

### **34. Scale of fees.**

(1)The Council may, with the prior approval of the State Government, prescribe the scale of fees payable in respect of all matters and proceedings provided for in this Act or the rules and regulations made thereunder and provide the mode of their payment.(2)Such fees shall be applied for the purpose of this Act and the rules and regulations made thereunder.

### **35. Funds of the Council.**

(1)The Council shall establish a fund to be called the fund of the Council.(2)The following shall form part of, or be paid into, the fund of the Council, namely: -(a)any contribution or grant made by the Central Government or the State Government;(b)income of the Council from all sources including income from fees and fines;(c)donations, endowment and other grants, if any; and(d)any other sums received by the Council.(3)The fund of the Council shall be managed and administered in the prescribed manner.(4)The funds of the Council shall be applied to the following objects, namely: -(a)for the repayments of debts incurred by the Council for the purposes of the Act;(b)for the expenses of any suit or legal proceedings to which the Council is a party;(c)for the payment of salaries and allowances to the officers and staff of the Council;(d)for the payment of allowances to the office bearers of the Council;(e)for the payment of any expenses incurred by the Council in carrying out the provisions of this Act and the rules and regulations made thereunder; and(f)any other expenses incurred for the promotion and development of Ayurved Nursing education, research and training, declared by the Council to be in the general interest of Ayurved Nursing education and profession.

### **36. Accounts and audit.**

(1)The accounts of the Council shall be prepared before such date and at such intervals and in such manner as may be prescribed.(2)The accounts of the Council shall be audited in such manner and by such authority as may be prescribed.(3)As soon as the accounts of the Council are audited and approved by the Council, the Council shall send a copy thereof to the State Government.

### **37. Budget.**

(1)The Registrar shall cause to be prepared, in such form as may be prescribed, a budget in respect of the next ensuing financial year, showing the estimated receipts and expenditure and shall cause it to be laid before the Council at such time and in such manner as may be prescribed.(2)The Council shall be competent to re-appropriate such amounts as may be necessary from one head to another and within such heads or minor heads.(3)The Council may, as and when required, pass a supplementary budget in such form and by such date as may be prescribed.  
Chapter - VII  
Miscellaneous

### **38. Prohibition on practice except as provided in this Act.**

- No person in the State shall practise or hold himself/herself out, whether directly or indirectly, as a Ayurved Nursing Professional unless he/she is registered under this Act and no Registered Ayurved Nursing Professional in the State shall practise or hold himself/herself out, whether directly or indirectly, as an Ayurved Nursing Professional in any area of specialization other than that covered by the Ayurved Nursing subject in which he/she has recognized qualification.

### **39. Offences.**

(1) Any person who - (a) dishonestly makes use of any certificate of registration issued to him/her or to any other person under this Act and the rules and regulations made thereunder; or (b) procures or attempts to procure registration under this Act and the rules and regulations made thereunder by making or proceeding or causing to be made or produced any false or fraudulent declaration, certificate or representation, whether in writing or otherwise; or (c) fraudulently procures or attempts to procure the entry of new title of qualification under section 24; or (d) wilfully makes or causes to be made any falsification in the registers maintained or in the certificates issued under this Act and the rules and regulations made thereunder; or (e) being the Secretary, Manager or any other officer of any recognized institution, issues or authorizes the issue of a certificate to any person in contravention of the provisions of this Act or the rules and regulation made thereunder; or (f) contravenes the provisions of section 38, shall, on conviction, be punishable with imprisonment, which may extend to two years, or with fine, which may extend to two lakh rupees, or with both. (2) Any person who contravenes any of the provisions of this Act or the rules or regulations made thereunder shall, if such contravention does not fall within the provisions of sub-section (1) on conviction, be punishable, with fine which may extend to one lakh rupees.

### **40. Cognizance of offence.**

- No court shall take cognizance of an offence punishable under this Act or the rules or regulations made thereunder except on a complaint made by the Registrar with the previous sanction of the Council.

### **41. Control of State Government.**

- If at any time it appears to the State Government that the Council has failed to exercise or has exceeded or abused a power conferred, or has failed to perform a duty imposed, upon it by this Act, the State Government may, if it considers such failure, excess or abuse to be of a serious character, notify the particulars thereof to the Council and, if the Council fails to remedy such failure, excess or abuse within such time as may be fixed by the State Government, may dissolve the Council and cause all or any of the powers and duties of the Council to be exercised and performed by such agency and for such period, not exceeding six months, as it may think fit: Provided that the State Government shall reconstitute the Council before the expiry of six months from the date of its dissolution.

### **42. Rules and regulations.**

(1) The State Government may, by notification in the Official Gazette, make rules generally to carry out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for following matters, namely: - (a) to prescribe the manner of election to the offices of the President, Vice-President and the members of the Council; (b) to prescribe other functions of the Council under clause (p) of sub-section (2) of section 13; (c) to

prescribe the manner in which the fund of the Council shall be managed and administered;(d)to prescribe the date before which, the intervals at which, and the manner in which, accounts of the Council shall be prepared;(e)to prescribe the manner in which and the authority by whom the accounts of the Council shall be audited;(f)to prescribe the form in which the Budget of the Council shall be prepared and the time and manner in which the Budget shall be laid before the Council;(g)to prescribe the form in which and the date by which supplementary Budget of the Council, if required, shall be passed; and(h)to provide for the matters which are required to be or may be provided for by the rules under this Act.(3)Subject to the provisions of this Act or the rules made thereunder, the Council may, with the approval of the State Government, make regulations to provide for the following matters, namely: -(a)to prescribe compensatory allowances under section 9;(b)to regulate the transaction of business by the Council or by any committee appointed by it, including the matters specified in sub-section (2) of section 12;(c)to prescribe the forms of the Registers of Ayurved Nursing Professionals;(d)to prescribe the form of annual lists of registered Ayurved Nursing Professionals and manner of their publication;(e)to prescribe the forms of applications required to be made under the provisions of this Act;(f)to prescribe the manner and procedure of any enquiry or inspection required to be made under the provisions of this Act or rules or regulations made thereunder by the Council or its committee or the Registrar;(g)to prescribe the form and procedure of appeals under this Act;(h)to prescribe the scale of fees payable in respect of all matters and proceedings provided for in this Act or the rules and regulations made thereunder and the mode of their payment;(i)to determine the strength of the staff of the Council;(j)to determine the salaries payable to, and lay down the other conditions of service of the officers and servants of the Council;(k)to specify the duties to be performed by the Registrar and other staff;(l)to prescribe code of ethics to be observed by the registered Ayurved Nursing Professionals;(m)to prescribe the norms and standards for granting recognition to any institution under this Act; and(n)to regulate any such other matter which is required to be regulated by regulations under this Act or which, in the opinion of the Council, is necessary to be provided for by regulations in the interest of efficient working of the Council.(4)The regulations made under sub-section (3) shall be published in the Official Gazette and shall come into force with effect from the date of such publications.

#### **43. Laying of rules and regulations before the Assembly.**

- All rules and regulations made under this Act shall be laid, as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and, if before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such rules or regulations or resolves that any such rule or regulation should not be made, such rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

#### **44. Power of the State Government to amend the Schedule.**

- On the recommendation of the Council in this behalf, the State Government may, by notification in the Official Gazette, amend the Schedule by inserting a new Ayurved Nursing subject therein and on and from the date of publication of such notification the Schedule shall stand amended accordingly.

#### **45. Bar to suits and legal proceedings.**

- No suit or other legal proceeding shall lie against any person in respect of any act done by him in good faith in the exercise of any powers conferred by this Act.

### **Schedule**

[See Section 2(d)]List of Ayurved Nursing Subjects

- 1. Sharir Rachana Va Kriya (Sharir);**
- 2. Paricharya Ka Mool Siddhant/ Paricharya Ka Itihas;**
- 3. Swasthvritta;**
- 4. Aushadh Dravya Parichaya/ Dravyagun;**
- 5. Ras-shala/ Ras-shastra Bhashajya Kalpna;**
- 6. Vikrati Vigyan;**
- 7. Rog Nidan;**
- 8. Computer Education and Audio Visual Medium;**
- 9. Chikitsa Parichrya/ Chikitsa;**
- 10. Shalya-shalakya Parichrya/ Shalya-shalakya;**
- 11. Stree Prasuti Rog Parichrya/ Prasuti Stree Rog;**
- 12. Bal Swasthya Parichrya/ Komar Bhritya;**

**13. Panch Karm Parichrya/ Panch Karm and Prakratic Chikitsa;**

**14. Rogi Parichrya;**

**15. Agad Tantra and Atyayic Chikitsa;**

**16. Mano Swasthya Parichrya.**