PART II

Section 3—Sub-Section (l)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories)

General Statutory Rules

(General and Prasasasakik Suychar Viramag)

PART II

Section 3—Sub-Section (l)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories)
9 तंत्रिका 2.8 तथा 7.2

7. तंत्रिकावधि के तरंग प्रभाव के दर्शायें होता है कि तंत्रिक्ष त्रिभुज में यह देखा भवन के डरें होते हैं तुरावहर और सभी तरंगों का प्रभाव करते हैं।

8. तंत्रिकावधि के तरंग प्रभाव

9. तंत्रिकावधि पर दो तरंगों को तरंग का यह सम्बन्ध होता है कि तरंग तरंग के रूप में तथ्यतत्त्वों के संबंध में तरंगावधि तात्त्वों के संबंध में होता है।

किन तरंग के तरंगों को तरंग का यह सम्बन्ध तात्त्वों के संबंध में होता है।

10. तरंग प्रभाव

11. तरंग प्रभाव के तर्कों की संसारी पत्र तरंग प्रभाव को जानना है।

(2) तरंग प्रभाव को जानना है।

(2) तरंग प्रभाव को जानना है।
12. प्रभावित प्रभावित

(1) कौन भी भारतीय सरकार वहीं को संज्ञान के लिए विशेष निर्देश दीगर, भीर भी गांधी

(2) ऐसे मिलने के लिए, जिसे प्रभावित प्रभावित फास्ट में नहीं हो सकता.

(3) रिटर्न भारतीय प्रभावित नतियों पर, जो संख्या

13. मनोरम

(1) जहाँ सहकार: गांधीजी प्रभावित की संख्या राजनीति के, प्रभारित, पारंपरिक, तथा भारतीय चुनाव प्रभावित दलों के प्रभावित निर्देश करने के लिए विशेष निर्देश दीगर, भीर भी गांधी

(2) ऐसे भारतीय को संज्ञान यह प्राप्त निर्देश करे गांधी

(3) रिटर्न भारतीय प्रभावित भाषा में किया जाएगा.

14. मनोरम मनोरम को भारतीय प्रभावित को प्रभावित करना है, प्रभावित के लिए ऐसे मिलने को प्रभावित भाषा में किया जाएगा.

15. मनोरम प्रभावित प्रभावित दलों को संज्ञान के लिए विशेष निर्देश दीगर, भीर भी गांधी
(1) ऐसे ही बाहर निकालके पेपर के प्रभाव बांसवा दल या चंदर-पानिका से किये गए हों, या
(2) बांसवा या में गांवता द्वारा राजस्व रहस्यज्ञान संबंध न दी गई हो।
(1) मामलों की संबंध बांसवा
(1) दिनित्ति भारतीय मामलों को संबंध बांसवा दल के प्रभाव के लिए फायदे हासिल किया की तरह बांसवा समय तथा व्यवहार पर हुआ हो।
(2) दिनित्ति 17 के धर्मी नाममुल एवं मायादान निवास प्रदेश का शिक्षाका संबंध अथवा मास्कों की बांसवा कर एक साथ निकाला की जाता बांसवा तत्त्वतः मामलों को संबंध बांसवा दल कर गया कि जाने।
(3) भारत उप देश एवं प्रतिक्रियाओं में सम्बंध उल्लेख—
(4) उस पर दिनित्ति भारतीय के प्रभाव प्राकृतिक हुआ हो, या
(5) उस पर मामला ने दाँव नाम के हस्ताक्षर किये हो था कोई ऐसा न्याय निर्देश न हो था कोई ऐसा कोई निर्देश न हो निलसे यह प्रतिक्रिया का कारण कि यह मामला उसका था, या
(6) उस पर कोई भी निर्देशित निर्देश न गया गया हो, या
(7) उस पर भारतीय भांति की संख्या तथा मास्कों की संबंध एवं धर्मी, या
(8) हारे यह यह के बारे में प्रभावित हो।
(9) मामलों की गणना की प्राधिकों का बेचने के लिए कोई भी धर्मी स्वतंत्र उपलब्ध हो। सभी का धारण मिलने रूप में भारतीय प्राकृतिक एवं धर्मी का बेचना समय
(10) दिनित्ति भारतीय, भारतीय भांति या उसके प्रभावित प्राकृतिक प्रचारकों की, वर्तमान एवं रचनाका दल, मामलों को संबंध बांसवा दल हो या
(11) वर्तमान मामला के बारे में इस प्राधिक से किसी भी विचार का अधमान नहीं होता है। क्योंकि वापसी किया गया, तो दिनित्ति भारतीय द्वारा गुरुत्व इसका विचार किया गया।
(12) दिनित्ति भारतीय उसी वर्तमान संबंधित धारण करती जहाँ दो दोहरे प्रयोग के बीच तत्त्वतः पर रहकर धारण करें गया।
19. परिक्षा की योग्यता
(1) जब मामलों की गणना तो होता तो दिनित्ति भारतीय प्रधान बांसवा दल को किया के प्रयोग भारतीय द्वारा गुरुत्व इसका विचार किया गया।
MINISTRY OF HEALTH AND FAMILY PLANNING
(Department of Health)
New Delhi, the 14th August, 1975

G.S.R. 2380.—In exercise of the powers conferred by section 4 and Section 35 of the Indian Medicine Central Council Act, 1970 (48 of 1970), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Indian Medicine Central Council (Election) Rules, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires:


(b) 'Form' means a form annexed to these rules.

(c) 'President' means the President of the Central Council of Indian Medicine.

(d) 'Returning Officer' means any officer appointed as such by the Central Government for the purpose of these rules.

(e) 'Section' means a section of the Act.

ELECTIONS TO THE CENTRAL COUNCIL UNDER CLAUSE (2) OF SUB-SECTION (1) OF SECTION 3.

3. Persons entitled to vote.—All persons whose names are enrolled on a State Register of Indian Medicine practitioners of Ayurveda, Siddha or Unani Systems of Medicine shall be entitled to vote at the election of members to represent the Ayurveda, Siddha or Unani System of Medicine, as the case may be, under Clause (a) of sub-section (1) of Section 3.

4. Posting of copies of State Register of Indian Medicine.—

(1) Copies of the State Register of Indian Medicine shall be posted at the office of the Returning Officer and of the State concerned.

(2) The register shall be brought up-to-date before posting and for this purpose, the Returning Officer shall give one month's notice to the Registrar (by whatever name called) of the Board concerned, who maintains the register in the State.

5. Returning Officer to hold the election.—The Returning Officer shall call upon persons enrolled on the State Register of Indian Medicine to vote at the election of members to represent the Ayurveda, Siddha or Unani System of Medicine, to elect such number of members, as is determined by the Central Government under clause (a) of sub-section (1) of Section 3, to represent Ayurveda, Siddha or Unani System of Medicine, as the case may be.

6. Returning Officer to decide questions relating to right of persons to stand for or to vote at election.—If any question arises as to whether a person is or is not entitled to vote in the election or to stand for the election the question shall be referred to the Returning Officer who shall decide the same.
7. Fixation of dates of various stages of elections.

The Returning Officer shall appoint and shall notify in the Official Gazette and in such other manner as he thinks fit, the date, time and place for:

(a) the receipt of the nomination papers and their scrutiny;
(b) the despatch of voting papers to the electors;
(c) the poll; and
(d) the scrutiny and counting of votes.

8. Nomination of candidates.

Any person qualified to stand for the election under Section 5 may be nominated as a candidate for election and such nomination shall be made by means of a nomination paper in Form I which shall be supplied by the Returning Officer to any elector who may apply for the same.


(1) Each nomination paper shall be subscribed by two electors as proposer and seconder and shall contain a declaration signed by the person proposing signing his consent to stand for the election.

Provided that no elector shall subscribe more nominations than there are seats to be filled up from the State concerned to represent the system of medicine as practitioner of which he is registered.

Provided further that if more than the specified number of nomination papers be subscribed by the same elector, the nomination papers first received by the Returning Officer, shall, if otherwise in order, be held to be valid and if more than the specified number of nomination papers subscribed by the same elector be received simultaneously by the Returning Officer all such nomination papers shall be held to be invalid.

(2) On receipt of each nomination paper, the Returning Officer shall forthwith endorse thereupon the date and hour of receipt.

10. Rejection of nomination paper.

A nomination paper which is not received before the date and the time appointed in that behalf shall be rejected.

11. Scrutiny of nomination papers.

(1) On the date and at the time appointed by the Returning Officer for the scrutiny of the nomination papers, the candidates and the proposer and the seconder of each candidate shall attend the office of the Returning Officer, who shall allow them to examine the nomination papers of all the candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and decide all questions which may arise as to the validity of any nomination.

(3) The Returning Officer shall endorse on each nomination paper his decision either accepting or rejecting it and if the nomination paper is rejected, he shall record in writing a brief statement of his reasons for rejecting it.

12. Withdrawal of candidature.

(1) Any candidate may withdraw his candidature within seven days after the scrutiny of nomination papers by notice in writing signed by him and delivered to the Returning Officer.

(2) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

(3) The Returning Officer shall, on receiving a notice of withdrawal, publish the fact of such withdrawal in the Official Gazette.

13. Poll.

(1) Where the number of candidates duly nominated is equal to or less than the number of members to be elected to represent the Ayurveda, Siddha or Unani System of Medicine, as the case may be, from the State concerned, the Returning Officer shall forthwith declare such candidates to be duly elected.

(2) Where the number of such candidates is less than the number of members to be so elected the Returning Officer shall commence fresh proceedings for the election of the remaining members to be elected under clause (a) of subsection (1) of Section 3.

(3) Where the number of such candidates exceeds the number of members to be elected to represent the Ayurveda, Siddha or Unani System of Medicine as the case may be, from the State concerned, the Returning Officer shall publish their names and addresses in the Official Gazette and shall further cause their names to be entered in the voting papers in Form II.

(4) If a poll is found necessary, the Returning Officer shall, thirty days before the date appointed therefor, send by post to each elector a letter of intimation in Form IV together with a numbered declaration paper in Form III, a voting paper in Form II containing the names of the candidates in alphabetical order and bearing the signature of the Returning Officer and a voting cover addressed to his (the Returning Officer) and an outer envelope also addressed to him and a certificate of posting shall be obtained in respect of each such letter of intimation sent to an elector.

Provided that the voting paper and other connected papers may also be sent to any elector on his applying to the Returning Officer for the same before the date appointed for the poll, if the Returning Officer is satisfied that the papers have not been sent to him.

(5) An elector who has not received the voting and other connected papers sent to him by post or who has lost them or in whose case the papers before their return to the Returning Officer have been inadvertently spoiled, may transmit a declaration to that effect signed by himself and request the Returning Officer not later than seven days before the date appointed for the poll to send him fresh papers and if the papers have been spoil, the spoil papers shall be returned to the Returning Officer who shall cancel them on receipt.

(6) In every case in which fresh papers are issued a mark shall be placed against the number relating to the elector's name in a copy of the State Register of Indian Medicine to denote that fresh papers have been issued.

(7) Each elector shall have as many votes as there are members to be elected from that State to represent the Ayurveda, Siddha or Unani System of Medicine, as the case may be, but shall give only one vote to any one candidate.

(8) No election shall be invalid by reason of the non-receipt by an elector of his voting paper.

14. Votes to be sent by registered post.

Every elector desirous of recording his vote shall, after filling up the declaration paper and the voting paper according to the directions given in the letter of intimation, enclose the voting paper in the voting paper cover, stick up the cover, enclose the cover and the declaration paper in the outer cover addressed to the Returning Officer and send the outer cover by registered post at the elector's own cost to the Returning Officer or deliver it in person in the office of the Returning Officer so as to reach him not later than 5.00 p.m. on the date fixed for the poll and all envelopes received after that day and hour or received by unregistered post shall be rejected.

15. Endorsement by Returning Officer.

On receipt of the envelopes containing the declaration paper and the closed covers containing the voting papers, the Returning Officer shall endorse on the outer envelope the date and hour of receipt.

16. Candidates may be present when registered covers are opened.
(1) The Returning Officer shall open the outer envelopes immediately after 5.00 p.m. on the day fixed for the poll at the place to which the envelopes are addressed to him.

(2) Any candidate may be present in person or may send a representative duly authorised by him in writing to attend at the time the outer envelopes are opened.

17. Rejection of voting papers.

(1) A voting paper cover shall be rejected by the Returning Officer if:

(a) the outer envelope contains no declaration paper outside the voting paper cover; or
(b) the declaration paper is not the one sent by the Returning Officer to the voter; or
(c) the declaration paper is not signed by the elector; or
(d) the voting paper is placed outside the voting paper cover; or
(e) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope; or
(f) the State Registration number is not given by the elector in the declaration paper.

(2) In each case of rejection, the word 'Rejected' shall be endorsed on the voting paper cover, and also on the declaration paper if any,

(3) After satisfying himself that the electors have affixed their signature to the declaration papers, the Returning Officer shall keep all the declaration papers in safe custody, pending disposal under rule 20.

18. Scrutiny and counting of votes.

(1) The Returning Officer shall attend, for the purpose of scrutiny and counting of the votes on the date and at the time and place appointed by him in this behalf:

Provided that the date so appointed shall not be later than three days from the date fixed for the poll.

(2) All the voting paper covers, other than those rejected under rule 17, shall be opened and the voting papers taken out and mixed together and the voting papers shall then be scrutinised and the valid votes counted.

(3) A 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 recognisable 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) Any candidate may be present in person or may send a representative duly authorised by him in writing to watch the process of counting.

(5) The Returning Officer shall show the voting papers, if requested to do so, to the candidates or their authorised representatives at the time of scrutiny and counting of votes.

(6) If any objection is made to any voting paper on the ground that it does not comply with the specified requirements or to any rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer.

(7) The Returning Officer shall nominate such number of scrutinisers, who shall be Gazetted Officers of the Government, as he thinks fit.

19. Declaration of result.

(1) When the counting of the votes has been completed, the Returning Officer shall draw up a list of candidates in the order of highest votes polled by each candidate and shall declare the result of the election among the successful candidates in the order of the highest vote polled by each and shall declare the result of the successful candidates in the order according to the number of seats to be filled up and shall forthwith inform the successful candidates by post or by hand or in such other manner as he thinks fit, of his being elected to the Council.

(2) When an equality of votes is found to exist among any candidates and there is difficulty in declaring the result, the determination of the person or persons, who shall be deemed to have been elected shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

20. Voting papers to be retained for six months.

Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and he shall not destroy or cause to be destroyed the records even after six months without the previous concurrence of the Central Government.


The Returning Officer shall intimate the names of the elected candidates to the Central Government who shall take steps to publish the names of the elected persons in the Official Gazette.

ELECTIONS TO THE CENTRAL COUNCIL UNDER CLAUSE (b) OF SUB-SECTION (1) OF SECTION 3

22. Representatives of Universities.

(1) The President shall, not later than ninety days before the date of occurrence of a vacancy by the expiry of the term of office of a member from any University, send intimation thereof to the Central Government, who shall, not later than sixty days before the date of occurrence of the vacancy, forward a notice by registered post to the Registrar of the University concerned requesting him to hold an election by a date not later than the date specified in the notice.

(2) In the case of a vacancy occurring otherwise than as mentioned in sub-rule (1), the President shall notify the Central Government as soon as possible the occurrence of the vacancy and the Central Government shall thereupon forward a notice by registered post to the Registrar of the University concerned requesting him to hold an election by a date not later than the date specified in the notice.

(3) For the purpose of the first election under clause (b) of sub-section (1) of Section 3, it shall be sufficient if the Central Government forwards a notice by registered post to the Registrar of each University concerned requesting him to hold the election by a date not later than the date specified in the notice.

23. Election by Faculty or Department.

The members of the Faculty or Department (by whatever name called) of each of the Ayurveda, Siddha and Unani System of Medicine of the University shall elect one member for the respective system of medicine in such manner as the Vice-Chancellor of the University may think fit.

24. Intimation of name of elected person to the Central Government.

The name of the person elected shall be intimated by the Registrar of the University to the Central Government who shall take steps to publish the name of the elected person in the Official Gazette.

[No. V-26012/1/74-AE]

P. V. Hariharasankaran, Dv
FORM I
Nomination Paper (See rule 8)

Election under clause (a) of sub-section (1) of section 3 of the Indian Medicine Central Council Act, 1970.

1. Name of candidate ..................................................
2. Father's name ......................................................
3. Age ........................................................................
4. Nature of qualification ..............................................
5. Registration number in the State Register of Indian Medicine ..................................................
6. Address (Residential) ..................................................
7. Signature of proposer ..................................................
8. Registration number of proposer in the State Register of Indian Medicine .................................
9. Signature of seconder ...................................................
10. Registration number of seconder in the State Register of Indian Medicine .................................

Declaration by the Candidate

I hereby declare that I agree to this nomination.

Signature of the candidate

[Date]

INSTRUCTIONS

1. Nomination papers which are not received by the Returning Officer before (hour) on the (date) shall be rejected.

2. The names of the proposer and seconder, as they appear in the State Register of Indian Medicine and their registered qualifications should be clearly written below their respective signatures.

FORM II—VOTING PAPER

[See rule 13(3)]

Serial No...

Voting paper

(In words) Names and addresses of candidates duly nominated to represent Ayurveda/Siddha/Unani system of medicine

Returning Officer

INSTRUCTIONS

1. Each elector has such number of votes as the number of members to be elected.

2. Each elector shall give only one vote to any one candidate.

3. He shall vote by placing the mark X opposite the name of the candidate/candidates whom he prefers.

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 recognisable 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.

*strike out whatever is inapplicable.

FORM III

Declaration paper

Election to the Central Council of Indian Medicine under clause (a) of sub-section (1) of section 3 of the Indian Medicine Central Council Act, 1970.

Serial No.......

Elector's name ..............................

Number on the State Register of Indian Medicine ..............................

Declaration by the Candidate

I hereby declare that I am an elector for the election to the Central Council of Indian Medicine by the electorate under clause (a) of sub-section (1) of section 3 of the Indian Medicine Central Council Act, 1970 and that I have signed no other voting paper at this election.

Signature

INSTRUCTIONS

1. Name in full, and designation, if any, declare that I am an elector for the election to the Central Council of Indian Medicine to represent the Ayurveda/Siddha/Unani system of medicine.

Should 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 for the purpose 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 the outer envelope addressed to me and return the same to me by registered post or deliver it in person in my office so as to reach me not later than 5 P.M. on the—of 19

*strike out whatever is inapplicable.

FORM IV

Letter of intimation

Sir/Madam,

The persons whose names are printed on the voting paper sent herewith, have been duly nominated as candidates for election to the Central Council of Indian Medicine to represent the Ayurveda/Siddha/Unani system of medicine. Should 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 for the purpose 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 the outer envelope addressed to me and return the same to me by registered post or deliver it in person in my office so as to reach me not later than 5 P.M. on the—of 19

*strike out whatever is inapplicable.
(b) the outer envelope contains no declaration paper outside the voting paper cover; or

c) the declaration paper is not the one sent by the Returning Officer to the voter; or

d) the declaration paper is not signed by the elector; or

e) the voting paper is placed outside the voting paper cover; or

(f) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope; or

(g) the State Registration number is not given by the elector in the declaration paper.

3. A voting paper shall be invalid, if—

(i) it does not bear the Returning Officer's initials or facsimile signature; or

(ii) the voter signs his name, or writes any word or makes any mark by which it becomes recognisable as his voting paper; or

(iii) no vote is recorded thereon; or

(iv) the number of votes recorded thereon exceeds the number of seats to be filled; or

(v) 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 candidates or their duly authorised representatives.

RETURNING OFFICER.

[Signature]

New Delhi, 19th August, 1975

V. RAMACHANDRAN, Under Secy.

ADDITIONAL SECRETARY

G.S.R. 2351.—Kindly insert the following sub-clause under para (1) to this Ministry's Notification No. A. 12011/1/74-H dated the 28th July, 1975, relating to the Safdarjang Hospital (Class III posts) Recruitment (Amendment) Rules, 1975:

"They shall come into force on the date of their publication in the Official Gazette".

[No. A. 12011/1/74-H]

G.S.R. 2352.—Kindly insert the following Sub-clause under para (1) to this Ministry's Notification No. A. 12011/1/74-H dated the 28th July, 1975, relating to the Safdarjang Hospital (Class III posts) Recruitment (Amendment) Rules, 1975:

"They shall come into force on the date of their publication in the Official Gazette".

[No. A. 12011/1/74-HII]

V. RAMACHANDRAN, Under Secy.

G.S.R. 2353.—In the notification of the Government of India in the Ministry of Agriculture (Department of Agriculture), No. G.S.R. 366(E), dated the 14th August, 1974, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (6), dated the 14th August, 1974, at page 1648, in line 9, for "Wild Life (Transactions and Taxidermy) Rules, 1974", read "Orissa Wild Life (Transaction and Taxidermy) Rules, 1974".

[No. J. 1101/9/75-FRYS(T)]

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Agriculture)

CORRIGENDUM

New Delhi, the 1st August, 1975

G.S.R. 2354.—In the notification of the Government of India in the Ministry of Agriculture (Department of Agriculture), No. G.S.R. 366(E), dated the 14th August, 1974, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (6), dated the 14th August, 1974, at page 1648, in line 9, for "Wild Life (Transactions and Taxidermy) Rules, 1974", read "Orissa Wild Life (Transaction and Taxidermy) Rules, 1974".
भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

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स्वास्थ्य और परिवार कल्यण मंत्रालय

[ आयुर्वेद, योग व प्राकृतिक चिकित्सा, टुबूर्गी, निद्रा एवं होम्योपेथी (आयुष) विभाग ]

अधिसूचना

नई दिल्ली, 15 मार्च, 2012

सं.का.नि. 151(35)—केंद्रीय सरकार, भारतीय चिकित्सा केंद्रीय परिषद् अधिनियम, 1970 (1970 का 48) को भाग 4 और भाग 35

द्वारा प्रदान शक्तियों का प्रयोग करती हुई, भारतीय चिकित्सा केंद्रीय परिषद् (निर्बाचन) नियम, 1975 में संबंधित करणे के लिए निर्माणशिक्षा नियम

के ।

अध्याय 8—

1. (1) इन नियमों का सीधा नाम भारतीय चिकित्सा केंद्रीय परिषद् (निर्बाचन) संशोधन नियम, 2012 है।

(2) ये राज्यक्रम में प्रकाशित की तारीख को प्रारंभ होगी।

2. भारतीय चिकित्सा केंद्रीय परिषद् (निर्बाचन) नियम, 1975 में, नियम 24 के परामर्श, अंत में निर्माणशिक्षा नियम जोड़ा

जाएगा, अध्याय 8—

"25. किसी निर्भरक को शून्य शोधित करने की शक्ति—(1) केंद्रीय सरकार, किसी निर्भरक के लिए, निर्भरक

अध्यायों के निर्धारण को तारीख से तीस दिन की अवधि के पीछे, अधिनियम को भाग 4 की उप-भाग (2) के अधीन उसे

निर्धारित किए एवं किसी निर्भरक निवार के संबंध में, निर्धारण को रिस्क-रिस्किंग, अनुमान प्रत्यय या ऐसे अन्य प्रत्यय आकर्षण

के कारण, जिसके केंद्रीय सरकार की प्रमाण, स्वास्थ्य और निधन निर्धारण के संबंध में असाध्य का है, शून्य शोधित कर

उल्लेख कर सकती है।

(2) इस नियम के अधीन केंद्रीय सरकार का निर्धारण अधिक होगा।"

[फा. सं. ए–11019/10/2012–आयुर्वेद:योग:आयुष (निर्बाचन)]

विकेन्द्र सिंह गौड़, संयुक्त सचिव

दिशण :—मूल नियम भारत के राज्यपत्र में, अधिसूचना संबंधी सं.का.नि. 2350, तारीख 14 अगस्त, 1975 द्वारा प्रकाशित किए गए थे।

827 GI/2012 (1)
MINISTRY OF HEALTH AND FAMILY WELFARE
[Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)]

NOTIFICATION

New Delhi, the 15th March, 2012

G.S.R. 151(E).—In exercise of the powers conferred by Section 4 and Section 35 of the Indian Medicine Central Council Act, 1970 (48 of 1970), the Central Government hereby makes the following rule to amend the Indian Medicine Central Council (Election) Rules, 1975, namely:

1. (1) These rules may be called the Indian Medicine Central Council (Election) Amendment Rules, 2012.

   (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Medicine Central Council (Election) Rules, 1975, after Rule 24, the following rule shall be added at the end, namely:

   "25. Power to declare any election void—(1) The Central Government may, on any election dispute referred to it under sub-section (2) of Section 4 of the Act, for an election, within a period of thirty days from the date of election of the elected candidate, declare the election to be void on account of bribery, undue influence or other corrupt practice which, in the opinion of the Central Government, has interfered with the free and fair conduct of the election and shall conduct a fresh election.

   (2) The decision of the Central Government under this rule shall be final."

   [F. No. A-11019/10/2012-RD/CCIM(Election)]

VIKRAM SINGH GAUR, Jt. Secy.

Note:—The principal rules were published in the Gazette of India vide number G.S.R. 2350, dated the 14th August, 1975.
स.का.नि. 372(अ)। केंद्रीय सरकार भारतीय विकिल्स राज्य विकिल्स अधिनियम, 1970 (1970 का 48) की दास और धर्म 35 इस पद्म शिक्षा का प्रयोग करते हुए भारतीय विकिल्स केंद्रीय विकिल्स (नियोजन) नियम, 1975 का और संशोधन करने के लिए निम्नलिखित नियम बनाते है अर्थात् :-

1 (1) इन नियमों का संशोधित नाम भारतीय विकिल्स केंद्रीय विकिल्स (नियोजन) दूसरा संशोधन नियम 2012 है।

(2) ये नियम उनके राजपत्र में प्रकाशण की तारीख को प्रकृत होंगे।

2. भारतीय विकिल्स केंद्रीय विकिल्स (नियोजन) नियम, 1975 (जिसे इसके इसके पश्चात उक्त नियम कहा गया है) के नियम 2 के खंड (व) के त्योहार पर निम्नलिखित खंड रखा जाएगा, अर्थात् :-

“(v) "स्टिंगर आडिफिसर" से इन नियमों के प्रयोजनों के लिए केंद्रीय सरकार या संघ राज्यक्षेत्र के निष्कासियों पर नियुक्त, भर्तीशिक्षित संघ राज्य सरकार या संघ राज्यक्षेत्र का संगठित सचिव की पंक्ति से अन्य सरकारया संघ राज्यक्षेत्र या संघ राज्यक्षेत्र द्वारा ऐसा अधिकारी अभिव्यक्त है, जो राज्य सरकार या संघ राज्यक्षेत्र की प्रशासनिक सेवाओं में से हैः दिवि 1777 G/2012 (1)
परंतु संबंध बोर्ड का रजिस्ट्र वाले किसी नाम से ज्ञात हो) जो रजय में व्यवसायियों का रजिस्ट्र रखता हो, रिटर्निंग आफिसर के रूप में नियुक्त नहीं किया जाएगा।’’

3. उक्त नियमों के नियम 4 में उपनियम (2) के पश्चात निम्नलिखित उपनियम रखा जाएगा अर्थात् : -

“(3) उपनियम (2) में यथाउत्तिकित एक मस्त की नोटिस की समाप्ति के पश्चात, निर्देशन नियत तारीख को उपलब्ध रजिस्ट्र अथवा अन्य व्यवसायियों के अनुसार संचालित किया जाएगा।

परंतु केंद्रीय सरकार संबंध राज्य बोर्ड जो भारतीय बिकिस्तान केंद्रीय परिषद स्वीकृत अधिनियम, 1970 के खंड 2(3) में यथार्थस्थिति राज्य के रजिस्ट्र को स्वीकार के लिए उत्तरदायी है, के रजिस्ट्र द्वारा रिटर्निंग आफिसर को यथाउत्तिक कराना राज्य रजिस्ट्र में किसी आत्मनिर्भरता के बिच में, निर्देशन से पूर्व या उसके पश्चात इसे निर्देश किसी विवाद पर विचार नहीं करेगी।’’

4. उक्त नियमों के नियम 22 में उपनियम (3) के पश्चात निम्नलिखित उपनियम अंश्लापित किया जाएगा, अर्थात् : -

“(4) विश्वविद्यालयों की बिकिस्तान की यात्राओं द्वारा एवं यूनानी प्रणालीमें आयुर्वेद विद्या द्वारा संस्कार का यथार्थस्थिति या विश्वविद्यालयों की तरीके को ज्ञात करने के लिए संबंध विश्वविद्यालयों द्वारा इसकी उपयोगिता और परिन्योगों द्वारा विनियमित किया जाएगा।’’

5. उक्त नियमों के नियम 25 के पश्चात अंत में निम्नलिखित नियम जोड़े जाएंगे अर्थात् : -

“26. प्रकाश–(1) केंद्रीय सरकार निर्देशन का संचालन का मानींद करने के लिए और ऐसे अन्य कार्य को केंद्रीय सरकार द्वारा उत्तर सौंपे जा सकें, का पालन करने के लिए किसी प्रकाश को नामनिर्देश कर सकेंगी।

(2) प्रकाश, नामनिर्देशन पत्रों की संबंधत द्वारा नियत दिन को अभिहित स्थान में उपस्थित रखें और मान निर्देशन द्वारा गणना के लिए नियत दिन को अभिहित स्थान में उपस्थित रखें और वह केंद्रीय सरकार को अपनी स्थिति प्रस्तुत करेगा।

27. निर्वाचन प्रक्रिया के दौरान उठे विवादों की जांच करने के लिए रिटर्निंग आफिसर या विश्वविद्यालयों के रजिस्ट्र द्वारा -

इन नियम में अंतर्गत किसी बात के होते हुए भी, यथार्थता रिटर्निंग आफिसर या रजिस्ट्र द्वारा निर्वाचन प्रक्रिया अथवा नामनिर्देशन पत्र की प्राप्ति की तारीख से परियोग की घोषणा की तारीख तक, के दौरान उठे विवादों का विनियम करेगा।

परंतु केंद्रीय सरकार इस बात को ध्यान दिये बिना कि रिटर्निंग आफिसर या रजिस्ट्र द्वारा सम्पन्न उठे विवादों का विनियम किया गया है या नहीं, ऐसे सभी मुद्दों का विनियम करेगी यदि उसे नियम 25 में विनियमित अवधि के भीतर भेजा जाता है।
28. निर्वाचन विवादों से संबंधित प्रक्रिया :---

(1) केंद्रीय सरकार, अधिनियम की धारा 4 की उपधारा (2) के अधीन विवाद की प्रारंभ के पश्चात विभिन्न निर्वाचन के संबंध में उस विवाद की जांच करने के लिए एक जांच अधिकारी को नियुक्त करेगी जो भारत सरकार के अवर संघीय की पंक्ति से नियुक्त नहीं होगा।

(2) जांच अधिकारी, अपनी नियुक्ति के एक सप्ताह के भीतर विवाद के पक्षकारों को उनसे यह पूछते हुए कि विवाद पर युक्तियुक्त समय के भीतर जो उसके द्वारा विनिर्दिष्ट किया जा सके, विविध में क्षण प्रस्तुत करें यदि कोई है, सुनवाई सुचना मेजेड और सुनवाई के लिए तारीख भी नियुक्त करेगा।

(3) क्षण के प्रस्तुत किए जाने के लिए विनिर्दिष्ट समय के पश्चात जांच अधिकारी ऐसी तारीख और ऐसे समय पर तथा ऐसे स्थान पर विवाद की सुनवाई करेगा जिसे इस बात को ध्यान दिए विनियम विनिर्दिष्ट किया गया है कि लिखित क्षण प्राप्त हुआ है या नहीं और पक्षकारों को सुनने जाने का युक्तियुक्त अवसर देगा।

(4) विवाद के सभी पक्षकारों को केंद्रीय व्यक्तिगत रूप में जांच अधिकारी के समक्ष उपस्थित रहने का अधिकार होगा।

(5) विवाद से संबंधित पक्षकारों की अनुपस्थिति पहले ही से नियत तारीख को सुनवाई के लिए पुलवामा होने का आदेश नहीं होगा और सुनवाई एक भीरी अवसर सही जब तक कि अनुपस्थिति की परिखंडित पक्षकारों के नियंत्रण के अंतर्गत नहीं हो।

(6) जांच की किसी अवस्था के दौरान, जांच अधिकारी को ऐसे अन्य दस्तावेज और व्यक्तिगत की पत्ता करने का अधिकार होगा जो उसके द्वारा जांच के संचालन के लिए आवश्यक समझे जाएं।

(7) सभी संबंधित पक्षकारों को सुनने जाने के पश्चात, जांच अधिकारी अपनी नियुक्ति के साथ दिन की अवधि के भीतर एक जांच स्पोर्ट तैयार करेगा और उसे केंद्रीय सरकार को उसके विवाद और विनिर्दिष्ट से प्रस्तुत करेगा।

(8) केंद्रीय सरकार, जांच अधिकारी द्वारा यथार्थज्ञ से प्रस्तुत की गई जांच स्पोर्ट पर विनिर्दिष्ट करने का प्रावधान करेगी और विवाद पर अपने विनिर्दिष्ट को जांच स्पोर्ट की प्राप्त के तीस दिन के भीतर संबंधित करेगी।

29. रजिस्ट्रार द्वारा मतपत्रों का छह मास के लिए प्रतिदिन प्रतिबंधित किया जाना :— “रजिस्ट्रार के पूर्व होने पर और उसके द्वारा दर्शाया गोष्टिक लिखी जाने के पश्चात, रजिस्ट्रार मतपत्रों और निर्वाचन से संबंधित सभी अन्य दस्तावेजों को मुहरबंद करेगा और छह मास की अवधि के लिए उसे प्रतिदिन प्रतिबंधित करेगा और उसे केंद्रीय सरकार की पूर्व सहमति के बिना छह मास के पश्चात भी अभिलेखों को न तो नक्स्ट करेगा और न ही नक्स्ट करेगा।”

[फा. सं. य-11019/10/12-आर्ड(सीजा)ईएम (निर्वाचन)]
बाला प्रसाद, संयुक्त सचिव
G.S.R. 372(E).— In exercise of the powers conferred by section 4 and section 35 of the Indian Medicine Central Council Act, 1970 (48 of 1970), the Central Government hereby makes the following rules further to amend the Indian Medicine Central Council (Election) Rules, 1975, namely:—

1. (1) These rules may be called the Indian Medicine Central Council (Election) Second Amendment Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Medicine Central Council (Election) Rules, 1975, (hereinafter referred to as the said rules), for clause (d) of rule 2, the following clause shall be substituted, namely:

“(d) Returning Officer’ means any officer of the State Government or the Union territory, as the case may be, who is from the administrative services of the State Government or the Union territory, not below the rank of a Joint Secretary to the State Government or the Union territory concerned, appointed on the recommendations of the State Government or the Union territory as such by the Central Government for the purposes of these rules:

provided that the Registrar of the concerned Board, (by whatever name called) who maintains the register of practitioners in the State shall not be appointed as the Returning Officer;”.

MINISTRY OF HEALTH AND FAMILY WELFARE
(Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy)

NOTIFICATION

New Delhi, the 18th May, 2012
3. In the said rules, in rule 4, after sub-rule (2), the following sub-rules shall be inserted
   namely: -

   "(3) After expiry of one month's notice as mentioned in sub-rule (2), the elections shall be
   conducted as per the names enrolled in the register available as on date:
   
   Provided that the Central Government shall not entertain any dispute referred
   to it, before or after the election, with regard to any irregularities in the State
   register as made available to the Returning Officer by the Registrar of the
   concerned State Board who is responsible for maintaining the State
   Register, as defined in clause 2 (j) of the Indian Medicine Central Council
   Act, 1970".

4. In the said rules, in rule 22, after sub-rule (3), the following sub-rule shall be inserted,
   namely: -

   "(4) The issues relating to the eligibility of the members of the faculty or Department (by
   whatever name called), of the Ayurveda, Siddha and Unani Systems of medicines the
   Universities shall be decided by the University concerned as per its bylaws and Statutes."

5. In the said rules, after rule 25, the following rules shall be added at the end, namely:-

   "26. Observer – (1) The Central Government shall nominate an observer to monitor the
   conduct of election and to perform such other functions as may be entrusted to him by the
   Central Government.
   
   (2) The Observer shall be present at the designated venue on the day fixed for scrutiny
   of nomination papers and shall also be present at the designated venue on the day fixed
   for scrutiny and counting of votes and shall submit his report to the Central Government.

   27. Returning officer or Registrar of Universities to inquire into disputes raised during
   election process –

   Notwithstanding anything contained in the rules, the Returning officer or the Registrar,
   as the case may be, shall decide into the disputes raised during the election process
   i.e. from date of receipt of the nomination papers till the date of declaration of result:
Provided that the Central Government shall decide all such issues if referred to it within the time period specified in rule 25, irrespective of whether or not the same disputes raised before the Returning Officer or the Registrar has been decided or not.

28. Procedure for dealing with election disputes

(1) The Central Government, after receipt of dispute under sub-section (2) of section 4 of the Act regarding any election, shall appoint an Inquiry officer not below the rank of Under Secretary to the Government of India to inquire into that dispute.

(2) The Inquiry officer within one week of his appointment shall send notice of hearing to the parties to the dispute asking them to submit statements in writing, if any, on the dispute within reasonable time as may be specified by him and shall also fix the date of hearing.

(3) After the expiry of the time specified for submission of statements, the inquiry officer shall hear the dispute on such date and at such time and place as has been specified irrespective of whether written statement have been received or not and shall give reasonable opportunity to the parties to be heard.

(4) All parties to the dispute shall have the right to appear before the Inquiry officer, only in person.

(5) Non-appearance of the parties to the dispute shall not be a ground for postponement of hearing on the date already fixed and the hearing shall proceed ex parte until circumstances of non-appearance are beyond the control of the parties.

(6) During any stage of inquiry, the Inquiry officer shall have the right to examine such other documents and persons as deemed necessary by him for conduct of inquiry.

(7) After hearing all the concerned parties, the Inquiry officer shall prepare an inquiry report within a period of sixty days of his appointment and submit it to the Central Government for its consideration and decision.

(8) The Central Government shall endeavor to take a decision on the Inquiry report as submitted by the Inquiry officer and communicate its decision on a dispute within thirty days of receipt of the Inquiry report.
29. Voting papers to be retained for six months by the Registrar:- “Upon the completion of the counting and after the result has been declared by him, the Registrar shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and he shall not destroy or cause to be destroyed the records even after six months without the previous concurrence of the Central Government.”

[F. No. A-11019/10/12-RD/CCIM (Election)]

BALA PRASAD, Jt. Secy.

Note: The principal rules were published in the Gazette of India vide number G.S.R 2350, dated the 14th August, 1975 and subsequently amended vide number G.S.R. 151(E), dated the 15th March, 2012.