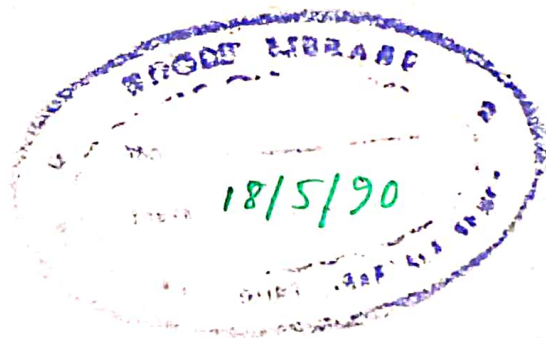


GOVERNMENT OF TRIPURA



**THE TRIPURA NURSING COUNCIL
RULES, 1987**



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THE TRIPURA NURSING COUNCIL RULES, 1987



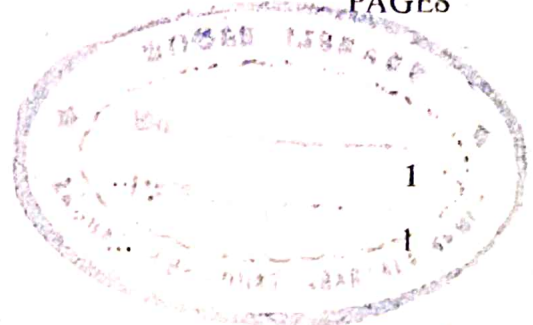
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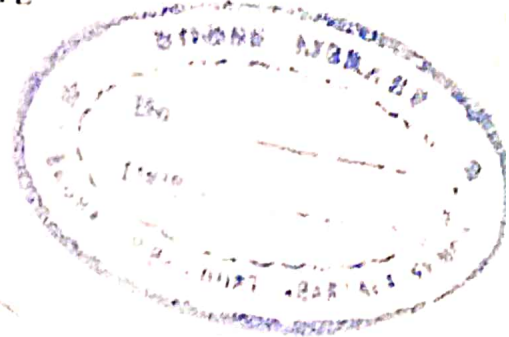
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THE TRIPURA NURSING COUNCIL RULES, 1987
NOTIFICATION

In exercise of the power conferred by section 26 of the Tripura Nursing Council Act, 1986, the State Government hereby makes the following rules, namely:—

PART—I
PRELIMINARY

1. Short title and commencement

- (1) These rules may be called the Tripura Nursing Council Rules, 1987.
- (2) They shall come into force on and from the date of their publication in the Official Gazette.

2. Interpretation

In these rules, unless there is anything repugnant in the subject or context.

- (a) 'Act' means the Tripura Nursing Council Act, 1986 (Tripura Act No. 7 of 1986).
- (b) 'Committee' means the Executive Committee constituted under section 8 of the Act.
- (c) 'Form' means a form appended to the rules.
- (d) 'Section' means a section of the Act.

PART—II
PROCEDURE OF ELECTION

3. Election of Members

For the purpose of election of the members to the Council under Clause (a) of sub-section (1) of section 3 of the Act, atleast two members shall be persons possessing a higher qualification in Nursing recognised under Part II of the schedule of the Indian Nursing Council Act, 1947.

4. Preparation of electoral roll

(1) There shall be an electoral roll which shall be prepared by the Registrar under the supervision and control of the council and the same shall be the Electoral Roll.

(2) All persons whose names are, for the time being, entered in the Register maintained under section 14 of the Act, shall be included as electors in the electoral roll.

(3) The electoral roll shall be prepared in Form-I and shall contain the name, father's/husband's name, qualification and address of each elector and also such other particulars as the Council may direct from time to time. The electors included in each of the Electoral Rolls shall be serially numbered.

(4) Not less than 60 days and not more than 90 days before expiry of the term of office of the elected members of the Council, the Council shall draw up a programme specifying the date of draft publication of Electoral Rolls, the last date for lodging claims for inclusion of a name in the Electoral Roll and objection to any entry therein (which shall not, unless otherwise directed by the Council, be less than 7 days from the date of draft publication) and the date of final publication of Electoral Roll and shall direct the Registrar to prepare Electoral Roll according to such programme.

(5) The Registrar shall issue notice in Form 2 under certificate of posting or in such other manner as may be directed by the President upon all the registered persons whose names are for the time being entered in the Register maintained under section 14 intimating them the programme for preparation of Electoral Roll referred to in sub-rule (4).

(6) (a) The Registrar shall prepare or cause to be prepared draft Electoral Roll. Such draft Electoral Roll shall be either hand-written or typed or lithographed or printed as the President may direct.

(b) The Registrar shall publish a copy of the draft Electoral Roll in the notice board of the office of the Council.

(c) A copy of the draft Electoral Roll shall be made available for inspection of the registered persons in the office of the Council during office hours on all working days from the date of draft publication of the roll till the last date of lodging claims and objection referred in sub-rule (4).

(d) Every claim and every objection referred to in sub-rule (4) shall be made in plain paper duly signed by the claimant or objector stating grounds for such claim or objection in a form 2A & B respectively. Such claim or objection shall be filled in the office of the Registrar personally by the claimant or objector or by his duly authorised agent.

(e) Any claim or objection which is not lodged within the fixed period shall be rejected by the Registrar.

(f) If the Registrar, after making such enquiry as he thinks fit, is satisfied as to the validity of the claim or objection, he shall allow the claim or objection and make order directly inclusion of a name as elector in the electoral roll directing exclusion of a name as a result of objection shall be made without affording any opportunity of hearing to the person whose name is proposed to be deleted from the electoral roll.

(g) The claimant or the objector, may, if he is aggrieved by the decision of the Registrar, prefer an appeal before the Director of Health Services, Govt. of Tripura in writing in plain paper stating the grounds of appeal and duly signed by him. The Director of Health Services shall, after making such enquiry as he thinks fit and if necessary after hearing the claimant or objector, either allow or reject the appeal. The decision of the Director of Health Services shall be final.

(7) (a) The Registrar shall, therefore,—

(i) Prepare a list of amendments to carry out the decisions under clause (f) and (g) of sub rule (6), and

(ii) Publish the roll together with the list of amendments on the date fixed for final publications.

(b) (i) The final publication of the electoral roll referred to in clause (a) of sub-rule (7) shall be made in the notice board of the office of council in form 2C.

(ii) A copy of the finally published electoral roll shall be made available for inspection of the registered persons in the office of the Council during office hours of all working days for a period of seven days from the date of final publication of the electoral roll.

(iii) For the purpose of preparations of electoral roll to fill up any casual vacancy the procedure prescribed in rule 4 shall mutatis mutandis apply.

5. Price of Electoral Roll

Copies of the electoral roll shall be made available for sale at a price as may be fixed by the President but not exceeding Rs. 2/- per copy.

6. Returning Officer and Asstt. Returning Officer.

(1) Subject to the provisions of sub-rule (2), the Registrar of the Council shall be the Returning Officer for election under clause (a) of sub-section (1) of section 3 or, as the case may be, under section 3 and for all matters relating to the conduct of election.

(2) If for any reason, the Registrar is unable to function as Returning Officer, the State Government shall appoint another officer of the Council or of the State Government in consultation with the Director of Health Services as the Returning Officer for conduct of election referred to in sub-rule (1).

(3) The State Government may, if it considers necessary appoint one or more officers of the State Government as Asstt. Returning Officer for assisting the Returning Officer referred to in sub-rule (1) or sub-rule (2) in the discharge of the functions of such Returning Officer except scrutiny of nomination papers.

7. Notification of Election of member

(1) For Election of members to the Council under clause (a) of sub-section (1) of section 3 of the Act, the Council shall, not less than 42 days and not more than 50 days before the expiry of the term of the office of such members, issue notification in Form No. 3 signed by the President calling to elect members.

(2) For election to fill up a casual vacancy under section 7 of the Act, the Council shall, as soon as it may be convenient after the casual vacancy occurs issue notification in Form 4 signed by the President calling upon the constituency to elect member.

(3) The notification referred to in sub-rule (1) or sub-rule (2) shall be published in the Tripura Gazette and in one issue of two local Bengali daily news papers of the State and in such other manner as the President may think proper.

8. Programme of Election

(1) As soon as a notification either under sub-rule (1) or under sub-rule (2) of rule 7 is published in the Tripura Gazette, the Council shall, publish a notification in Form 5 signed by the President appointing—

(a) the last date for making nomination which shall be the 7th day after the date of publication of this notification, or if that date is a public holiday, the next succeeding day which is not a public holiday;

(b) the date for the scrutiny of nomination papers, which shall be the date immediately following the last date for making nominations or if that day is a public holiday, the next succeeding day which is not a public holiday ;

(c) the last date for the withdrawal of candidates, which shall be second day after the date for the scrutiny of nominations or if that day is the public holiday, the next succeeding day which is not a public holiday ;

(d) the last date of which the Returning Officer shall despatch under registered post with A/D voting papers to the electors, which day shall not be less than 21 days before the date of counting of votes ;

(e) the last date for receiving voting papers sent by registered post with A/D which shall be 1 to 12 hours of the date fixed for counting of votes.

(2) The notification referred to in sub-rule (1) shall be published in the Tripura Gazette and in one issue of two Bengali daily news paper of this State and in such manner as the President may think proper.

9. Notice inviting nomination of candidate

(1) The Returning Officer shall, immediately on the issue of the notification under rule 8, give notice of the intended election in Form No. 6 inviting nomination of candidates for such election and specifying the place at which the nomination papers are to be delivered.

(2) The notice referred to in sub-rule (1) shall be displayed in the notice Board in a conspicuous place in the office of the Council and in one issue of the Bengali daily News paper of the State and in such other place as the President may direct.

10. Submission of Nomination paper

Any person may be nominated as a candidate for election to fill a seat if he is not otherwise disqualified under the provisions of the Act and if he is an elector for election to which he is nominated.

11. Manner of submission of nomination paper

(1) On or before the date appointed under clause (a) of rule (8), each candidate shall either in person or by his proposer or seconder, between the hours of 11 O'Clock in the forenoon and 3 O'Clock in the afternoon delivery to the Returning Officer at the place specified in this behalf in the notice issued under rule 9 a nomination paper completed in Form No. 7 and signed by the proposer, seconder and the candidate.

(2) The proposer and the seconder must themselves be electors of for election to fill up the seat of which the nomination is filed.

(3) The proposer or the seconder shall not be entitled to propose or second more persons than number of persons required to be elected at the election.

(4) A violation of the provision referred to in sub-rule (3) shall render all the nominations proposed or seconded by such an elector invalid and all such nominations shall be rejected.

(5) Not more than three nominations shall be submitted for any one candidate.

(6) The candidate shall sign the nomination paper declaring that he is willing to serve the Council, if elected, failing which his nomination shall be invalid.

(7) At the time of presentation of the nomination paper under sub-rule (1) a sum of Rs. 50/- (rupees fifty) only shall be deposited in cash with the Returning Officer as security failing which the nomination paper shall be treated as invalid.



Provided that not more than one deposit shall be necessary to be made by a candidate even though more than one nominations are submitted in his favour.

(8) The deposit made under sub-rule (7) shall be forfeited to the Council if the candidate is not elected and the number of voters recorded in his favour is less than 1/8th of the total number of valid voters recorded for the concerned constituency. Such deposit shall be returned to this candidate if it is not forfeited under this sub-rule.

12. Scrutiny of nomination paper

(1) On the date appointed for scrutiny of nomination papers and at the time and place as may be specified by the Returning Officer, the candidate or his proposer or seconder or all of them may attend and the Returning Officer shall give them reasonable facility for examining the nomination papers of all candidates received by him.

(2) The Returning Officer shall examine all the nomination papers and shall decide all objections which may be made to any nomination paper and shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, the Returning Officer shall record in writing a brief statement of his reasons for such rejection.

(3) A nomination paper shall not be rejected on the ground of apparent clerical mistake or on any ground not authorised by the provision of the Act of these rules.

(4) No adjournment shall be allowed by the Returning Officer for scrutiny of the nomination papers.

(5) The Returning Officer shall prepare of all validly nominated candidates in form No. 8 in English Alphabetical order soon after the scrutiny and shall display a copy of such in the notice board of the office of the Council.

13. Withdrawal of nomination paper

(1) Any candidate whose nomination has been accepted by the Returning Officer may withdraw his candidature by notice in writing in form No. 9 duly signed by him and presented by him before the Returning Officer by 1 P.M. on or before the last date appointed for withdrawal of candidatures.

(2) Immediately after 1 P.M. on the last date fixed for withdrawal of candidatures, the Returning Officer shall draw up a list of contesting candidates, that is to say the candidates who were included in the list of validly nominated candidates in English alphabetical order and who have not withdrawn their candidatures and shall published the list of such contesting candidates in form No. 10 in the Notice Board of the office of the Council.

(3) If the number of contesting candidates does not exceed the number required to fill up the vacancy the Returning Officer shall, forthwith declare such candidate(s) to be duly elected.

(4) If the number of contesting candidates is more than the number of vacancy which is required to be filled up, the Returning Officer shall also publish the list of contesting candidates in Form 10 in the Tripura Gazette immediately.

14. Form of voting paper

(1) The voting paper shall as nearly as possible be in the form 11 and the contents thereof shall be in English language.

(2) The names of the contesting candidates shall be arranged on the voting papers in the order in which they appear in the list of contesting candidates.

(3) If two or more contesting candidates bear the same name, they shall be distinguished by their respective address or in such other manner as may be decided by the Returning Officer.

15. Right to vote

Every person whose name is enrolled as an elector in the Electoral Rolls which is for the time being in force shall be entitled to cast as many votes as the number of members required to be elected in an election held under clause (a) of section (1) of section 3 or under section 7.

16. Printing and sending of voting papers and other papers to the elector.

(1) Where in an election held under clause (a) of subsection (1) of section 3 or under section 7 voting becomes necessary by reason of the number of contesting candidates being more than the number of member or members required to be elected, the Returning Officer shall make arrangements for printing of voting papers in the manner specified in rule 14.

(2) As soon as the voting papers are printed, but not later than the date specified under clause (d) of sub-rule (1) of rule 3, the Returning Officer shall despatch by registered post to each elector at his address as mentioned in the Electoral Rolls a voting paper bearing the official mark of the Returning Officer and the facsimile of the Returning Officer's signature together with:—

(a) a declaration of the identification of the elector in Form 12 to be filled in and signed by such elector in the presence of two witnesses;

(b) a small envelop with the inscription "voting paper cover" in Form 13;

(c) a bigger envelop in Form 14.

(3) A voting paper and other connected papers when posted as aforesaid shall be deemed to have been duly received by the elector concerned.

(4) The Returning Officer shall in a register in Form 15 maintain or cause to be maintained a record of the voting.

17. Marking of voting paper received by elector and despatch thereof.

(1) Every elector to whom voting paper and other papers have been sent under sub-rule (2) of rule 16, if he desires to vote, shall record his vote on the voting paper in accordance with the instructions contained in the voting paper.

(2) The elector shall duly fill up and sign the declaration in Form 12 in the presence of two witness who shall subscribe their signatures as witness to such declaration.

(3) The elector shall, after recording his vote, fold the voting paper with face inwards. The voting paper so folded shall then be inserted in the smaller envelop entitles "voting paper cover" which shall be securely closed by the elector with gum or other wax. The smaller envelop and the declaration in Form 12 shall then be inserted in the bigger envelop. The elector shall write his full name and put his signature on the left hand lower corner of the big envelop. The bigger envelop containing the voting paper and declaration as aforesaid shall then be returned by the elector by post or in person or through an agent so as to reach the Returning Officer not later than 12 noon of the appointed date for counting. Immediately after receipt, the Returning Officer shall put all such envelops into the sealed box kept for the purpose. The sealed box shall not be opened before the appointed time for counting. Provided that voting papers which are not received by the Returning Officer before 12 noon on the date appointed for counting of votes shall be rejected.

18. Procedure when an elector does not receive voting paper

(1) An elector who has not received voting paper and other connected papers may appear before the date affixed for counting of vote in person and apply to the Returning Officer for issue of duplicate voting paper and other connected papers declaring—

- (a) that he has not received the voting paper and other connected papers; or
- (b) has lost his voting paper and other connected papers; or
- (c) that the voting paper and other connected papers received by him have been inadvertently spoiled and cannot be conveniently used in which case such spoiled voting paper and other connected papers must be returned to the Returning Officer along with the application.

(2) On receipt of an application referred to in sub-rule (1), the Returning Officer shall, if he is satisfied about the identity of the elector issue a duplicate voting paper and other connected papers after marking 'Duplicate' over his initial on all the papers so issued.

(3) The spoiled voting paper and other connected papers shall be marked cancelled by the Returning Officer over his initial and shall be kept for record.

(4) When duplicate voting paper and other connected papers are issued under sub-rule (2), the Returning Officer shall record a note thereof in the remarks column of the Register referred to in sub-rule (4) of rule 16.

(5) An elector in whose favour a duplicate voting paper is issued under sub-rule (2) shall record his vote and despatch the voting paper and other connected papers in the manner laid down in rule 17.

19. Voting paper when invalid

A voting paper shall be invalid and shall be rejected by the Returning Officer if,

- (a) No vote is recorded on the voting paper or
- (b) Vote is recorded in favour of more candidates than are required to be elected or
- (c) Vote is so recorded as to render it doubtful to which candidate vote has been given or
- (d) Declaration in form 12 is not duly filled in and sent to the Returning Officer alongwith the voting paper or
- (e) The voting paper and declaration are despatched to the Returning Officer in envelopes other than those issued to the elector under sub-rule (2) of rule 16 or under sub-rule (2) of rule 17 or
- (f) The elector has not written his name and put his signature on the bigger envelop in Form 14 or
- (g) The voting paper is spurious or
- (h) The vote has not been recorded in conformity with these rules.

20. Presence of candidate or his agent during counting.

At the time of counting, the candidate or his agent shall be entitled to be present.

21. Time and place for counting of votes

The Returning Officer shall, atleast one week before the appointed date for counting, appoint the place where counting of votes will be done and the time at which counting will commence and shall give notice of the same in writing to each candidate. Provided that if for any reason the Returning Officer thinks it necessary

so to do, he may alter the date, time and place for counting after giving notice of the same in writing to each candidate.

22. Counting of votes

(1) On the appointed date, time and place, the Returning Officer shall open the sealed box in which the envelopes containing the voting papers and other papers were kept and shall make counting of votes. If necessary, the Returning Officer may be assisted in counting of votes by the Assistant Returning Officer(s).

(2) The Returning Officer shall endorse on every voting paper, which he rejects under rule 19, the word 'Rejected' and the ground of such rejection.

(3) Every voting paper which is not rejected under sub-rule (2) shall be deemed as a valid voting paper.

(4) When the counting of votes recorded on the valid voting papers has been completed, inform 15A the Returning Officer shall forthwith declare the candidate(s) to whom the largest number of votes have been given to be duly elected.

(5) If after counting of the votes is completed, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of those Candidates to be declared elected, the Returning Officer, shall forthwith decide between those candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

(6) As soon as possible after the counting of votes is completed and the result of election is declared, the Returning Officer shall be issue in form 16 to the returned candidate an certificate of his being declared elected at the election. The Returning Officer shall send to the President a list of candidate(s) duly elected in the election.

(7) After completion of the counting after the result has been declared, the Returning Officer shall seal all voting papers and all other documents relating to the election and shall retain the same for a period of six months and thereafter cause them to be destroyed.

23. Power of State Government to give decision when question arises

If any question arises as to the intention, construction or application of the rules in chapter II or the validity of an election, the Council shall refer such question to the State Government whose decision shall be final.

24. Power of the State Government to take action when difficulty arises in implementation of part-II of rule.

If any difficulty arises in holding an election or in carrying out the provision of these rules of this chapter it shall be lawful for the State Government to take such action or pass such orders not inconsistent with the Act or the Rules of this chapter as in or may appear necessary or expedient.

PART—III

PRESIDENT, VICE-PRESIDENT, EXECUTIVE COMMITTEE AND THEIR POWERS AND FUNCTIONS

25. Election of President.

(1) The election of the President under sub-section (1) of section 5 shall be held at the first meeting of the Council to be convened within thirty days from the date of publication of the names of the members in the official Gazette under section (3).

(2) Immediately before election of the President, the members present shall elect a temporary Chairman by a ballot if necessary which ballot shall be taken by the Registrar.

The Chairman shall invite the members present at the meeting to propose in such manner as the Chairman considers fit the names of members for election as President. Every name proposed shall be seconded by another member present at the meeting provided that no member shall propose or second more than one name.

(3) If the name of only one member be proposed and seconded, such member shall be declared to be duly elected as President.

(4) If the names of more than one member be duly proposed and seconded, the Chairman shall proceed to take votes by show of hands or by ballot as the President considers fit, provided that if any member so demands, votes shall be taken by ballot.

(5) The Chairman shall determine the method of taking votes by ballot.

(6) The result of votes by ballot shall be announced by the Chairman.

(7) In the event of equality of votes the election shall be decided by drawing lots.

26. Election of Vice President

(1) The election of the Vice-President under sub-section (1) of section 5 shall be held at a meeting of the Council to be convened by the President within thirty days from the date of publication of the names of the members in the official Gazette and the President shall cause a notice to be served on each member specifying the date, time and purpose of the meeting. The President shall preside over the meeting to be convened for the purpose.

(2) The President shall invite the members present at the meeting to propose in such manner as the President considers fit the names of members for election as Vice-President. Every name proposed shall be seconded by another member present at the meeting provided that no member shall propose or second more than one name.

(3) If the name of only one member be proposed and seconded, such member shall be declared to be duly elected as Vice-President.

(4) If the names of the more than one members be duly proposed and seconded, the President shall proceed to take votes by show of hands or by ballot as the President considers fit, provided that if any member so demands, votes shall be taken by ballot.

(5) The President shall determine the method of taking votes by ballot.

(6) The result of votes by ballot shall be announced by the President.

(7) In the event of any equality of votes among two or more candidates, the President shall have a casting vote.

27. Appointment of person by State Government to convene meeting

If the Chairman or President fails to convene a meeting referred to in rule 25 or in Rule 26 within the time specified therefor, the State Government may appoint a person to convene such meeting. Such person shall act as the Chairman of such meeting and perform, in relation to such meeting, the function of the President as provided in rule 25 or in rule 26 as the case may be.

28. Election of members of the Executive Committee.

(1) Within fifteen days from the date of election of the Vice-President, the President or in his absence, the Vice-President shall convene a meeting for the

election of the members of the Executive Committee. The notice of the meeting shall be served on each member, the date, time and purpose of the meeting being specified therein.

(2) The President or in his absence, the Vice-President shall act as the Chairman of the meeting. The Chairman shall invite the members present at the meeting to propose the names of members for election to the Executive Committee in such manner as he may consider fit. Every name proposed by a member shall be seconded by another member present at the meeting ; provided that no member shall propose or second more than three names.

(3) Where names of three persons only are duly proposed and seconded, they shall be declared to be duly elected members of the Executive Committee.

(4) When names of more than three persons are duly proposed and seconded, the Chairman shall proceed to take votes by show of hands or by ballot as he considers fit, provided that if any member so demands, votes shall be taken by ballot.

(5) The Chairman shall determine the method of taking votes by ballot.

(6) The result of votes by ballot shall be announced by the Chairman.

(7) In the event of an equality of votes among two or more candidates, the Chairman shall have a casting vote.

29. Fees for attending meeting and travelling expenses

(1) Allowance payable to the President, Vice-President, members and other persons for attending meetings referred to in section 10 shall be at the following rates namely ;

i) For attending meeting of the Council Rs. 20.00

ii) For attending meeting of the Executive Committee or any other committee—Rs. 10.00

(2) Travelling allowances and Dearness Allowance payable to members for attending meetings of the Council or of the Executive Committee or of any other Committee and for journeys undertaken in the discharge of duties under the Act shall be at the rates admissible to Government Servants.

Explanation :

For the purpose of this rule non-official members shall be treated as officers of the first grade.

30. Function of President and Vice-President

(1) The President shall perform such functions as are required to be done by the President under the provisions of the Act and the rules and regulations made thereunder including those delegated to the President by the Council.

(2) The Vice-President shall perform such functions as are required to be done by the Vice-President under the provisions of the Act, and the rules and regulations made thereunder and such other functions as may be delegated to him by the Council or the President.

31. Pay of Registrar and other staff

The pay and allowances payable to the Registrar and other staff shall be fixed by the Council with previous approval of the State Government. The Rules relating to leave and travelling and other allowances which are applicable to the State Government Officers of the same pay scale shall be applicable in dealing with such matter in the case of Registrar and other staff.

PART—IV
THE REGISTRATION

32. Maintenance of Register

(1) The Register of nurses, midwives, auxillary Nurse-midwives, multi-purpose workers (female), multipurpose Supervisors (female), Health visitors, public health nurses and other similar persons, shall be maintained in Form 17.

(2) The Registrar shall enter in the Register the name of every person who is registered under the Act, together with his residential address of professional address and qualifications with date on which each qualification was acquired. The names shall be entered in the Register in the order in which applications for registration are admitted and sufficient space between two names shall be left for future additions and alternations in qualifications and address in respect of each name entered.

(3) The Registrar shall varify each page of the Register and shall put his signature thereon.

(4) A fee of ten rupees shall be paid for subsequent entry of any additional qualification.

(5) A fee of ten rupees shall be paid for registering a change of name in the Register. No fee shall be payable for alternation of any address.

33. Application for registration.

(1) Every person who is entitled to have his name entered in the Register in terms of sub-section (1) of section 15 of the Act, shall submit to the Registrar along with a fee of twenty five rupees an application in form 18 together with certification of qualification in original.

(2) Every application for registration received by the Registrar shall be placed by him together with his opinion before the meeting of the Council to be held after receipt of such application, for such direction as the Council may give.

(3) The Registrar shall take such action on the application as the Council may direct and shall return the certificates of qualifications in original alongwith certificate of registration, if registration has been allowed to the applicant concerned within thirty days from the date of meeting. The documents shall be referred to the applicant under registered post and the receipt of acknowledgement shall be kept by the Registrar as an official document for future reference, if necessary.

(4) Every persons whose name has been entered in the Register shall receive from the Registrar a certificate of Registration in form 19.

(5) All charges including additions made in the Register under the rules shall be entered in the certificate of registration and authenticated by the Registrar.

(6) If a certificate of registration is lost, destroyed, damaged or mutilated, an application for issue of a duplicate certificate may be to the Registrar on payment of a fee of ten rupees. The original certificate where it exists, shall be produced before the Registrar. After verification of necessary particulars, the Registrar shall issue a duplicate certificate.

34. Procedure to be followed in conducting an enquiry referred to sub-section (1) of section 16.

(1) Whenever information is received that a person who is an applicant for registration, or whose name has already been registered has been guilty of conduct which prima facie constitutes infamous conduct in a professional capacity, the Registrar shall make as abstract of such information and of such further information as he may subsequently obtain.

(2) Where the information in question is in the nature of a complaint by a person or body charging the said practitioner with infamous conduct in a professional capacity such complaint shall be made in writing addressed to the Registrar and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the facts of the case except when the complaint is by a Govt. department.

(3) Every such declaration must give the description and the place of residence of the declarant and where the facts stated in a declaration are not within the personal knowledge of the declarant, the source of the information and grounds for the belief of the declarant in its truth must be accurately and fully stated.

(4) The abstract and all other documents bearing on the case together with any complaint that may have been lodged shall be submitted by the Registrar to the President, who shall, if he thinks fit, instruct the Registrar to ask the person concerned by means of a registered letter for an explanation within a time to be fixed by the President. After the expiry of such time the documents with the explanation, if any, shall be referred for consideration to a penal cases committee which shall be appointed by the Council. The committee shall have power to cause further investigation to be made and further evidence to be taken and, if necessary, obtain legal or other advice.

(5) The committee shall report to the Council, and if on such report the Council considers that the case is one in which an inquiry ought to be held by the Council, the President shall direct the Registrar to take steps for the institution of any inquiry and for having the case heard and determined by the Council.

(6) The inquiry shall be commenced by the issue of a notice in writing by the Registrar on behalf of the Council, addressed to the person concerned. The notice shall specify the nature and particulars of the charge and the date on which the Council intends to inquire into the charge, and shall call upon the person concerned to give a written answer to the charge by that date and also to attend the meeting of the Council on that date.

(7) The notice referred to in sub-rule (6) shall be in Form 20 with such variations as circumstances may require. It shall be sent at least twenty one days before the date of the inquiry, and shall be accompanied by a copy of report under sub-rule (5), and of the relevant rules to regulate the procedure for conducting any inquiry referred to in that section. A copy of the notice shall at the same time be sent to the complainant, if any.

(8) In every case in which the Council resolves that an inquiry shall be instituted and a notice for an inquiry is issued accordingly, the complainant (if any) or the person charged shall, upon request in writing for that purpose signed by him or his legal representative, be entitled to be supplied by the Registrar with a copy of any declaration, explanation, answer or other documents given or sent to the Council by or on behalf of the other party, which may on proper proof be used at the hearing as evidence in support of or in answer to the charge specified in the notice of inquiry.

(9) Any application made by the person proceeded against between the date of issue of the notice to him and the day fixed for the hearing of the charge shall be dealt with by the President in such manner as he shall think fit.

(10) All material documents which are to be laid before the Council as evidence in regard to the case shall be printed, or cyclostyled and a copy shall be furnished to each member of the Council before the hearing of the case.

(11) At the hearing of the case by the Council, the complainant or the person proceeded against may be represented or assisted by a legal representative.

(12) Where a complainant appears personally or by a legal representative the order of procedure shall be as follows:—

i) The Registrar will read to the Council the notice of the inquiry addressed to the person concerned.

ii) The complainant shall then be invited to state his case himself or by his legal representative and to produce his evidence in support of his allegations. At the conclusion of the complainant's evidence his case shall be closed.

iii) The person concerned shall then be invited to state his defence himself or by his legal representative and to produce his evidence in support of it. He may address the Council either before or at the conclusion of his evidence but only once.

iv) At the conclusion of the case of the person concerned the Council shall, if the said practitioner has produced evidence, hear the complainant in reply on the case generally, but shall hear no further evidence except in special case in which the Council may think it right to receive such further evidence. If the said practitioner produces no evidence, the complainant will not be heard in reply, except by special leave of the Council.

v) Where a witness is produced by any party before the Council he shall be first examined by the party producing him, and then cross-examined by opposite party and then re-examined by the party producing him. The Council may decline to admit in evidence any declaration where the declarant is not present for or decline to submit to, cross examination.

vi) The Chairman of the meeting may put questions to any witness and members of the Council, through the Chairman, may also put questions to any witness.

(13) Where there is no complaint, or no complainant appears, the procedure shall be as follows:—

(i) The Registrar shall read to the Council the notice of inquiry addressed to the person proceeded and shall state the facts of the case and produce before the Council the evidence by which it is supported.

(ii) The said person shall then be invited to state his case himself or by his legal representative, and to produce his evidence in support of it. He may address the Council either before or at the conclusion of his evidence, but only once.

35. Penalty

(1) Upon the conclusion of the hearing of the case in the manner as laid down in rule 34 the Council shall deliverate thereon in private, and at the conclusion of such deliverations the Chairman shall call upon the Council to vote on the question whether the person charged is guilty of infamous conduct in a professional capacity.

(2) If the Council by a majority of two thirds of the members present and voting at the meeting, find the person concerned guilty of infamous conduct in a professional capacity, the Council shall direct the Registrar not to register his name, if he be an applicant for registration, or to remove his name from the Register if he is already a registered person.

36. Intimation of removal or refusal of the name of a Registered person

When the registration of the name of any person is refused, or when the name of any registered person is removed from the Register in accordance with the

provisions of the preceding rules, the Registrar shall forthwith send notice of such refusal or removal to the person, by a registered letter addressed to his last known address. The Registrar shall also send forthwith intimation of any such refusal or removal to the body or bodies from whom the said person received his qualification or qualifications, and shall request it or them not to admit him without previous reference to the Council to any examination for any new qualification which is Registerable in the Register. If a name is removed from the Register, the Registrar shall issue a notification in the official Gazette announcing the removal.

PART—V

AUDIT: ACCOUNTS AND BUDGET

37. Accounts

(1) An account shall be opened with any of the Nationalised Bank at Agartala in the name of the Council and such account shall be operated upon by cheque signed by the Registrar and countersigned by the President or the Vice-President, if so authorised by the President in writing for acting in his absence. Cheques drawn in favour of the Council shall be endorsed by the President, the Vice-President or the Registrar.

(2) The Registrar shall receive all money payable to the Council. He may at any time retain in his hand a sum not exceeding three hundred rupees to meet different items of current expenditure. The balance shall be lodged in the Bank to the credit of the Council.

(3) The Registrar shall immediately bring in to account in the general cash book all money received or spent by the Council.

(4) The Registrar may purchase any one article not exceeding fifty rupees in value. No expenditure exceeding fifty rupees shall be incurred and no article the value of which exceeds fifty rupees shall be purchased by the Registrar without the previous sanction of the President.

(5) The Registrar shall in the month of July each year prepare a statement of the income and the expenditure of the preceding financial year and shall place it before the Council.

(6) A bill or any other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum exceeding fifty rupees payment shall not be made until it has been examined and passed by the President.

(7) Any money received by the Council in advance towards payment of fees shall, if not claimed by the person entitled there to within a period of three years, be credited at the end of the period to the account of the Council.

(8) The annual accounts shall be prepared by the Registrar under the direction of the President.

38. Audit

(1) The accounts of the Council shall be audited annually as soon as possible after the close of the financial year by Auditors to be appointed by the Council with the approval of the State Government.

(2) In auditing the accounts the auditors shall see that the accounts have been kept and presented in proper proforma, that the particulars items of receipts and expenditure are stated in sufficient details, that the payments are supported by adequate vouchers and authority, that all sums recovered or which ought to have been recovered are brought into accounts and that receipts and expenditure are such as are authorised by the Act or the rules or regulations made thereunder. They shall also ascertain the unpaid liabilities of the Council and also whether these can be met out of the funds of the Council when falling due.

(3) The President, Vice-President or the Registrar shall, at the time of audit, cause to be produced all accounts, registers documents and subsidiary papers which may be required by the auditors for the purpose. He shall also produce the cash balance and the balance of the imprest before the auditors for verification.

(4) The President shall on receipt of the report of audit from the auditors forward a copy thereof to the State Govt. He shall place the report at the next meeting of the Council for consideration and decision as to the action to be taken to remedy the defects and irregularities, if any, pointed out in the report. A copy of the resolution adopted by the Council to remedy the defects and irregularities pointed out by the auditors in their report shall also be forwarded to the State Government by the President.

39. Budget

(1) In the month of September in each year and not later than the fifteenth of the month of September an estimate of the revenue and of the expenditure of the Council for the year commencing on the 1st April, next ensuing shall be prepared by the Registrar and laid before the Council.

(2) Such estimate shall make provision for the fulfilment of the liabilities of the Council and for effectually carrying out its objects. It shall include on its revenue side, besides all revenue ordinarily anticipated, such grant as the State Government may allot and all fees received from registration and other sources.

(3) The Council shall consider the estimate so submitted to it and shall forward the same to Government for approval with such modifications as the Council may deem fit by the fifteenth of December.

(4) The Council may by the fifteenth of October of the year for which an estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered by the Council in the same manner as if it were on original annual estimate and forwarded to the State Government for approval by the fifteenth of November of the year. No expenditure shall be incurred by the Council which are not duly provided for in the budget or in the supplementary budget estimate.

By order of the Governor,

R. Datta

Special Secretary to the
Government of Tripura.

TRIPURA NURSING COUNCIL RULES, 1987

FORM NO. 1

(See rule 4(3))

Electoral Roll

Sl. No.	Name of the elector	Name of father/husband	Address	Registration No.
1	2	3	4	5

FORM NO. 2

(See rule 4(5))

Notice of publication of draft electoral roll.

To

The Electors of members to the Tripura Nursing Council.

It is hereby informed that the Tripura Nursing Council Rules, 1987, draft electoral roll has been prepared and copy of the same is available in my office for inspection during office hours.

If there is any claim or objection for entry in the roll, then that shall be informed on or before

Every such claim or objection shall be made or filed to the undersigned, personally or by duly authorised agent.

Date... ..

REGISTRAR

Address... ..

FORM 2A

(See Rule 6(d))

Claim application for inclusion

To
The Registrar,
Tripura Nursing Council,
AGARTALA

Sir,

I request that my name be included in the electoral roll for election of the members Tripura Nursing Council.

My name (in full) :
My father's/husband's name :
Particulars of my place of residence
of registration number are— :
Home No. :
Street/Mahalla :
Town/Village :
Post Office :
Police Station :
District :
Registration No. :

I hereby declare that my name has been entered in the Register maintained under the Act and my name has not been included in the electoral roll.

Date... ..

Signature of claimant

FORM 2B

(See Rule 6(d))

Objection to particulars in the entry.

To
The Registrar,
Tripura Nursing Council,
AGARTALA

Sir,

I submit that the entry relating to myself which appears at serial No. in part as is not correct. It should be corrected to read as follows :

Place

Date

Signature of objector

FORM 2C
(See Rule 7(a))

Notice of final publication of electoral roll

It is hereby notified for information that the list of amendments to the draft electoral roll for election of members to the Council has been prepared in accordance with the Tripura Nursing Council Rules, 1987 and copy of the said roll together with the said list of amendments has been published and will be available for inspection at my office.

Place REGISTRAR
Date Address... ..

FORM NO. 3
(See Rule 7(1))

Notice of Election of Members

Notice is hereby given under sub-rule (1) of rule 7 of the Tripura Nursing Council Rules, 1987 that an election is to be held of Member(s) to the Tripura Nursing Council for the term... ..

Place... ..
Date... .. PRESIDENT

FORM NO. 4
(See Rule 7(2))

Notice of election of members (casual vacancy)

Notice is hereby given under sub-rule (2) of rule 7 of the Tripura Nursing Council Rules, 1987 that an election is to be held of member(s) to fill up the casual vacancy/vacancies to the Tripura Nursing Council for the term expiring on... ..

Place... ..
Date... .. PRESIDENT

FORM NO. 5
(See Rule 8(1))

Notice of programme of election

Notice is hereby given under sub-rule (1) of rule 8 of the Tripura Nursing Council Rules, 1987. Programme of election as below:—

- 1) The last date for making nomination is
- 2) The last date of withdrawal of candidature is
- 3) The last date of sending voting paper under registered post with A/D by the returning Officer is
- 4) The last date of receiving of voting paper sent by registered post with A/D is... ..

Place... ..
Date... .. PRESIDENT

FORM NO. 6

(See Rule 9(1))

Notice inviting nomination of candidature

Notice is hereby given that--

- (1) an election is to be held of member to the Tripura Nursing Council ;
- (2) nomination papers may be delivered by a candidate or his proposer to the Returning Officer or to... .. Asstt. Returning Officer, at between 11 A.M. and 3 P.M. on any day (other than a public holiday) not later than the ;
- (3) forms of nomination paper may be obtained at the place and times aforesaid ;
- (4) the nomination papers will be taken up for scrutiny at... .. on... .. at... ..
- (5) notice of withdrawal of candidature may be delivered by a candidate or his proposer or his election agent to either of the officers specified in paragraph (2) above at his office before 3 P.M. on... ..

Place... ..

Date... ..

RETURNING OFFICER

FORM NO. 7

(See Rule 11(1)(2))

FORM OF NOMINATION PAPER

Election of members of the Tripura Nursing Council.

I, the undersigned being a registered person under the Tripura Nursing Council Act, 1987 hereby nominate(a) registered under the said Act, his registration number being (b) as a candidate for election as member to the Tripura Nursing Council at the forth coming election.

Signature
 Address
 Registration No.
 Date

We the undersigned second the proposal of

Signature	Signature
Address	Address
Registration No.	Registration No.
Date	Date

I, the undersigned hereby consent to accept nomination as a candidate for election to the Tripura Nursing Council.

Signature
 Address
 Registration No.
 Date

(a) State name and full address.

(b) State registration number.

FORM NO. 8
(See Rule 12(5))

List of validly nominated candidates

Election of members to the Tripura Nursing Council.

Serial No.	Name of candidates	Name of fathers/husband	Address of candidates
1	2	3	4

Place

Date

RETURNING OFFICER

FORM NO. 9
(See Rule 13(1))
Notice of withdrawal

Election of members to the Tripura Nursing Council.

To
The Returning Officer.

I, * a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Place

Date

Signature of candidate

This notice was delivered to me at my office at (hours) on (date) by (name) the

Date

RETURNING OFFICER

Receipt for notice of withdrawal.

(To be handed over to the person delivering the notice)

This notice of withdrawal of candidature by a candidate at the election of members to the Tripura Nursing Council was delivered to me by at my office at (hours) on (date).

RETURNING OFFICER

* here insert one of the following alternatives as may be appropriate.

- (1) Candidate
- (2) Candidates proposer who has been authorised in writing by the candidate to deliver it.
- (3) Candidate election agent whom has been authorised in writing by the candidate to deliver.

FORM NO. 10
(See Rule 13(2))

List of contesting candidates

Election of members to the Tripura Nursing Council

Serial No.	Name of the Candidate	Father's/Husband's name	Address of candidate
1.			
2.			
3.			
4.			
5.			
etc.			

Place... ..

Date... ..

RETURNING OFFICER

FORM NO. 11
(See Rule 14(1))

FORM OF VOTING PAPER

Election of members to the Tripura Nursing Council.

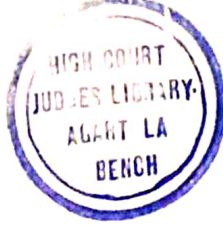
Official mark of the Returning Officer. Election of (a) member.

Column for Voter's Mark (x)	Name of candidate (b)	Address	Registration.
-----------------------------	-----------------------	---------	---------------

- (a) Number of candidates to be elected.
- (b) Names to be printed in Alphabetical Order.

INSTRUCTIONS

- (1) Each elector hasvotes.
- (2) He shall vote by placing the mark "X" opposite the name of the candidates whom he prefers.
- (3) The voting paper shall be invalid if the "X" is place opposite the names of more thancandidates or if the marks are placed as to render if doubtful candidates they are intended to apply.
- (4) The elector shall enclose the voting paper in the identification cover and then enclose that cover in a bigger cover in the left hand lower corner of which the elector shall write his full name and signature. If the elector fails to write his full name and signature, the voting paper shall be invalid.
- (5) A voting will be invalidated if the voter returns the voting paper otherwise than in the "Identification Envelop" with the declaration thereof duly completed.
- (6) Every elector shall send his voting paper in a separate cover direct to the returning officer.
- (7) If the returning officer receives more than one voting paper from an elector, all such voting paper shall be invalid.
- (8) If more than one mark is placed before the name of any candidate, whole voting paper will be disqualified.



(9) This paper must be folded "Face inwards" and placed in the accompanying "Identification Envelop", which must be securely closed and then placed in a covering envelop.

FORM NO. 12
(See Rule 16(2)(a))
FORM OF DECLARATION ON IDENTIFICATION ENVELOP
Tripura Nursing Council

I, (a) ... of ...
hereby declare that I am the person to whom the enclosed voting paper was addressed, that I am a registered person under the Tripura Nursing Council Act,
(b) ... and that I have not returned any other voting in this election.

Signature ...
Address...
Date ...

Signed in presence of (c)

- (1) Signature ...
- (2) Signature ...
- (a) Insert full name.
- (b) Insert Registration No.
- (c) There must be two witnesses.

FORM NO. 13
(See Rule 16(2)(b))

Cover A

Not to be opened before counting
Election to the Tripura Nursing Council
"Voting paper cover"

FORM NO. 14
(See Rule 16(2)(c))
COVER

(To be used at an election to the Tripura Nursing Council)

Cover B

Service Stamp

ELECTION—IMMEDIATE
(Bigger envelop of voting paper)
(For election of members)
Not to be opened before counting)

To
The Returning Officer,

*
.....
.....

Signature of sender...

* Returning Officer to mention here his postal address.

FORM NO. 15
(See Rule 16(4))

Form of record of despatch of voting paper.

(1) Serial No. (2) Name of the elector (3) Address (4) Electoral Roll No. (5) Date of despatch of voting paper (6) Remarks

FORM NO. 16
(See Rule 22(6))
TRIPURA NURSING COUNCIL
Certificate of election

I, Returning Officer for election of member to the Tripura Nursing Council, hereby certify that I have on the day of 19... .. declare of to have been duly elected in the said Council and that in token thereof I have granted her certificate of election.

Place (seal)

Date

RETURNING OFFICER

FORM NO. 17
(See Rule 32(1))

REGISTER OF REGISTERED *PART

Serial No.	Date of registration	Name	Residential address
1	2	3	4
Professional address	Qualification with date thereof	Pass-port size photograph	Remarks
5	6	7	8

* Qualifications such as nurses, midwives, auxillary nurse-midwiveh, multipurpose Workers (Female), multipurpose Superviors (Female), Health Visitors, Public Health Nurses or other similar qualifications are to be inserted.

FORM NO. 18
(See Rule 33(1))
Application for Registration

To
The Registrar,
Tripura Nursing Council,
AGARTALA
Sir,

I beg to apply for registration of my name as (1) under sub-section (1) of section 15 of the Tripura Nursing Council Act, 1986.

Particulars about myself are furnished below:—

1. Name in full (in BLOCK LETTERS)
2. Father's/Husband's name.
3. Date of birth.
4. Residential address.
5. Professional address.
6. Particulars of qualifications obtained.

Declaration

I, (applicant) hereby declare that the statements made above are correct. I further declare that I shall maintain the dignity and ethical standard of the profession in practice as (1).

I undertake that I shall duly intimate to the Registrar any change of my address.

The certificate of my qualification (in original/... ..) is submitted herewith, which may be returned as soon as done with.

The prescribed fee of rupees twenty five is sent herewith/has been remitted by postal money order.

Date

Signature of the applicant.

Enclosures :—

- 1) Attested copy of document in support of date of birth.
- 2) Certificate of qualification (in original/certificate).
- 3) Three copies of attested pass-port size photo.

FORM NO. 19
(See Rule 33(4))
TRIPURA NURSING COUNCIL

Date

No.

This is to certify that... .. has been duly registered as and is entitled to all the privileges granted under Tripura Nursing Council Act, 1986.

A. Debnath

In witness whereof are hereby affixed the seal of the Tripura Nursing Council and the signature of the Registrar of the said Nursing Council.

REGISTRAR

SEAL
This certificate is the property of Tripura Nursing Council and is issued to the above named person in accordance with sub rule (4) of rule 33 of the Tripura Nursing Council Rules, 1987.

FORM NO. 20
(See Rule 34(7))

To

.....
.....

Sub:—Notice to register person to attend, proceeding in connection with the enquiry under sub section (1) of section 16 of the Tripura Nursing Council Act, 1986.

Sir,

On behalf of the Tripura Nursing Council, I give you notice that information and evidence have been laid before the Council by which the complainants make the following charges against you namely (here set out the circumstances briefly) and that in relation thereto you have been guilty of infamous conduct in a professional respect.

On that you were on the day of convicted of the following offence at vz. (set out particulars of the convictions).

And I am directed further to give you notice that on the day of 19... .. a meeting of the Council will be held at O'clock in the to consider the above mentioned charges against you and decide whether or not they should direct your name to be removed from the Register pursuant to sub section (1) of section 16 of the Tripura Nursing Council Act, 1986. You are invited and required to answer in writing the above charges and to attend before the Council at the above named place and time to establish any denial or defence that you may have to make to the above mentioned charges and you are hereby informed that if you do not attend as required, the Council may proceed to hear and to decide upon the said charges in your absence.

And answer or other communication or application which you may desire to make respecting the said chadges or your defence thereto must be addressed the Registrar of the Council and transmitted so as reach him not less then... .. days before the day appointed for hearing of the case.

REGISTRAR.

