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GOVERNMENT OF MANIPUR  
SECRETARIAT : LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION  
Imphal, the 29th August, 2005

No. 2/27/2005-Leg/L.—The following Act of the Legislature of Manipur which received assent of the Governor of Manipur on 23-8-2005 is hereby published in the Official Gazette.

THE MANIPUR NURSING COUNCIL ACT, 2005  
(Manipur Act No. 13 of 2005)

AN  
ACT

to provide for recognition of the Manipur Nursing Council for regulation and training of nursing personnel Nurses, Midwives, Auxiliary Nurse Midwives/ Female Health Worker/Lady Health Visitor/Supervisors.

Be it enacted by the Legislature of Manipur in the Fifty-sixth Year of the Republic of India as follows:

CHAPTER--1  
PRELIMINARY

1. Short title, extent and commencement,—(1) This Act may be called the Manipur Nursing Council Act, 2005.
- (2) It extends to the whole of the State of Manipur.
- (3) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires :—

(1) “affiliated Institutions” means an Institution or Hospital or Health Centre for preventive, promotive, curative and rehabilitative nursing services, which is recognised and affiliated to the Council;

(2) “Auxiliary Nurse Midwife or Female Health Worker” means a person who possesses a certificate of Auxiliary Nurse Midwife or Female Health Worker from a recognised and affiliated Institution to the Council;

(3) “Council” means the Indian Nursing Council;

(4) “Government” means the State Government of Manipur;

(5) “Inspector” means a Nurse or a person appointed by the State Council to inspect any Institution for the purpose of granting recognition, functioning of recognised Institution and to attend the examination being held for the purpose of granting any qualification;

(6) “Lady Health Visitor/Supervisor” means a person who possesses a certificate from an Institution recognised and registered under section 13;

(7) “Licensing Authority” means an officer who is authorised by the Government to issue license under this Act;

(8) “List” means a list of Nurses, Midwives, Auxiliary Nurse Midwives or Female Health Workers, Lady Health Visitor/Health Supervisor maintained under section 16;

(9) “member” means a member of the State Council;

(10) “Nurse” means a person who possesses a certificate in Nursing and Midwifery from an Institution recognised for the purpose and registered;

(11) “prescribed” means prescribed by rules made under this Act;

(12) “President” means the President of the State Council;

(13) “register” means a register maintained under section 15;

(14) “registered” means registered in accordance with the provisions of this Act;

(15) “Registrar” means the Registrar appointed under section 10 of this Act;

(16) “regulations” means the regulations made by the State Council under this Act;

(17) “State Council” means the Manipur Nursing Council constituted under section 3 of this Act.

CHAPTER II  
MANIPUR NURSING COUNCIL

3. Constitution and incorporation:— (1) The Government shall, as soon as may be after the commencement of this Act, constitute a State Council called the Manipur Nursing Council. The State Council shall consist of the following members, namely;

- (a) Director of Health Services, Manipur, ex-officio,
- (b) Nursing Superintendent; ex-officio,
- (c) Deputy Nursing Superintendent; ex-officio,
- (d) one Principal from each of the General Nursing and Midwifery Schools and Colleges of Nursing and one Principal from each of the Auxiliary Nursing and Midwifery Schools;
- (e) one member from the All Manipur Health Services Officers' Association.
- (f) three persons to be nominated by the Government of whom one shall be a Nurse, one Auxiliary Nurse Midwife and one Educationist;
- (g) one member of the Manipur Branch, of the Trained Nurses Association of India.
- (h) one Nurse who represent the State in the Indian Nursing Council.

(2) The State Council shall be a body corporate having a perpetual succession, a common seal with power to acquire, hold and disposed of property both movable and immovable, and to contract, and to sue or to be sued in its name.

(3) The President and the Vice-president of the State Council shall be elected from amongst the members.

4. Term of the office: (1) Term of office of a member other than the ex-officio member, shall be three years from the date of nomination or until a successor has been nominated, whichever is earlier.

(2) The term of the office of an ex-officio member shall continue as long as he holds the office by virtue of the post.

(3) The President shall hold office from the date of appointment/election up to the date on which the term of office expires or a successor has been duly elected whichever is later.

(4) If the office of a member becomes vacant by reason of death, disability, resignation, removal, disqualification, etc., a new member shall by nominated by the Government and such nominated member shall hold the office only for the remaining term for which the member was nominated.

(5) A member shall be deemed to have vacated the office if he is found absent from three consecutive meetings.

(6) (a) The President may resign by notice in writing addressed to the Commissioner/Secretary (Health) to the State Government and shall take effect from the date on which it is accepted by the Government after electing a new President from amongst the members.

(b) A member may resign from office by notice in writing addressed to the President and every such resignation shall take effect from the date on which it is accepted by the President.

(7) Notwithstanding anything contained in this Act, the Government may remove a member from office:

(a) on being found disqualified as per sub-section (8); or

(b) if the State Council decides at a meeting by two-third majority that the continuation of a member in office is prejudicial to the interest of the State Council.

(8) A member shall be disqualified to continue or re-election as a member if he is;

(a) involved in activities prejudicial to the aims and objectives of the State Council;

(b) of unsound mind.

5. Meeting of the State Council: (1) The State Council shall meet as many times as possible in a year to transact its business.

(2) The President shall preside over the meeting of the State Council and in the absence of the President, the Vice-President or any member elected by

6. Quorum:— The quorum for transaction of business at a meeting of the State Council shall be such member or proportion of the members of the State Council as may, from time to time, be fixed by regulations but shall not be less than five:

Provided that if at any meeting of the State Council a quorum is not present, the President or the Presiding member, as the case may be, shall adjourn the meeting to such other day as he may think fit, and the business which would have been brought before the original meeting if there had been a quorum present shall be brought before and transacted at the adjourned meeting, whether a quorum is present there or not.

24. Affiliation:— The State Council may, in accordance with the regulations and after inspection and holding such enquiry as it deems fit, affiliate to it any Institutions or hospital for preventive, promotive, curative and rehabilitative nursing care of clients or patients.

25. Withdrawal of recognition, etc.:— (1) When upon report by the Executive Committee, it appears to the State Council:

(a) that the course of study and training and the examinations to be gone through in order to obtain a recognized qualification from any authority in the State or the conditions for admission to such courses or the standard of proficiency required from the candidates at such examination are not in conformity with the regulations made under this Act or fall short of the standards required thereby, or

(b) that all Institutions recognised by the State Council for the training of Nurses, Auxiliary Nurse Midwives, Female Health Worker, Lady Health Visitor/Health Supervisor do not satisfy the requirement of the State Council—

the State Council shall send to the Government a statement to such effect and the Government shall forward it along with such remarks as it may think fit to the authority or Institution concerned and in a case referred to in clause (b) to the State Council also, with an intimation of the period within which the authority or institution may submit its explanation to the Government.

(2) On the receipt of the explanation or where no explanation is received within the period fixed, than on the expiry of that period, the Government shall make its recommendation to the State Council.

(3) The State Council, after such further enquiry, if any, as it may think fit to make and in a case referred to in clause (b) of sub-section (1) after considering the remarks which the State Council may have addressed to it, may declare-

(a) in a case referred to in clause (a) of sub-section (1), that the qualifications granted by the authority concerned shall be the recognized qualification only when granted before a specified date, or

(b) in a case referred to in the clause (b) of sub-section (1) that with effect from a date specified in the declaration any person holding a recognized qualification whose period of training and study preparatory to the grant of the qualification passed at the institution concerned shall be entitled to be registered only in the State in which the institution is situated.