

THE NAGALAND MEDICAL COUNCIL ACT 2014

SCHEDULE

THE NAGALAND MEDICAL COUNCIL ACT 2014

An Act to provide for the establishment of Medical education in the State and to regulate the practice by MEDICAL GRADUATES practitioners and MEDICAL EDUCATION.

BE it enacted in the in the Sixty First Fourteen year of the Republic India, and the Fiftieth Year of the State of Nagaland as follows:-

THE NAGALAND MEDICAL COUNCIL ACT, 2014

CHAPTER 1

PRELIMINARY

1. Short title, extent and commencement:

- (1) This Act may be called the Nagaland Medical Council Act, 2014
- (2) It shall extent to the whole of the State
- (3) This Act shall come into force on such date as the Gove-rnment may, by notification in the Official Gazette, appoint.

2. Definition in this Act, unless the context otherwise requires:

- (1) “appointed day” means the date on which the provisions of Act shall come into force under sub- section (3) of Section 1;
- (2) “casual vacancy” means a vacancy occurring otherwise than by efflux to time in any office filled by election or nomination;
- (3) “council” means the Nagaland Medical Council constituted under this Act;
- (4) “Executive Committee” means the Executive Committee of the Council constituted under Section 11;
- (5) “Government” means the Government of Nagaland
- (6) “Medical practitioner” or practitioner means a person who is the practice of modern scientific system of medicine and all its branches and HAS qualifications as prescribed in the First, Second or Third Schedule to the Indian Medical Council Act, 1956(102 of 1956);
- (7) “Medicine” means the modern scientific system of medicine and includes surgery and obstetrics but does not include veterinary medicine or veterinary surgery or the Homoeopathic or the Ayurveda or the Siddha or the Unani System of medicine and the expression “medical” shall be construed accordingly ;
- (8) “member” means a member of the Council;
- (9) “prescribed” means prescribed by rules made under this Act;
- (10) “president” means the president of the Council;
- (11) “Vice- President” means the Vice-President of the Council;
- (12) “register” means the register of medical practitioners prepared or deemed to be prepared and maintained under this Act;

- (13) "registered practitioner" means a medical practitioner having register able qualification as prescribed in the Indian Medical Council Act, 1956 (102 of 1956) whose name is for the time being entered in the register, but does not include a person whose name is provisionally entered in the register;
- (14) "Registrar" or "Deputy Registrar" means the Registrar or the Deputy Registrar as the case may be, appointed under Section 14 of this Act;
- (15) "rules" means rules made under Section 30 of this Act;
- (16) "Section" means a section of this Act.

CHAPTER II

ESTABLISHMENT OF COUNCIL

1. Constitution, functions and powers of this council Constitution and incorporation of the Council:

- (1) With effect from such date as the Government may, by notification in the Official Gazette notify, there shall be constituted for the purposes of this Act a Council to be called "the Nagaland Medical Council". Nagaland Medical Council will be the statutory (Legal) body for maintenance of uniform and high standards of medical education in the State. The Council will grant recognition of medical qualification, grant registration to medical practitioners and monitor medical practice in the State.
- (2) The Council shall be a body corporate, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, whether movable or immovable, and to contract and to do all things necessary for the purposes of this Act, and may by the name aforesaid sue or be sued.
- (3) The Council shall consist of the following members, namely:-
 - a) Four member having register able qualification as prescribed in the Indian Medical Council Act, 1956(102 of 1956) to be nominated by the Government;
 - b) One member from each medical college established by law in Nagaland having a medical faculty, elected by member of the medical faculty of that college from amongst its permanent member of teacher faculty, if available.
 - c) Nine member to be elected by registered practitioners from amongst themselves including one member elected by the Nagaland In-service

Doctor Association (NIDA) and one from Indian Medical Association (IMA)-Nagaland branch.

Provided that no registered practitioners shall be entitled to vote or stand as a candidate for election, unless:

- * He is a citizen of Indian; and
- * He either resides or carries on his profession or is employed in Nagaland
- d) Dean of the medical Faculty of the University of Nagaland as ex-officio member; and
- e) Principal Director of Health & Family Welfare of the Government as ex-officio
- f) The president and Vice-president who shall be elected the member from amongst themselves.
- (3) The election of the member, and of the President and Vice-President, shall be held at such time, and at such place, and in such manner, as may be prescribed.
- (4) If at any election, the electors fail to elect the requisite number of members, or fail to elect the President or the Vice-President, the Government shall nominate members from amongst persons qualified to be elected as members of the respective category, as it deem fit to fill in the vacancy or vacancies; and the persons so nominated shall be deemed to have been elected for the period till such time the vacancies are filled in on regular basis under this sections.
- (5) Where any dispute arises regarding any election of a member or the President or Vice-President, it shall be referred to the Government, and the decision of the Government shall be final.
- (6) Notwithstanding anything contained in sub-section (3)
 - (a) In respect of the constitution of the Council for the first time under this Act, the members thereof shall be nominated by the Government from amongst person qualified to be elected or nominated as members of the respective category; and
 - (b) The members so nominated shall hold office for such period exceeding three years in the aggregate as the Government may, by notification in the Officer Gazette, specify.

(4). Term of office:

- (1) The Government, shall, by notification in the Official Gazette, publish the names of the members
- (2) Save as otherwise provided by this Act, a member , shall hold office for a term of five years from the date of publication of the notification under sub-section (1):

Provided that where a person is elected by members of medical faculty of a medical college, or is an ex-officio member, he shall cease to hold office as a member if he ceases to belong to that faculty or, as the case may be ceases to hold such office, before the expiry of his term.

- (3) Save as otherwise provided by this Act, the President or the Vice-President shall hold office from the date of his election up to the day on which his term of office as member expires.
- (4) The term of office of an outgoing member shall, notwithstanding anything contained in sub-section(2) be deemed to extend and to expire with the day immediately preceding the day on which the names of the successor members are published under sub-section(1).
- (5) The term of office of an outgoing President or Vice-President shall, notwithstanding anything contained in sub-section (3) be deemed to extend and to expire with the day immediately preceding the day on which the successor President or Vice-President, as the case may be, is elected.
- (6) An outgoing member, President or Vice-President, shall be eligible for re-election or nominated for one more consecutive term only.
- (7) Leave of absence may be granted by the Council to any member for a period not exceeding six months.

5. Casual Vacancies:

- (1) A casual vacancy in the office the President or the Vice-President or a member elected under Clause (d) of Sub-section (3) of section 3 or Clause (c) of said sub-section, shall be filled by election:

Provided that any such vacancy in the office of an elected member occurring within six months prior to the date on which the term of office of all the members expires, shall not be filled.

- (2) A casual vacancy in the office of a member nominated under Clause (a) of Sub-section(3) of Section 3, or Sub-section(7) of that shall be reported forthwith by the Registrar to the Government, and all shall, as soon as possible thereafter, be filled by the Government by nomination.
- (3) Any person elected under sub-section(1) or nominated under sub-section(2) to fill a casual vacancy shall , notwithstanding anything contained in sub-section(7) of Section 3 or Section 4, hold office so long as the person in whose place he may be elected or nominated, as the case may be, would have held office, if the vacancy had not occurred.

6. Resignation:

- (1) The President or the Vice- President may at anytime resign his office by a notice in writing address to the Council and delivered to the Registrar. The registration shall take effect from the date on which it is accepted by the Council or on the expiry of sixty days from the date of the delivery of the notice, Whichever event occurs earlier.
- (2) An elected member may, at any time, resign his office by a notice in writing addressed to the President. A nominated member may at any time resign his office by a notice in writing addressed to the Government and delivered to the Registrar. The registration shall take effect from the date on which it is accepted by the Council or on the expiry of sixty days from the date of the delivery of the notice, Whichever event occurs earlier.

7. Disqualification and disability:

- (1) A person shall be disqualified for being elected or nominated as , and for continuing as, a member
 - a) If he is an un-discharged insolent: or
 - b) If he is of unsound mind and stands so declared by a competent court; or
 - c) If his name has been removed from the register and has not been re-entered therein; or
 - d) If he is a whole-time officer or servant of the Council; or
 - e) If he has been convicted for an offence involving moral turpitude.
- (2) If any member absents himself from three consecutive meetings of the Council, without leave of the Council granted under sub-section(7) of Section 4 or without such reasons as may, in the opinion of the Council, be sufficient, the Council may declare his seat and take steps to fill the vacancy.
- (3) If any members becomes, or is found to be, subject of the disqualification mentioned in sub-section(1, the Council shall submit a report to the Government, and the Government, if satisfied about the disqualifications, shall declare his seat vacant.

8. Meetings of council:

- (1) The meetings of the Council shall be convened, held and conducted in such manner as may be prescribed.
- (2) The President, when present, shall preside at every meeting of the Council. If at any6 meeting the President is absent, The Vice-President, and absence

or both, some other member elected by the members present from amongst themselves, shall preside at such meeting.

- (3) All issues at a meeting of the Council shall be decided by a majority members present and voting
- (4) The presiding authority at a meeting shall have and exercise a second or casting vote, in case of an equality of votes.
- (5) Eight members (including the President and Vice-President) shall form a quorum. When a quorum is required but not present, the presiding authority shall, after waiting for not less than thirty minutes for such quorum, adjourn the meeting to such hour or some future day as it may notify on the notify board at the office of the Council; and the business which would have been brought before the original meeting had there been a quorum thereat, shall be brought before the adjourned meeting, and may be disposed of at such meeting or any subsequent adjournment thereof, whether there by a quorum present, or not.

9. Proceeding of meetings and validity of acts:

- (1) The proceedings of every meeting of the Council, shall be treated as confidential; and no person, shall without the previous resolution of the Council, disclose any portion thereof.
- (2) No disqualification or defect in the election or nomination or any person as a member, or as the President or as the Vice-President, or as a presiding authority of a meeting shall be itself be deemed to vitiate any act or proceedings of the Council in which such act or proceedings, were entitled to vote.
- (3) During any vacancy in the Council, the continuing members may act, as if no vacancy had occurred.
- (4) Any act done by the Council shall not be questioned on the ground merely of the existence of any vacancy in or any defect in the constitution of the Council.

10. Powers, duties and functions of the Council subject to such conditions as may be prescribed by or under the provisions of the Act, the powers, duties and specific functions of the Council shall be:

- (1) To maintain the live register and to provide for the registration of medical practitioners;
- (2) To hear and decide appeals against any decision of the Registrar;

- (3) To prescribe a code of ethics for regulating the professional conduct of practitioners; i.e. lay down the standards of professional ethics in the practice of medicine.
- (4) Lends advice to the State government on matters relating to the medical education and practice in medicine.
- (5) Organized Seminars, Symposiums, and Workshops in order to promote continuous medical education and practice in medicine.
- (6) Perform such functions may be laid down in the rules made by the Central government.
- (7) To Exercise such other powers, perform such other duties and discharge such other functions, as are laid down in this Act, or as may be prescribed.
- (8) To receive complaints from public (including patients and their relatives) against misconduct or negligence by a medical practitioner, to proceed for inquest, take a decision on the merits of the case and to initiate disciplinary action or award compensation and similarly to take action against frivolous complaints;
- (9) To provide protection to its members in discharging professional duties
- (10) To ensure that no unqualified person practices modern scientific system of medicine.
- (11) To reprimand a practitioner, or to suspend or remove his name from the register, or to take such other disciplinary action against him as may, in the opinion of the Council be necessary or expedient;
- (12) Committees.
 - I. Executive Committee
 - II. Committee for protection of Doctors
 - III. Ethics Committee
 - IV. CME Committee
 - V. Anti-Quackery Committee
 - VI. Disciplinary Committee
 - VII. Land and Building Committee
 - VIII. News letter Committee
 - IX. Finance Committee
 - X. Constitutional and Amendment Committee
 - XI. Nursing home Committee
 - XII. Staff welfare Committee
 - XIII. Diagnostic Committee

11. Executive Committee

- (1) The Council shall, as soon as may be, constitute an Executive Committee consisting of the President as ex-officio member and such other number of others members, elected by the Council from amongst its members, as may be prescribed.
- (2) In addition to the powers, duties and functions conferred, imposed and entrusted by this Act, the Executive Committee shall exercise such powers, perform such duties, and discharge such functions of the Council as may be delegated to it by rules or entrusted to it from time to time, by the Council.
- (3) The President shall be the ex-officio Chairman of the Executive Committee

12. Fee and allowances to members of the Council and of the Executive Committee:

There shall be paid to the President, the Vice-President and other members of the Council, and to the members of its Executive Committee, such fees and allowances for attendance at meetings, and such reasonable travelling allowances, as shall from time to time be prescribed.

13. Income and expenditure of the Council:

- (1) The income of the Council shall consist of
 - a) Registration fees received from the practitioners;
 - b) Grants received from the Government, if any; and
 - c) Any other sums raised by the Council.
- (2) It shall be competent for the Council to incur expenditure for the following purposes, namely
 - a) Salaries and allowances of the Registrar and the staff maintained by the Council
 - b) Fees and allowances paid to the members of the Council and of the Executive committee;
 - c) Remuneration paid to the assessors; and
 - d) Such other expenses as are necessary for performing the duties and discharging the functions under this Act.

14. Appointment of Registrar and /or Deputy Registrar of the Council, their duties and functions:

- (1) The Council shall, with the previous sanction of the Government, appoint a Registrar and/or a Deputy Registrar. He shall be a qualified medical graduate as prescribed in Schedules I, II and III of the Indian Medical Council Act, 1956 (102 of 1956).
- (2) The Executive Committee may, from time to time, grant leave to the Registrar:

Provided that if the period of leave does not exceed one month, the leave may be granted by the President.

- 3) During the temporary vacancy in the office of the Registrar due to leave or any other reasons, the Deputy Registrar, shall act as Registrar. In case of non-availability of Registrar and Deputy Registrar the Executive Committee may, with the previous sanction of the Government, appoint another person to act in his place, and any person so appointed shall for the period of such appointment, be deemed to be the Registrar for the purposes of this Act.

Provided that, when the period of such vacancy does not exceed one month, the appointment may be made by the President, who shall forthwith report such appointment to the Executive Committee and the Government.

- (4) The Council may, with the previous sanction of the Government, suspend, dismiss or remove any person appointed as the Registrar, or impose any other penalty upon him in the manner as may be prescribed.
- (5) Save as otherwise provided by this Act, the salary and allowances and other conditions of service of the Registrar shall be such as may be prescribed.
- (6) The Registrar shall be the Secretary and the Executive Officer of the Council. He shall attend all meetings of the Council, and of its Executive Committee, and shall keep minutes of the meetings and names of members present and of the proceedings of such meetings.
- (7) The accounts of the Council shall be kept by the Registrar, in the prescribed manner.
- (8) The Registrar shall have such supervisory powers over the staff as may be prescribed, and may perform such other duties and discharge such other functions as may be specified in this Act, or as may be prescribed.
- (9) The Registrar shall be deemed to be public servant within the meaning of Section 21 of the Indian Penal Code (45 of 1860).

15. Power of Amend Schedule:

The Nagaland Medical Council shall by notification, amend the schedule so as to include therein any subject not already specified therein or omit there any subject or modify the description of any subject.

THE NAGALAND MEDICAL COUNCIL ACT, 2014

CHAPTER III

PREPARATION AND MAINTENANCE OF REGISTER

16. Preparation of Register:

- (1) As soon as may be after the appointed day, the Registrar shall prepare and maintained thereafter a register of medical practitioners for Nagaland, in accordance with the provisions of this Act.
- (2) The Register shall be in such form, and may be divided into such parts, as may be prescribed. The register shall include the full name, address and qualifications with the name of college and university of the registered practitioner, the date on which each qualification obtained, and such other particulars as may be prescribed.
- (3) Any person who possesses any of the qualifications in the First, Second or Third Schedule to the Indian Medical Council Act, 1956 (102 of 1956) shall subject to any condition laid down by or under the Indian Medical Council Act, 1956, at any time on an application made in the prescribed form to the Registrar and on payment of a prescribed fee and on presentation of proof of his registerable qualification, be entitled to have his name entered in the register.
- (4)
 - a) Every person, whose name was entered on a date prior to 1st May, 1961 in Indian Medical Council Register and continued in such register on the day immediately preceding the appointed day, shall be entitled to have his name continued in the register prepared under this Act.
 - b) Within a period of three months from the appointed days or such further period as the Government may allow, the Registrar shall publish a general notice in the Official Gazette and in such newspapers, as the Council may select, in such form as may be prescribed calling upon every person to whom Clause(a) applies, to pay to the Registrar in the prescribed manner the prescribed fee if he desires to have his name on the register under the Act, and shall also send individual notice for a like purpose by registered post to every such person who pays such fee before the expiry of the period of two months from the date of publication of the general notice in the Official Gazette shall be enlisted on the register.
- (5) After the last date for payment of the prescribed fee under Clause (b) of subsection (4) has expired and the register prepared in accordance with foregoing

provisions is ready, the Registrar, shall publish notice in the Official Gazette and such newspapers as the Council may select, about the register having prepared, and the register shall come into force from the date of the publication of such notice in the Official Gazette.

- (6) Any person servicing or practicing modern scientific system of medicine in Nagaland shall be registered with Council under this Act. Without registration with the Council any person through qualified in modern scientific system of medicine shall be liable for action as specified by the Council.
- (7) Every registered practitioner shall be giving a certificate of registration in the prescribed form. The registered practitioner shall display the certificate of registration in a conspicuous part in the place of his practice and if he has more than one such place in any one of them.

17. Special procedure for registration in certain cases:

- (1) No person who possesses a medical qualification granted by any authority in any place outside the territory of India (other than the qualification specified in the first, the Second or the Third Schedules to the Indian Medical Council Act, 1956) shall be registered under this Act, unless the procedure specified in sub-section (2) has been followed
- (2) Any person, who holds such medical qualification, may apply to the Council for registration by giving a correct description of his qualification, with this decree, diploma, license or certificate. The Council shall transmit the same to the Medical Council of India for opinion and shall act according to the opinion.

18. Persons who may not be registered:

Notwithstanding anything contained in section 16 and 17 no person whose name has been removed whether before or after the appointed day, from any register kept under this Act or any other law for the time being in force in India regulating the registration of medical practitioners on the ground of professional misconduct, shall be entitled to have his name entered in the register, unless his name is duly ordered to be restored to the register from which it was removed.

19. Fee for and certificate of provisional registration:

- (1) Any person who desires to be registered provisionally under Section 25 of the Indian Medical Council Act, 1956 (102 of 1956), shall make an application in the prescribed form to the registrar and shall pay the prescribed fee.
- (2) Every person whose name is entered in the register under sub-section (1) shall be giving a certificate of provisional registration in the prescribed form.

Such certificate shall remain in force for such period as may be specified therein.

20. Maintenance of register:

- (1) It shall be the duty of the Registrar to make entries in the register, from time to time, to revise the same and to issue certificate of registration in accordance with the provision of this Act, and the rules made there under
- (2)
 - a) Every Registrar of Deaths on receiving notice of the death of a medical practitioner registered under this Act shall forthwith transit by post to the Registrar appointed under this Act a certificate under his own hand of such death with the particulars of time and place of death and may charge the cost such certificate and transmission as an expense of his office.
 - b) The names of registered practitioners, who die or whose names are directed to be removed from the register under Section 22 shall be removed there from.
- (3) Any person whose name is entered in the register and who subsequent to this registration desires to record in the register any change in his name shall, on an application made in this behalf and on payment of prescribed fee be entitled to have such change in his name recorded in the register.
- (4) Subject to the provisions of Section 26 of the Indian Medical Council Act, 1956 (102 of 1956), any person whose name is entered in the register and who subsequent to his registration obtains any additional qualification specified in any of the Schedules to the Indian Medical Council Act, 1956, shall on an application made in this behalf, and on payment of the prescribed fee be entitled to have an entry starting such additional qualification made against his name in the register.
- (5) Where it is shown to the satisfaction of the Registrar that a certificate of registration has been lost or destroyed, the Registrar may, on payment of prescribed fee and on furnishing an indemnity bond issue a duplicate certificate after due confirmation and approval of the Executive Committee.

21. Publication of list of registered practitioner:

- (1) At such time, after the publication of the notice under sub-section (5) of Section (16) as the Council deems fit and thereafter every five years, the Registrar shall cause to be printed and published a correct list of all persons for the time being entered in the register but not later than three months of the start of election process.

- (2) The Registrar shall cause to be printed and published annually on or before a date to be decided by the Executive Committee an addendum and a corrigendum to the list published under sub-section (1) showing
 - a) The names of all persons for the time being entered or re-entered in the register, and not included in any subsisting list already printed and published;
 - b) The names of all practitioners included in any subsisting list, whose name have since been removed on account of any reason whatsoever from, and not re-entered in, the register; and
 - c) Any other amendments to the subsisting list.
- (3) The form of the list published under sub-section (1), the particulars to be included therein, and the manner of its publication, shall be such as may be prescribed.
- (4) A copy of the list referred to in sub-section(1) shall be conclusive evidence in all Courts, and in all judicial or quasi-judicial proceedings, that the persons therein specified are registered are registered according to the provisions of this Act, and the absence of the name of any person is not registered according to the provisions of this Act.
- (5) Provided that in the case of any person whose name does not appear in such copy, a certified copy under the hand of the Registrar of the entry of the name of such person on the register shall be evidence that such person is registered under the provisions of this Act.

22. Disciplinary action including removal of names from the register:

- (1) The Council shall have a Disciplinary Committee comprising of
 - a) A Chairman to be nominated by the Council;
 - b) A Member of Legislative Assembly of the State of Nagaland, nominated by the Speaker;
 - c) A Legal Expert to be nominated by the Council;
 - d) An eminent public-man nominated by the Government;
 - e) An eminent medical specialist in the relevant speciality to which the complaint pertains, to be nominated by the Council; and
 - f) A member nominated by Indian Medical Association- Nagaland branch with minimum ten years standing
- (2) If a registered practitioner has been, after due inquiry held by the Council or by the Executive Committee in the prescribed manner, found guilty of any misconduct by the Council or the Executive Committee, the Council may
 - a) Issue a letter of warning to such practitioner; or
 - b) Direct the name of such practitioner

- * To be removed from the register for such period as may be specified in the aforesaid direction;
- * To be removed from the register permanently.

Explanation

For the purpose of this section a registered practitioner shall be deemed to be guilty of misconduct if

- * He is convicted by a criminal court for an offence which involves moral turpitude and which is cognizable within the meaning of the Code of Criminal Procedure, 1973 (2 of 1974), or
 - * In the Opinion of the Council his conduct is infamous in relation to the medical profession particularly, under any Code of Ethics prescribed by the Council or by the Medical Council Act, 1956 (102 of 1956) in this behalf.
- (3) The Council may, on sufficient cause being shown, direct on any subsequent date that the name of a practitioner removed under the sub-section(2) shall be re-entered in the register on such conditions, and on payment of the prescribed fee, as the Council may deem fit.
 - (4) The Council may, of its own motion, or on the application of any person, after due and proper inquiry and after giving an opportunity to the person concerned of being heard, cancel or alter any entry in the register, if in the opinion of the Council, such entry was fraudulently or incorrectly made:-
 - (5) In holding any inquiry under this section, the Council or the Executive Committee, as the case may be, shall have the same powers as are vested in civil Court under the Code of Civil Procedure, 1908 when trying a suit, in respect of the following matters, namely:-
 - a) Enforcing the attendance of any person, and examining him on oath;
 - b) Compelling the production of documents;
 - c) Issuing of commissions for the examination of witness.
 - (6) All the inquiries under this section shall be deemed to be judicial proceedings within the meaning of Section 193, 219 and 228 of the Indian Penal Code (45 of 1860).
 - (7)
 - a) For the purpose of advising the Council or the Executive Committee, as the case may be, on any question of law arising in any inquiry under this section, there may in all such inquiries be an assessor, who has been for not less than ten years
 - * An advocate enrolled under the Advocates Act, 1961, or
 - * An attorney of a High Court.

Explanation For the purpose of this sub-section, in computing the period during which a person has been enrolled as an Advocate, there shall be included any period during which he was enrolled as an Advocate under the Indian Bar Council Act, 1926.

- b) Where an assessor advises the Council, or the Executive Committee, as the case maybe, on any question of law as to evidence, procedure or any other matter, he shall do so in the present of every party or person representing a party to the inquiry who appears thereat or if the advice is tendered after the Council or the Executive Committee has begun to deliberate as to its findings, every such party or person as aforesaid shall be informed what advice the assessor has tendered. Such party or person shall also be informed if, in any case, the Council or the Executive Committee does not accept the advice of the assessor on any such question as aforesaid.
- c) Any assessor under this section may be appointed either generally, or to any particular inquiry, and shall be paid the prescribed remuneration.

23. Renewal of registration:

- (1) Notwithstanding anything contained in Section 16 and 20 on such date, after the date of publication of the notice under sub-section(5) of Section 16, as the Executive Committee may, with the previous sanction of the Government, decide and every five years thereafter, the Registrar shall cause two notices in the prescribed form to be published, at an interval of not less than thirty days, in the Official Gazette calling upon in the manner provided in sub-section (2) all registered practitioners to make an application to the Registrar for the continuance of their names on the register.
- (2) The Registrar shall, after the publication of the first notice under sub-section (1), send a notice by registered post enclosing therewith the prescribed form of application to the registered practitioners at their address as entered in the register, calling upon them to return the application to the Registrar for continuance of their names on the register within forty-five days of the date of the notice. If any of the Registrar shall issue a further notice to such registered practitioner by registered post after the publication of the second notice under sub-section (1) enclosing therewith the prescribed form of application to the Registrar for the continuation of his name on the register within thirty days of the date of the further notice together with a fee as may be prescribed from time to time.
- (3) If the application is not made on or before the date fixed by further notice sent by registered post under sub-section (2), the Registrar shall remove the name of the defaulter from the register and shall inform him of such removal by registered post.

- (4) Provided that if an application for continuance of the name so removed is made within a period of six months from the date fixed by the said further notice by registered post under sub-section(2), the name so removed may be re-entered in the register on payment of a prescribed fee.

24. Appeals:

- (1) Any Person aggrieved by any decision of the Registrar under this Act may, within a period of one month from the date on which the decision in communicated to him, appeal to the Council which shall hear and determine the appeal in the prescribed manner.
- (2) Save as otherwise provided in the Indian Medical Council Act, 1956 (102 of 1956) the decision of the Council under this Act shall be final.

25. Rights of registered practitioners Notwithstanding anything contained in laws for the time being in force:

- (1) The expression “I legally qualified practitioner” or “duly qualified medical practitioner” or any word importing a person recognized by law as a medical practitioner or member of the medical profession shall in all Acts of the Legislative assembly of Nagaland and all Central Acts (in their application to Nagaland) in so far as such Acts relate to any matter with respect to which the Legislative Assembly has powers to make laws, under Clause(3) of Article 230AA of the Constitution, include a practitioner whose name is entered in the register under this Act;
- (2) Every registered practitioner shall exempt, if he so desires, from serving on an inquest.

26. General provision application to medical practitioners:

The provision of this Act are in addition to , and not derogation of the provisions of the Indian Medical Council Act, 1956 (102 of 1956) containing general provisions applicable to all medical practitioners.

27. Penalty for falsely claiming to be registered:

If any person whose name is not for the time being entered in the register, falsely represents that it is so entered, or uses in connection with his name or title any words or letters reasonable calculated to suggest that his name is so entered, he shall, on conviction, be punished with fine which may extend to five thousand rupees.

28. False assumption of Medical Practitioner of Practitioner under this Act to be an Offence:

Any person who falsely assumes that he is medical practitioner or practitioner as defined in Clause (6) of Section 2 and practices the modern scientific system of

medicine, shall be punishable with rigorous imprisonment which may extend up to three years or with which may extend up to Rs. 20,000 or with both.

Explanation- Under this section, punishment can be awarded only to medical practitioners as defined in section 2(6) of this Act and no punishment may be awarded to any one practicing Veterinary medicine or Veterinary surgery or Homoeopathic or the Ayurvedic or the Siddha or the Urani System of Medical or those holding BAMS or BIMS degree.

29. Court competent to try offence, under this Act and take cognizance of offence:

- (1) No court other than the court or a Metropolitan Magistrate shall take cognizance of or try an offence, under this Act.
- (2) No court shall take cognizance of any offence under this Act except on a complaint in writing by an officer empowered by rules made in this behalf.

30. Control of Government:

- (1) If at any time it appears to the Government that the Council or its President and Vice-President has failed to exercise or has exceeded or abuse any powers conferred upon it or him or under this Act, or has ceased to function, or has become incapable of functioning, the Government may, if it considers such failure, excess, abuse or incapacity to be a serious character, notify the particulars thereof to the Council or the President or Vice- President, as the case may be. If the Council or the President, or the Vice-President, as the case may be, fails to remedy such failures, excess, abuse or incapacity within such reasonable time as the Government may fix in this behalf, the Government may remove the President or Vice-President or dissolve the Council for a specified period, as the case may be, and in case of dissolution of the Council, cause all or any of the powers, duties and function of the Council to be exercised, performed and discharged by such registered practitioners or practitioners as the Government may appoint in that behalf:

Provided that new Council shall be constituted before the expiration of a period of two years from the date of its dissolution.

- (2) Notwithstanding anything contained in this Act, or in the rules made there under, if at any time it appears to the Government that the Council or any other authorities empowered to exercise any of the powers or to perform any of the duties or functions under this act, has not been validly constituted or appointed, the Government may cause any such powers, duties or

functions to be exercised or performed by such person or persons, in such manner and for such period not exceeding six months and subject to such conditions, as it thinks fit.

31. Rules.

- (1) The Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules to carry out the purpose of this Act. Such rules may be made to provide for all or any matters expressly or allowed by this Act to be prescribed by rules.
- (2) In particular, and without prejudice to the foregoing power, the Government may make rules for all or any of the following matters namely:-
 - a) The time and place at which and the manner in which the election of the Members, and of the President and the Vice-President shall be held under sub-section (4) of section 3 ;
 - b) The manner in which the meeting of the Council shall be convened, held and conducted under sub-section(1) of Section 8;
 - c) The powers, duties and functions of the Council, the conditions subject to which they shall be exercised and performed; and regulation of professional conduct of practitioners by a code of ethics in accordance with Section 10;
 - d) Number of elected members who shall be elected by the council from amongst its Members for constituting the executive Committee and also the powers and duties and functions of the council as may be delegated by the Council to be exercised, performed and discharged by the Executive Committee, under the provisions of section 11;
 - e) The fees and allowances payable to the President, The Vice-President and other Members of the Council, and not to the members of its Executive Committee under Section 12.
 - f) The salary and allowances payable to the Registrar and other conditions of service of the Registrar, manner of maintenance of the accounts of the Council by the Registrar, supervisory powers of the Registrar over the staff and duties and functions as may be specified in Act, which may be performed and discharged by the Registrar;
 - g) The conditions of service of the officers and staff of the council under sub-section (3) of Section 14;

- (i) The post of Registrar/Deputy shall be permanent. The post of Registrar shall be in the basic pay equivalent to the basic pay scale of Chief Medical Officer of the State services and the post of deputy Registrar shall be in the basic pay scale equivalent to the basic pay scale of Deputy Director of the State Health Services.
- (ii) The Council shall be in the appointing authority for the post of Registrar/Deputy Registrar and the Registrar/Deputy Registrar shall be the appointing authority for all other appointments in the Council.
- (iii) The post of Registrar shall be filled by the Council by promotion of Deputy Registrar. Registrar shall be filled by direct selection by the Council from amongst suitable candidates having minimum qualification of M.B.B.S. with minimum of ten years experience after M.B.B.S. in Government/Public Sector/Private Sector or Practice, and with minimum age limit of fifty years on the date of application, candidates with Post-Graduate qualifications shall be giving preference.
- (iv) The Registrar/Deputy Registrar shall draw allowances equivalent to allowances admissible to similar post in the Government like dearness allowance, house rent allowance, city compensatory allowance, transport allowance, conveyance allowance, non-practicing allowance, academic allowance, Post-Graduate allowance, travelling allowance, daily allowance, etc. The leave entitlement and travelling entitlement shall be similar to that of Government in similar posts.
- h) Preparation and maintenance of register of medical practitioners, the form of such register, particulars including the name, address and qualifications etc. of the registered practitioners to be entered in the register, prescription of the form of application and of notice to be published in the Official Gazette and newspapers to have names registered, prescription of fees to be paid for such entry and the manner of payment, prescription of form for sending individual notices, prescription of form of certificate which shall be given to registered practitioner under Section 16;
- h) Prescribing the form of application for provisional registration, fee payable for such registration and prescribing form of certificate of provisional registration under section 19.
- J) Prescribing of fee for recording change of name in the register, prescription of the fee payable for entering additional qualification in the register and prescription of fee payable for issue of duplicate certificate of registration under section 20;

- k) the form of the list of Registered Medical Practitioners and manner of the publication of the list under section 21;
 - l) manner for taking disciplinary action etc., against registered practitioners by the council or by the executive committee, conditions subject to which and the fee for re-entering the name of a practitioner in the register and the remuneration to be paid to an assessor under Section 22;
 - m) form of notices and form of application for renewal of registration by Registered Medical Practitioners, fee payable for re-entry of name which is removed from the register due to non-renewal under Section 23;
 - n) the manner in which appeals against the decision of the Registrar shall be heard by the Council under Section 24;
 - o) officers who are empowered to make a complaint under sub-section (2) if section 29;
 - p) Any other matter which is to be, or may be, prescribed under this Act.
- (3) All rules under this section shall be laid for not less than thirty days before the legislative Assembly of Nagaland as soon as possible after they are made and shall be subject to rescission by the Legislative Assembly or to such modifications the Legislative Assembly may make during the session in which they are so laid or the session immediately following.
- (4) Any rescission or modifications so made by the Legislative Assembly of Nagaland shall be published in the Official Gazette and shall thereupon take effect.

32. Code of conduct and ethics:

The Council shall follow the conduct and code of medical ethics as prescribed by the Medical Council of India from time to time.

33. Power to remove Difficulties:

- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove such difficulty.

Provided that no such order shall be made after the expiry of the period of two years from the commencement of this Act.

- (2) However, order made under this section shall be laid, as soon as may be, after it is made, before the State Assembly.

THE NAGALAND MEDICAL COUNCIL ACT, 2014

CHAPTER I

PRELIMINARY

1. **Short title and commencement.** These rules may be called the Nagaland Medical Council Rules, 2014 and shall come into force with immediate effect.
2. **Definitions.- In these rules the context otherwise requires,-**
 - a) “Act” means the Nagaland Medical Council Act, (Nagaland Act of 2014)
 - b) “Form” means a form appended to these rules;
 - c) Words and expressions not defined in these rules but defined in the Act shall have the same meanings assigned to them in the Act.

REGISTRATION

3. **Grant of Registration.** – Any person who possesses any of the qualification in the First, second or third Schedule to the Indian Medical Council Act, 1956(102 of 1956) shall, subject to any conditions laid down by or under that Act, and is in service in connection with, or wishes to practice in modern scientific system of medicine in Nagaland, apply for registration in the live register of the Council by applying to the registrar in form 1, along with copies of photographs and prescribed fees. The Registrar shall consider the application in form 2 which shall be valid for a period of five years from the date of registration:

Provided that any person who has passed the qualifying examination of University or Medical Institution in India for the grant of a recognized medical qualification shall be entitled to be registered provisionally for the purpose of internship training and on an application made for provisional registration to the Registrar in Form 3 along with the prescribed fees, the registrar will issue a certificate of provisional registration in Form 4.

4. **Preparation of register:-**
 - i) The register of medical practitioners for Nagaland referred to in sub-section (2) of Section 16 of the Act shall be in Appendix A.
 - ii) The Registrar shall publish a notice in the Official Gazette and in such newspapers as the Council may select about the register having been prepared and the register shall come into force from the date of the publication of such notice in the Official Gazette. The Registrar shall publish, annually, on or before a date to be decided by the Executive Committee, an addendum

and corrigendum to the lost published. After the publication of the name in the register, the last edition of that alone shall be the legal evidence of registration.

5. **Additional qualification.** – Persons registered with the Council are entitled to apply for entering additional qualifications acquired by them as specified in the schedule to the Indian Medical Council Act, 1956, in form 6, on the Council's register on payment of the fee prescribed by the Council. After incorporating the additional qualification(s), a new registration certificate shall be issued incorporating the additional qualification(s) in lieu of the original certificate of registration in form 2 returned by the applicant. The period of validity of the certificate shall remain as in the original certificate with a mention of date incorporating the additional qualification(s).
6. **Renewal of registration.** – The registration certificate can be renewed by the Council on receipt of application in form 3 along with the fee prescribed for renewal of registration. The Registrar shall consider the application and if found fit, shall renew the registration.
7. **Restoration of registration.** on submission of application in Form 7 by the practitioner the Executive Committee of the Council may consider a case of restoration of registration of a person whose name has been struck off the register and may direct the Registrar to re-enter the name of the practitioner in the register on payment of the prescribed fees.
8. **Change of Address.**– Every registered practitioner shall send to the Registrar immediate notice of any change in his address on order that his correct address may be duly erased from the register.

ELECTIONS

9. **Returning Officer.**– The Registrar or deputy Registrar shall be the Running Officer for conduct of any election under the provisions of this Act. The Returning Officer shall inform the Government about the constitution of a new Council and he shall notify in the Official Gazette and two newspapers published from Nagaland, at least, sixty days prior to the expiry of the tenure of the existing Council and about the proposed schedule of elections.
10. **Constitution of new Council.**– The following procedure shall be followed for purpose of constituting the new Council, namely:-
 - (a) The Returning Officer shall intimate to the Dean/Principal/Director of every medical college established by law in Nagaland having a medical faculty to

elect one member from each medical college/institution within thirty days and the name of the elected members shall be intimated to the returning officer.

- (b) The Returning Officer shall intimate to the Nagaland Medical Council regarding the election of one member from amongst its members to be elected to the Council. The election of such member shall be conducted and completed by the said Association, within thirty days and the name of the elected members shall be intimated to the returning officer.
- (c) The Returning Officer shall intimate to the Government that the Government shall nominate to the Council four members having registerable qualification as prescribed in the Indian Medical Council Act, 1956. The Government shall intimate the names of such four members to the returning officer within thirty days.
- (d) The Returning Officer shall conduct the election of eight members to be elected by registered practitioners from amongst themselves. The election shall be conducted by secret ballot at such place as decided by the Returning Officer. The election shall be conducted by ballot paper, provided that the Returning Officer may conduct the election by electronic voting machine, if feasible.
- (e) The electoral rolls for the election shall comprise all registered practitioners registered with the Council as on the date of notification of the election. A hard copy of the electoral rolls giving the name, registration number and address of the registered practitioners shall be supplied to contesting candidates on payment of a sum of one thousand rupees to the Council. A soft copy of the electoral rolls in the form of a compact Disk (CD) shall be supplied on payment of five hundred rupees to the Council. This fee structure may be revised by the Government from time to time.

11. Stages of Election:-

- (1) The returning Officer shall fix the following stages of election, namely:-
 - (a) Notification of elections;
 - (b) Last date of receipt of nomination papers;
 - (c) Date of scrutiny of nomination papers;
 - (d) Last date of withdrawal of candidate;
 - (e) Polling of votes;
 - (f) Counting of votes;
- (2) The election process shall be completed by the Returning Officer within forty-five days from the date of notification of elections.

- 12. Nomination of candidates.** – Every registered practitioner whose name appears in the election rolls shall qualify for filling his nomination paper subject to fulfilling eligibility conditions laid down in the Act. The nomination shall be in form 10. Every nomination paper duly completed and signed by the proposer and the seconded and subscribed by the candidate himself as consenting to the nomination shall be delivered to the returning officer on or before the date appointed for receipt of nomination papers. Nomination papers received after the time so fixed shall be summarily paper record thereon the date and time of its receipt by him. Only registered practitioners registered with the Council, whose name appears in the electoral roll, can be nominee, proposer and seconded. There shall be a non-refundable fee of one thousand rupees for each nomination payable by the candidate through a Bank Draft favouring “Nagaland Medical Council” along with the nomination paper. This fee may be revised by the Government from time to time.
- 13. Scrutiny of nomination papers-** On the date and time appointed for scrutiny of nomination papers, the candidates and his proposer and seconded may attend the proceedings at the appointed time and place. The Returning Officer shall examine the nomination papers and completes the scrutiny. On completion of the scrutiny of the nominations and after the expiry of the period within which a candidate may withdraw his candidature, the Returning Officer shall forthwith under his signature place on the notice board at the office of the Council a list of the contesting candidates.
- 14. Polling** – If the number of contesting candidates does not exceed the number of vacancies to be filled in, the Returning Officer shall forthwith declare such candidates as duly elected to fill such vacancies without any polling and report the names of such candidates to the Government. When there are more contesting candidates then the existing vacancies, the election shall be conducted within the stipulated time. The Returning Officer shall arrange for polling by printing of ballot papers with the names of the contesting candidates entered in alphabetical order. The voter shall produce proof of identity and residence at the time of polling. The identity proof may be in the form of registration certificate issued from the Council, passport, and electoral card, driving license or any other photo identity card issued by the Government.
- 15. Custody of ballot papers-** The ballot boxes shall be kept in a safe custody of the Returning Officer and shall not be open till counting of votes begins.
- 16. Counting of votes and declaration of results of elections-** The scrutiny and counting of votes shall be undertaken by the Returning Officer at the time, day

and place appointed. A candidate and not more than one representative, duly authorized by him, may remain present at the time of counting of votes. After the counting of votes is completed, the Returning Officer shall forthwith declare the result of election. If there are an equal number of votes in favour of two or more candidates for one vacancy, the election shall be determined by the Returning Officer by draw of lots in the presence of the candidates or their representatives. The Returning Officer shall communicate the result of the election to the Government who shall notify the constitution of the new Council. After the declaration of the result, the Returning Officer shall seal the ballot papers and all other documents relating to the election and shall retain in the same with himself in safe custody for a period of six months and thereafter cause them to be destroyed.

17. **Election of President and Vice-President-** As soon as possible as and not later than fifteen days after the constitution of the new Council, the members shall elect the successor President and Vice-President of the Council from among themselves in a meeting of the Council to be held at Nagaland. This meeting shall be convened and conducted by the Registrar. The election of President and Vice-President shall be by a majority of votes of the members present.

CONDUCT OF BUSINESS OF THE COUNCIL

18. **Power to appoint committee/ Sub- Committees-** The Council may appoint committee/Sub Committee to carry out the functions of the Council.
19. **Calling of meetings-** The Council shall meet on such date, time and place as maybe fixed by the President. The President may, whenever he thinks fit or upon a written requisition of not less than one third members call an extraordinary meeting. The President and the Registrar shall discuss and decide the agenda for the meeting.
20. **Notice for calling at meeting-** All members of the Council shall be given thirty clear day's notice for an ordinary meeting and ten clear days' notice for an extraordinary meeting. Every notice shall also be passed at the Office of the Council. Such notice shall specify the date, time, place and agenda of the meeting. The Registrar shall send to all members a copy of the notice.
21. **Motions for insertions in agenda-** Any member may send a motion to be included in the agenda for an ordinary meeting so as to reach the Registrar twenty clear days before the date fixed for such meeting and seven clear days in case of extraordinary meetings. The President and the Registrar shall discuss and decide whether or not to include such motion/ motions in the agenda, and where any

motion is disallowed, the reason for doing so shall also be communicated along with the agenda to the members who sent the motion.

22. **Attendance of the meeting-** At each meeting, an attendance register shall be placed in the meeting room and every member present shall sign against his name in the register.
23. **Business to be transacted at meeting-** At any meeting, no business or proposition other than the specified in the agenda shall be taken up, provided that the President, in his discretion, may permit any business or proposition to be discussed which is of an urgent nature and which was not entered in the notice for meeting.
24. **Minutes of the meeting-** The minutes of the meeting shall be recorded by the Registrar and the same shall be kept in the office of the Council.
25. **Approval of written proposal by the circulation-** Whenever it appears necessary to the President to consider a proposal by circulation, he may, instead of convening a meeting, direct the Registrar to circulate a written proposal for the observation and votes of the members of the Council and then decide on the basis of majority.

EXECUTIVE COMMITTEE

26. **Constitution-** The Executive Committee shall consist of five members. The President of the Council shall be Ex-Officio Chairman of the Executive Committee. The Council shall elect the other four members of the Executive Committee from amongst themselves as follows-
 - a) One member to be elected from amongst members nominated under Clause(a) of sub-section (3) of Section 3 of the Act
 - b) One member to be elected from amongst members nominated under Clause (b) of sub-section (3) of Section 3 of the Act
 - c) One member to be elected from amongst members nominated under Clause (c) of sub-section (3) of Section 3 of the Act
 - d) One member to be selected from either Dean of Medical Faculty of the University of Nagaland or Director of Health Services of the Government.
27. **Calling of meeting-** The Executive Committee shall meet on such date, time and place as may be fixed by the President. The President may, however if he thinks fit and shall, upon a written requisition by not less than three members call an extraordinary meeting of the Executive Committee on short notice. The President and the Registrar shall discuss and decide the agenda for the meeting.

28. **Notice of the meeting-** All members of the Executive Committee shall be given seven clear days' notice of an ordinary meeting and three clear days notice in the case of an extraordinary meeting. Such notice shall specify the place, date and time of the meeting and state whether the meeting is a general meeting or a special meeting and the business to be transacted thereat. The Registrar shall send to all Members a copy of the notice.
29. **Attendance at meeting-** At each meeting, an attendance register shall be placed in the meeting room and every member present shall sign against his name in the register. Attendance of three members of the Executive Committee shall constitute a quorum
30. **Business to be transacted at meeting-** At any ordinary meeting and in case of extraordinary meeting no business other than specified in the notice calling such meetings shall be transacted provided that the presiding authority may permit any business to be discussed which is of the urgent nature and which was not entered in the notice for meeting. All questions at the meeting of the Executive Committee shall be decided by a majority of the members present and in consultation with the Registrar.
31. **Minutes of the meeting-** The meeting of the Executive Committee meeting shall be recorded by the Registrar and the same shall be kept in the office of the Council.

INQUIRIES

32. **Complaint against medical practitioner-** The Council may inquire into complaint against medical practitioner either suo motto or on the basis of any complaint made to the Council in respect of misconduct or negligence of any medical practitioner for the purposes of the Act through the Disciplinary Committee. The Proceedings shall be conducted by the Registrar in the presence of Chairman, Disciplinary Committee and at least two members thereof sitting together. The complaint shall contain the following particulars-
- (a) the name, description and address of the complainant;
 - (b) the name, description and address of the opposite party or parties, as the case may be, as far as they can be ascertained;
 - (c) the facts relating to the complaint, when the cause of action arose and what are the grounds or causes of the complaint;
 - (d) the documents in support of the complaint if any;
 - (e) the relief which the complaint claims.

No complaint shall be entertained unless it is in writing and signed by the person making it. The complaint shall be verified by the complainant. The complainant shall file six copies of the complaint along with such number of copies as there are opposite parties in the complaint. All anonymous and frivolous complaint shall be rejected.

Procedure on receipt of complaint- The Council shall on receipt of a complaint-

- (a) Refer a copy of the complaint to the opposite party mentioned in the complaint directing him to give his version of the case within a period of fifteen days of receipt of copy of the complaint.
- (b) Where the opposite party on receipt of a complaint referred to him under Clause (a) denies or disputes the allegations contained in the complaint, or omits or fails to take any action to represent his case within the time given by the Council, the Council shall proceed to adjudicate the complaint-
 - (i) On the basis of evidence brought to its notice by the complainant where the opposite party omits or fails to take any action to represent his case within the time given by the Council, or
 - (ii) On the basis of evidence brought to its notice by the complainant and the opposite party, where the opposite party denies or dispute the allegations contained in the complaint.
- (c) On the date of hearing or any other dates to which hearing could be adjourned, it shall be obligatory on the parties to appear before the Council. Where the complainant fails to appear before the Council on such days, the Council may in its discretion either opposite party fails to appear on the date of hearing, the Council may decide the complaint ex-parte.
- (d) The decision of the inquiry shall be implemented and communication to the respective parties and to other as may be required. In case there is any difference of opinion amongst themselves, the opinion of the majority shall be the decision.

CONDITIONS OF SERVICE OF REGISTRAR/DEPUTY REGISTRAR AND OTHER STAFF AND THE SUPERVISORY POWERS AND DUTIES OF REGISTRAR/DEPUTY REGISTRAR

33. Appointment of Registrar/Deputy Registrar.

- (a) The post of Registrar / Deputy-Registrar shall be permanent. The post of Registrar shall be in the basic pay equivalent to the basic pay scale of Chief Medical Officer of the State Services and the post of Deputy Registrar shall be in the basic pay scale equivalent to the basic pay scale of Deputy Director of the State Health Services.

- (b) The Council shall be the appointing authority for the post of Registrar/Deputy Registrar and the Registrar/Deputy Registrar shall be the appointing authority for all other appointments in the Council.
- (c) The post of Registrar shall be filled by the Council by promotion of Deputy Registrar. The post of Deputy Registrar shall be filled by the direct selection by the Council from amongst suitable candidates having minimum qualification of M.B.B.S. with minimum of ten years experience after M.B.B.S. in Government/Public Sector/Private Sector or practice, and with maximum age limit of fifty years on the date of application, candidates with Post-Graduate qualifications shall be given preference.
- d) The Registrar/Deputy Registrar shall draw allowances equivalent to allowances admissible to similar posts in the Government like dearness allowances, house rent allowance, city compensatory allowance, transport allowance, conveyance allowance, non-practicing allowance, academic allowance, Post-Graduate allowance, travelling allowance, daily allowance, etc. The leave entitlement and travelling entitlement shall be similar to that of employees of Government in similar posts.

34. Functions of Registrar/Deputy Registrar. The Registrar/Deputy Registrar Shall

Perform statutory functions as prescribed under the Act and these rules. Further, he shall conduct and have charge of the correspondence of the Council and shall issue all requisite notices in the manner required under these rules. As Executive Officer of the Council, he shall be the competent authority to sanction all financial transactions. The Registrar or any other officer functioning as Registrar or his nominee shall be authorized to lodge complaint in the Court cases on behalf of the Council with the assistance of an advocate.

35. Appointment of other staff members. The appointing authority may consider in situ-promotions of the staff members. The staff members shall draw pay and allowances equivalent to similar post in the Government and shall be eligible to draw allowance, house rent allowance, daily allowance, etc. The leave and travelling of the staff members shall be equivalent to that of employees of Government in similar posts. The appointing authority may also appoint staff members on contract basis.

36. Retirement. The normal age for retirement for all employees shall be as applicable to the employees of the Government. The council may, grant extension of service to any employee for periods not exceeding one year at a time and not more than two such extensions shall be allowed to anyone even in exceptional circumstances.

37. Resignation.

- (a) The Registrar may resign his office by giving three months notice in writing to that effect to the President and such resignation shall take effect from the date of acceptance of such resignation by the council. If he leaves his office without giving any notice as aforesaid, he shall be liable to deposit an equivalent to total emoluments payable in lieu of such notice.
- (b) Any other employee of the Council may resign his office by giving one month notice in writing to that effect to the Registrar if he is temporary, and three months notice if he is permanent and such resignation shall take effect from the date of acceptance thereof. In the case of failure to give required notice, the employee shall be liable to deposit an amount equivalent to total emoluments payable in lieu of notice period.

38. Termination of Service. The Council may terminate the service of any employee other than the Registrar/Deputy Registrar, after due to enquiry giving such employee fair opportunity to explain as to why his services should not be terminated. The Council may impose any other giving such employee a show cause notice. The Council may, with the previous sanction of the Government terminate the service of the Registrar/Deputy register as per the procedure laid down under the Public Servants (Inquiries) Act.

39. Provident fund, gratuity and other terms of service. The Council shall establish a provident fund and provide for gratuity, in accordance with the statutory provisions. Other terms of service like leave, leave encasement, leave travel concession, etc., shall be similar to those applicable to the employees of the Government. The Council shall provide medical insurance policy for the staff members and their dependant family and will also reimburse a sum up to a maximum of fifteen days basic pay of an employee per year for out-patient medical treatment for himself and his dependent family.

40. Maintenance of Accounts and other registers

- (a) The Council shall maintain the following registers:-
 - (1) Cash Books
 - (2) Ledger
 - (3) Stock register
 - (4) Receipt books
 - (5) Register for grants
 - (6) Voucher files
 - (7) Attendance roll

- (8) Register of leave accounts
- (9) Service books and
- (10) Other register as may be necessary
- (b) The annual accounts shall be audited in accordance with statutory and administrative requirements as applicable.
- (c) Bank Account of the Council shall be opened Nationalized/Scheduled Banks. The Registrar/Deputy Registrar and the Accounts Officer of the Council shall be the authorized signatory of Bank Accounts of the Council.
- (d) The Council may deposit its own funds in fixed deposits in Nationalized/Scheduled Banks or may invest its own funds in any of the securities specified by the Registrar.

MISCELLANEOUS

- 41. **Migration/Transfer** – request for migration to another Medical Council shall be considered by the Council and after the approval by the Council, “No Objection” Certificate shall be issued by the Registrar on receipt of application along with the fees as prescribed.
- 42. **Certificate of good standing** Certificate of good standing may be issued by the Registrar to registered practitioners on receipt of an application along with fees as prescribed provided that no enquiry is pending against the applicant. The register shall be valid for a period of six months from the date of issue.
- 43. **Honorarium for attendance of meetings** A sum of five hundred rupees per meeting shall be payable as honorarium to Members of the Council, Executive Committee or co-opted members from outside/assessor for attending meetings. This amount may be revised from time to time by the Council.
- 44. **Fees**
 - (a) Fee shall be levied by the council as shown below:

Sl. No.	Particular	Amount
1	For recording change of name in the register	Five hundred rupees
2	For entering each additional qualification	Five hundred rupees
3	for issue of duplicate certificate of registration /provisional registration	Five hundred rupees
4	for issue of a certified copy of an entry in the register	One hundred rupees
5	Provisional Registration	Five hundred rupees
6	Registration	One hundred rupees
7	Renewal of Registration	One hundred rupees
8	Fees for restoration of registration in the register of medical practitioners	One hundred rupees
9	Late fee for non-registration (Non refundable fees)	
(i)	Up to a period of one year from the date from which registration was due	Nil
(ii)	for period more than one year but upto five years	Five hundred rupees
(iii)	for period more than five years plus additional one thousand per year	Five hundred rupees
10	Late fee for non-renewal of registration	
(i)	upto six months from the date from which registration is due for renewal	Five hundred rupees
(ii)	for period more than six months but upto one year	One hundred rupees
(iii)	for period more than one year	One hundred rupees
11	For issue of Certificate of goods standing	Five hundred rupees

12	Annual listing fee for entry of name in the website	Five hundred rupees
13	For issue of No Objection Certificate	Five hundred rupees

(b) The above fee structure may be revised from time to time.

(SENTIYANGER IMCHEN)

Commissioner & Secretary
Health & Family Welfare
Nagaland, Kohima

STATEMENT OF OBJECT AND REASONS

In the interest of safety of life, it is deemed appropriate that health care system in the State is properly regulated. The Modern Medical care cannot be provided without the help of Medical personnel. And whereas, there are laws for laying down standards and creating bodies for enforcement in the case of Medical Personnel. And the best way to regulate Medical Personnel is through the State Medical Council Act.

In the recent years, there has been rapid growth of private Medical Institution in the State. There is no regulation by any professional body over Laboratory and Diagnostic centres.

Accordingly, it is felt expedient to establish a Medical Council to superintend, over the allied health professionals and its institutions with the powers to recognize, register, laying down norms and standards for various courses and trainings, uniform curricula, physical and infrastructural facilities, staffing pattern and staff qualification, quality instruction, assessment and examination system.

(IMKONG L. IMCHEN)
MINISTER
Health & Family Welfare
Nagaland

APPENDIX – A
FORMAT FOR REGISTER OF MEDICAL PRACTITIONERS

Photograph
of the
registered
practitioner

Sl No	Name	Father's Name	Mothers Name	Gender	Nationality	Date of Birth (dd/mm/yy)	Address Residential Address	Permanent Address	Professional Address
1	2	3	4	5	6	7	8	9	10

Telep Hone No./ Fax No./ E-mail ID	Category (Gener AI/APST)	Qualification							
		General Degree				Medical Degree			
		Description of Qua- lification	Institution	Board/ Univer- sity	Year of Quali- fication	Description of Qualification	Medical College/ institution	Board/ University/ Licensing Body	Year of Qualifi- cation/ Completion Internship
1	12	13	14	15	16	17	18	19	20

MCI Registration If any		Registration in other state, if any			APMCRegistration		Initial of Registrar	Remarks
21	22	23	24	25	26	27	28	29

Additional Qualification					Initial Of Register Central	Remarks	Removal Of Registrar			Initial of	
Degree	Year of Qualifi- cation	Medical College/ Institution Licensing Body	Board/ Council/ University/	Date			Other State/ Registrar	APMC			
30	31	32	33	34	35	36	37	38	39	40	41

Restoration		Initial of Registrar		Remarks		Renewal		Initial of Registrar		Remarks	
Other State/Central	APMC	42	43	44	45	46	47	48	49	50	51

FORM – 1

Application form for Direct Registration

Receipt No

Date

(For office use)

Photograph
of the regis-
tered
practitioner

To,

The Registrar,
Nagaland Medical Council,

Sir,

I hereby request that my name and other particulars mentioned below may be entered in the State Register of Nagaland Medical Council as required under section of Nagaland Medical Act 2014.

1. Name of the Application (block letters) :
2. Father's / Husband's Name :
3. Mother's Name :
4. Gender :
5. Nationality :
6. Date of Birth(date, month, year) :
7. Address :
 - (a) Residential Address :
 - (b) Permanent Address :
 - (c) Professional Address :
8. Telephone No./Mobile No./Fax No./Email ID :
9. Category (General / APST) :
10. Qualifications :

(a) General Degree

Sl No	Description of Qualification	Name of the School/ College/ Institution	Name of the Board/ University	Year of Qualification
-------	------------------------------	--	-------------------------------	-----------------------

(b) Medical Degree

Sl No.	Description of Qualification	Name of the School College/ Institution	Name of the Board/ University	Year of Qualification /completion of Internship
--------	------------------------------	---	-------------------------------	---

11. Details of Internship (include separate sheet, if require) :
12. MCI Registration No. & Date(if any) :
13. (a) Registration No. & Date, if any in other State :
(b) Authority under who registered :
14. (a) Bank Draft No. & Date :
15. (b) Draft Prepared from(Bank) :
I submit herewith original certificates for verification and submit attested copies of the same certificates if registered elsewhere (MCI and other State)
- (i) Birth Certificate/Matriculate Certificate/SSC Exam certificate with date of birth.
- (ii) MBBS Degree / Post Graduate Degree / Diploma / Post Doctoral Degree / any other
- (iii) State Medical Council/Medical Council Of India Registration certificate with MBBS Qualification.
- (iv) Original Internship Completion Certificate.
- (v) Other evidence in support of my having obtained the qualification which I possess.
- (vi) No Objection Certificate from State Medical Council where earlier registered.
- (vii) Three recent passport size photographs with name and signature at the backside
- (viii) Bank Drafts Rs 1000/- (Rupees One Thousand Only) in favour of 'Nagaland Medical Council'.
- (a) In case of fresh registration.
 - (i) Birth Certificate / Matriculate Certificate / SSC Exam Certificate with date of birth.
 - (ii) MBBS Degree / Post Degree / Diploma / Post Doctoral Degree.
 - (iii) Original Internship Completion Certificate.
 - (iv) Other evidence in support of my having obtained the qualification which I possess.
 - (v) Three recent passport size photographs with name and signature at the backside.

- (vi) Bank Draft of Rs 1000/- (Rupees One Thousand only) in favour of 'Nagaland Medical Council'.

DECLARATION

I solemnly affirm and declare that the particulars furnished above by me are true to the best of my knowledge and belief and I undertake to abide by the code of conduct & Ethics of Nagaland and Indian Medical Council and by Rules of Nagaland Medical Council.

Date.....

Signature of the Applicant.

(For office use only)

Received the above documents in original)

Signature of registered person.....

Name.....

Date.....

FORM 2
REGISTRATION CERTIFICATE
CERTIFICATE OF REGISTRATION

Registration No.....

This is to certify that:

1. Dr.....(Whose sign is in box) , son/daughter/wife of
.....Born on...../...../.....(date/month/year) possessing
the qualification(s).....
Has been duly registered under the Nagaland Medical Council Act 2014.
2. Dr..... has solemnly affirmed to abide by the rules and
Regulations of Nagaland Medical Council Rules, 2014 and ethics of Nagaland
Medical Council (professional conduct, etiquette and ethic) Regulations.
3. In witness whereof, the seal of the Nagaland Medical Council and the signature
of the Registrar is herewith affixed.
4. subject to the provision of the said Act this certificate is valid up to a period of
5(five) years from this date.

Date.....

Signature of Registrar
With seal

ADDITIONAL QUALIFICATION:

Sl No.	Description of Qualification	Date of Registration in APMC Register	Signature of Registrar with seal

Registration Renewed:

Date:

Renewal seal

Signature of Registrar with seal

Important Notice:

1. Registered Medical practitioners should sent immediate notice to the Registrar of Nagaland Medical Council if there is any change in the registered address.
1. The Registration must be renewed before the expiry of 5(five) years from the date of last registration or renewal..
2. After the publication of names in the printed medical Register, the last addition of the Register alone is legal evidence of Registration.
3. The Registered practitioner shall display the Certificate of Registration in a conspicuous part in place of his/her practice, if he or she has more than one such places, in any one of them

FORM 3
APPLICATION FORM FOR CONTINUATION OF NAME IN THE
REGISTER

Affix
passport
size
photograph
attested

Receipt No.....
Date.....

To,
The Registrar,
Nagaland Medical Council

Sub: Continuation of name in the Register

Sir,
I request that my name may be continued in the State Register maintained by
Nagaland Medical Council

1. Name of the Applicant (block letters) :
2. Father's Name / Husband's Name :
3. Mother's Name :
4. Gender :
5. Date of Birth (date, month, year) :
6. Nationality :
7. Category (General /APST) :
8. Address
Residential Address :
Permanent Address :
Professional Address :
9. Telephone No./Mobile No./Fax No./Email ID :
10. Details of Qualification :

Sl No.	Description of Qualification	Name of the School/ College/ Medical Institution examination	Name of the Board/Unive-rsity/Licensing Body passing	Year of completion of Internship in any other case year of

11. Nagaland Medical Council Registration:

Certificate No. & Date :

12. Present Occupation :

I submit herewith original certificates for verification and submit attested copies of the same certificates:

- (a) Two recent passport size photographs with name and signature at the backside.
- (b) Nagaland Medical Council Registration Certificate
- (c) MBBS Degree/Post Graduate Degree/Diploma/Post-Doctoral Degree Certificate.

I hereby submit a Bank Draft No..... Dated..... prepared from (Bank) for Rs 1000/- (Rupees One Thousand) as non-refundable fee in favour of 'Nagaland Medical Council' (in case of late fee)

I hereby submit a Bank Draft No..... Dated..... Prepared from (Bank) for Rs..... Being the late fee as non-refundable fee in favour of 'Nagaland Medical Council'

DECLARATION

I solemnly affirm and declare that the particulars furnished above by me are true to the best of my knowledge and belief and I undertake to abide by the code of conduct & Ethics of Nagaland Medical Council and Indian Medical Council and by the Rules of Nagaland Medical Council.

Date:

Signature of the Applicant

(For office use only)

Received the above documents in original.

Signature of registered person.....

Name.....

Date.....

FORM 4

FORM FOR GENERAL NOTICE

General Notice is hereby given to all Registered Practitioners included in the State Register of Nagaland Medical Council under the Nagaland Medical Council Act, 2014 whose validation of Registration i.e. 5 years have been completed, they have make an application to the Registrar for continuance of their name in the said Register as provided in Rule of Nagaland Medical Council Rules, 2014.

Individual notices along with the prescribed from of application are being sent under Certificate of posting to every such registered Practitioner to the address in the said Register. An application in Form-2 for continuation of the name in the Register should be returned to the undersigned duly completed within 45 days of the issue of the notice. Any Registered Practitioner not receiving the form by post may obtain it from the Register.

Date:

Yours faithfully

**Registrar,
Nagaland Medical Council,
Nagaland**

FORM – 5

Notice for continuation of Name of the Register

To,

Dr.....

.....

.....

Sub: Individual Notice for continuation of name in the Nagaland Medical Council Register

Sir,

Notice is hereby given to you calling upon to return the enclosed application form (Form No -2) duly filled in by you to the Registrar within 45 (forty five days) for continuation of your name in the State of Nagaland Medical Council.

Yours faithfully

**Registrar,
Nagaland Medical Council,
Nagaland**

FORM – 6
APPLICATION FOR REGISTRATION OF ADDITIONAL
QUALIFICATION

Receipt no.....
Date.....
(for office use)

Affix
passport
Size
photograph
attested

To,

The Registrar,
Nagaland Medical Council

Sub: Registration of additional qualification

Sir,

I am a registered practitioner of Nagaland Medical Council and my Registration
No is..... I have acquired an
additional qualification in modern system of medicine and desire to register the same.
My particulars are as under

1. Name of the Applicant (block letters) :
2. Father's /Husband's Name :
3. Mother's Name :
4. Gender :
5. Dater of Birth(date month, year) :
6. Nationality :
7. Category (General / APST) :
8. Address :
 - a. Residential Address :
 - b. Permanent Address :
 - c. Professional Address :
- 9 Telephone No./Mobile No./Fax. No./Email ID :
10. Details of Qualifications :

Sl No.	Description of Qualification	Name of the College/ Medical of Institution	Name of the University/ Licensing body	Year of obtaining the qualification

I hereby submit a Bank Draft
 No.....Dated.....Obtained from
 (Bank)..... for Rs 500/- (Rupees Five Hundred) as non-
 refundable fee in favour of Nagaland Medical Council.

DECLARATION

I solemnly affirm and declare that the particulars furnished by me are true to the best of my knowledge and belief and I undertake to abide by the code of conduct & Ethics of Nagaland Medical Council and Indian Medical Council and by the Rules of Nagaland Medical Council.

Date

Signature of the Applicant

Note:

1. Copies of relevant additional qualification may be submitted, with the application along with originals, which would be returned after verification.
2. Only post Graduate qualification(s) recognized by the Medical Council of India would be entered in the Register.
3. Entries of additional qualification(s) would be entered only for those persons who possess a registerable basic medical qualification as included in the schedule to the Indian Medical Council Act 1956.
4. The certificate of Registration with Nagaland Medical Council shall be required to be submitted, in original, with this application.
5. Two recent passport size photographs with name and signature at the backside.
6. Bank Draft for Rs. 1000/- (Rupees One Thousand) in favour of Nagaland Medical Council (non refundable)

(for office use)

Received the above documents in original

Signature of registered person.....

Name

Date

FORM – 7

APPLICATION OF RESTORATION OF NAME IN THE REGISTER

Receipt No.....

Date

(For office use only)

To,

The Registrar,
Nagaland Medical Council,

Affix
passport
size
photograph
attested

Sub: Restoration of name in the Register.

Sir,

1. I,..... the undersigned.....
.....(full name and address) holding qualification of
..... do solemnly declare that the following are
*facts of my case on which I seek restoration of my name in the Register.
2. My name was duly registered in the State Register of
..... Having registration number (Name
of the State)..... Dated
3. My name was duly registered in the State Register of Nagaland Medical Council
on Having registration number
.....
4. At an enquiry on the Day of by the
Council/Board/Committee of my name was directed
to be removed from the State Register and the offence(s) for which the Council/
Board/Committee of directed removal of my name
was/were.....
5. Since the removal of my name from the Register, I have been residing
at..... And my
occupation has been
6. It is my request that my name be restored in the Register of.....
..... State.

7. The grounds for the present application are:
- (i)
 - (ii)
 - (iii)
8. The prescribed fee of Rs 1000/- (Rupees One Thousand) deposited by Bank draft No..... Dated..... In favour of Arunachal Pradesh Medical Council
9. I request that orders may be passed for restoration of my name in the State Register of (State)
10. I submit three recent passport size photographs.
11. I submit Nagaland Medical Council Registration Certificate in original.

Declared at

Before.....

Signature

(for office use only)

Received the above documents in original.

Signature of registered person.....

Name.....

Date.....

*(Instructional): All facts and the grounds on which the application is made should be clearly and concisely stated. Use separate sheets if necessary)

FORM-8

APPLICATION FOR PROVISIONAL REGISTRATION

Receipt No.....

Date.....

(For office use)

To,

The Registrar,
Nagaland Medical Council.

Affix passport
size
photograph
attested

Sub: provisional Registration.

Sir,

I hereby request that my name and other particulars mentioned below may be entered in the State Provisional Register of Nagaland Medical Council as required under section of the Nagaland Medical Council Act 2014.

1. Name of the Application(block letters) :
2. Father's / Husband's Name :
3. Mother's Name :
4. Gender :
5. Date of Birth (date, month, year) :
6. Nationality :
7. Category (General / APST) :
8. Address :
 - a. Residential Address :
 - b. Permanent Address :
 - c. Professional Address :
9. Telephone No./Mobile No./Fax No./Email ID :
10. Details of Qualification :

a) General Degree:

Sl. No	Description of Qualification	Name of the School/ College	Name of the Board/ University	Year of Qualification

b) Medical Degree:

Sl No.	Roll No/ Registration No.	Name of the Medical College / Institution	Name of the University/ Licensing Authority	Year of passing

11. Name of the Institution where applicant has been Selected for practical training (whether the Hospital Or Institution) where such training is to be undertaken is recognized by the Medical Council of India

12. Name of the Medical College attended

I hereby submit a Bank Draft No.....
Dated.....obtained from (Bank) for Rs 500/- (Rupees Five Hundred) as non refundable fee in favour of Nagaland Medical Council.

DECLARATION

I solemnly affirm and declare that the particulars furnished above by me are true to the best of my knowledge and belief and I undertake to abide by the code of conduct & Ethics of Nagaland Medical Council and by the Rules of Nagaland Medical Council.

Date:

Signature of the Applicant

Note:

1. Application to be submitted at the office of the Nagaland Medical Council along with three recent passport size photographs.
2. Provisional degree/diploma or provisional certificate of having passed the MBBS examination issued by the Dean of the College/University in original along with relevant copies be forwarded with this application. The original will be returned with the provisional certificate of registration.
3. Certificate of date of birth
4. Bank Draft for Rs 500/- (Rupees Five Hundred) in favour of 'Nagaland Medical Council' (non refundable)

(For office use)

Received the above documents in original

Signature of registered person.....

Name.....

Date.....

FORM – 9
FORM FOR CERTIFICATE OF PROVISIONAL REGISTRATION

Affix
passport
Size
photograph
attested

CERTIFICATE OF PROVISIONAL REGISTRATION

This is certify that(who has signed in the
box son/ daughter of Shri/Smti..... having passed the final
MBBS – examination (Date) from
..... (Medical College) affiliated to the University
of has been given Provisional Registration under the Nagaland
Medical Council Act, 2014, for the purpose of practical training (Internship/
.....) in

In witness whereof, the seal of the Nagaland Medical Council, Nagaland and the signature
of the Registrar are herewith affixed.

Subject to the provisions of the said Act, this certificate is valid up to or the
completion of Internship, whichever is later.

This holder shall be entitled to practice medicine in the approved institution for the
purpose of such training and for no other purpose.

Date.....

Signature of Registrar
With seal

***Institution / hospital**

N.B: This certificate is to be surrendered to the Council at the time of Final
Registration.

Appendix – B

FORMAT FOR PROVISIONAL REGISTER OF MEDICAL PRACTITIONERS

Sl No	Name	Mother's Name	Fathers Name / Husbands Name	Gender	Date of Birth (dd/mm/yy)	Nationality	Category (General/APST)	Address Residential Address	Permanent Address
1	2	3	4	5	6	7	8	9	10

Telephone No/ Fax No./E-mail ID	Qualification								
	General Degree				Medical Degree				
	Description of Qualification	Institution	Board/ University	Year of Qualification	Description of Qualification	Medical College/ Institution	Roll No./ Registration	Board/ University Licensing Body	Year of Qualification
11	12	13	14	15	16	17	18	19	20

Hospital/ Institution selected for Practical training (Internship)	Name of Medical College attended	Initial of Registrar	Remarks
21	22	23	24

Form – 10
Nomination Paper
(To be filled by the Candidate)

Affix
passport
size
photograph
attested

Bank Draft No..... Date.....
Amount.....

I am registered practitioner of the Nagaland Medical under Registration No..... and hereby offer my candidature for election as Member of Nagaland Medical College, I further declare that I shall work for Nagaland Medical Council if elected.

1. Name of the Candidate (in block letter) :
(As it appears in the Nagaland)
2. Father's Name :
3. Sex :
4. Age :
5. Present Address :
6. Postal Address of the Candidate :

Date.

Signature of the candidate

.....
(To be filled by the Proposer)

I hereby propose Dr..... as a candidate for the forthcoming election to the Nagaland Medical Council.

1. Name of the Proposer (in block letters) :
(As in the Nagaland)
2. Postal Address of the proposer:
3. Proposer's Registration No. in the Nagaland Medical Council:

Date.....

Signature of the Proposer.

(To be filled by the Seconder)

I second above nomination

1. Name of the Seconder (in block letters):
(As in appears in the Nagaland Medical Council Registration Certificate)
2. Postal Address of the Seconder:
3. Seconder's Registration No. in the Nagaland Medical Council:

Date.....

Signature of the Seconder

.....
(To be filled by the Returning Officer)

Serial No. of nomination paper.....

This nomination paper was delivered to me at my office on

Date.....

(Returning Officer)

Decision of Returning Officer

(Returning Officer)

Date.....

Instruction

- (i) Nomination papers which are not received by the Returning Officer before (hour) On the Shall be rejected.
- (ii) The names of the proposer and seconder as they appear in the State Register of Nagaland Medical Council and their registered number shall be clearly written below their respective signature.

(For office use only)

Received the nomination paper

Signature of Returning Officer.....

Name.....

Date.....

FORM – 11

Letter of Intimation to the Voters Election to the Nagaland Medical Council

Sir/Madam,

1. The persons, whose name are printed on the voting paper sent herewith, have been duly nominated as candidates for the election to the Nagaland Medical Council. If you desire to vote at the election, I request that you shall-
 - (a) Fill up and sign the declaration paper.;
 - (b) Mark your vote/votes in the column provided in the voting paper as directed on the voting paper;
 - (c) Enclose the voting paper in the smaller cover (hereafter called the voting paper cover) and stick it up; and
 - (d) Enclose the smaller cover and the declaration paper in outer envelope addressed to me and return the same to me by post or deliver it in person in my office so as to reach me not later than 2:00 P.M. on the of year
2. The voting paper cover shall rejected if-
 - (a) The outer envelop enclosing the voting cover is not sent by post or delivered in person in my office or is received later than the day and hour fixed for closing of the poll; or
 - (b) The outer envelope contains no declaration paper \outside the voting paper cover; or
 - (c) The declaration is not signed by the elector, or
 - (d) The declaration is not signed by the elector; or
 - (e) The voting paper is places outside the voting paper cover; or
 - (f) More than one declaration or voting cover have been enclosed in one and the same outer envelop.
3. A voting paper shall be invalid, if;
 - (a) It does bear the Returning Officer's initials or facsimile signature; or
 - (b) The voter signs his name, or writes any word or makes any mark by which it becomes recognizable as his voting paper; or
 - (c) No vote is recorded thereon; or
 - (d) The number of votes recorded thereon exceeds the number of seats to be filled; or
 - (e) There is uncertainty of the vote exercised.

4. If a voter inadvertently spoils a voting paper, he can return it, not later than seven days before the date appointed for the poll, to the Returning Officer who shall, if satisfied of such inadvertence, issue to him another voting paper.
5. The scrutiny and counting of votes shall begin on (date) at (hour) at (place)
6. No person shall be present at the time of scrutiny and counting of votes except the Returning Officer, such other persons as he may appoint to assist him and the candidate or their duly certified representative(s) under clause of the Nagaland Medical Council Rules 2014.

FORM – 12

**Voter's Declaration Paper
Election of the Nagaland Medical Council**

Election of the Nagaland Medical Council under section of Nagaland Medical Council Act, 2014.

Serial No.....

Elector's Name

Number of State Register of Allopath

ELECTOR'S DECLARATION

I (Name in full and Designation if any) declare that I am elector for the election to Nagaland Medical Council by the electorate under section and that I have signed no other voting paper at this election.

Station.....

State.....

Signature.....

FORM-13
Voting Paper
Election to the Nagaland Medical Council

Serial No.....

..... (in words*member(s) is/are to be elected under
section Of the Nagaland Medical Council Act, 2014)

Sl No.	Name and Address of Candidate	Vote
1		
2		
3		
4		
5		
6		
7		

Returning Officer
Seal and Signature

INSTRUCTIONS

1. Each elector has number of votes as the number of members to be elected.
2. Each elector shall give only one vote at any candidate.
3. He/She shall vote by placing the Mark 'X' opposite the name of the candidate / candidates to whom he wishes to vote.
4. The voting paper shall be invalid if-
 - (a) It does not bear the Returning Officer's initials or facsimile signature; or
 - (b) The voter signs his name or writes any word or makes any mark on it, by which it becomes recognizable as his voting paper; or
 - (c) No vote is recorded thereon; or
 - (d) The number of votes recorded thereon exceeds the number of seats to be filled; or
 - (e) There is uncertainty of the vote exercised.

*Number in words.

FORM-14

DECLARATION OF RESULT OF MEMBER, PRESIDENT & VICE-PRESIDENT

I hereby declare that Dr..... has been duly elected under sub-section of the Nagaland Medical Council Act, 2014 ()

As the Member/President / Vice-President of The Nagaland Medical Council for a period of.....w.e.f.....

Place:

Returning Officer.

Date:

FORM – 15

ELECTION OF PRESIDENT / VICE-PRESIDENT

Sl No.	Name of Candidates	Vote

Signature of Returning Officer

INSTRUCTIONS

1. Each elector has only one vote.
2. The elector should place the Mark (x) clearly opposite the name of the candidate of his choice.

THE NAGALAND MEDICAL COUNCIL ACT, 2014
APPENDIX – C

Nagaland Medical Council
Declaration : Pledge

At the time of registration, each applicant shall be given a copy of the following declaration by the Registration and the applicant shall read and agree to abide by the same and affirmed by the signature in presence of Registrar.

1. I solemnly pledge myself to consecrate my life to serve of humanity.
 2. Even under threat, I will not use my medical knowledge contrary to the laws of Humanity.
 3. I will maintain the utmost respect for human life from time of conception.
 4. I will not permit consideration of religion, nationality, race, party politics or social standing to intervene between my duty and my patient.
 5. I will practice my profession with conscience and dignity.
 6. The health of my patient will be my first consideration.
 7. I will respect the secrets which are confined in me.
 8. I will give to my teachers the respect and gratitude which is their due.
 9. I will maintain by all means in my power, the honour and noble tradition of medical profession.
 10. I will treat my colleagues with all respect and dignity.
 11. I shall abide by the code of medical ethics and enunciated in the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation Rules.
 12. I shall abide by the Rules of Nagaland Medical Council, 2014 and shall uphold the motto of Nagaland Medical Council i.e. Service, Knowledge and Ethics in its correct prospective as enunciated in Rule of Nagaland Medical Council Rules.
- I make these promises solemnly, freely and upon honour.

Signature.....

Name.....

Place.....

Date.....

Address.....

.....

.....

Pay Structure of Manpower for State Medical Council:

Sl No.	Name of Designation	Pay Band	Running Pay Band	Grade Pay	N.P.A.	Dearness Allowance	House Rent Allowance	P.P. Allw.	Nur. cal Allowance	Medi Total	Gross	P / Tax	Total Deduction Amount	Net Payable	Acquittance
1	2		3	4	5	6	7	8	8	9	10	16	18	19	21
1	Joint Director (Doctors)	15600-39100	22,320	7,600	7,480	26,928	3,740	-	-	400	68,468	208	208	68,260	
2	Deputy Director (Doctors)	15600-39100	18,600	6,600	6,300	22,680	3,740	-	-	400	57,730	208	208	57,522	
3	Registrar	15600-39100	15,810	5,700	-	15,487	2,151	-	-	400	39,548	208	208	39,340	
4	UDA (District)	5200-20200	7,680	2,600	-	7,402	1,028	-	-	400	19,110	208	208	18,902	
5	LDA (District)	5200-20200	5,680	1,900	-	5,458	758	-	-	400	14,196	208	208	13,988	
6	O/Peon	4400-17200	4,750	1,300	-	4,356	605	-	-	400	11,411	180	180	11,231	