

**GOVERNMENT OF MEGHALAYA
HEALTH & FAMILY WELFARE DEPARTMENT**

NOTIFICATION

Dated Shillong, the 9th March, 2021.

No.Health.138/2017/106 :- In exercise of the power conferred under Section 21 of the Meghalaya Nursing Council Act, 1992, the State Government is pleased to make the following Rules as follows:-

1. **SHORT TITLE COMMENCEMENT AND EXTENT**:-(1)These Rules may be called "**The Meghalaya Nursing Council Rules, 2021**".
(2) It shall come into force from the date of publication of this Notification in the Official Gazette.
2. **DEFINITION**:-(1) In these Rules, unless there is anything repugnant in the subject or context:-
 - (a) "Act" means the Meghalaya Nursing Council Act, 1992;
 - (b) "Gazette" means the Gazette of Meghalaya;
 - (c) "Member" means a member of the Council;
 - (d) "Nurse" means a registered nurse, of different cadre;
 - (e) "Registrar" means the Registrar referred to in sub-section(1) of the Section 6 of the Meghalaya Nursing Council Act,1992;
 - (f) "Rules" means the Meghalaya Nursing Council Rules, 2021;
 - (g) "State Council" means a Council, by whatever name called, constituted under the law of a State to regulate the registration of nurses, midwives, health visitors in the State;
 - (h) "State Government" means the Government of the State of Meghalaya;
 - (i) "Year" means a Calendar Year;
3. **CONSTITUTION OF THE COUNCIL**: (1) The Council shall be constituted with the following members:-
 - (a) The Director of Health Services (MI),Meghalaya Shillong.
 - (b) The Principal, State Regional Training Centre(F&W),Shillong.
 - (c) Two Medical & Health Officers from Government Hospitals not below the rank of a District Medical & Health Officer of whom one should possess a specialization or experience in obstetric or gynaecology.
 - (d) Two Medical & Health Officers from non-government Hospitals.

(2) The nomination of members under sub-rule (1) of Rule 3 shall be in as far as possible a manner nominated by the State Government as constituted under sub-section (1) of Section 4 of the Meghalaya Nursing Council Act,1992.The Members of the Council shall elect the following Office Bearers of the Council:

 - 1) President.
 - 2) Registrar shall be appointed by the Government as per Rule 5.
 - 3) Deputy Registrar.

- 4) Secretary-cum-treasurer.
- 5) Assistant Secretary.

(3) The Members of the Council shall elect the Office Bearers of the Council (except the Registrar) through the following modes:

- (a) The members shall elect the Office Bearer of the Council through a democratic system of voting.
- (b) The Registrar of the Council shall select the Returning Officer and Polling Officer for the purpose of the election.
- (c) The candidate eligible for election as Office Bearer of the Council must possess the requisite experience and qualifications as prescribed by the Indian Nursing Council with a minimum of five years of teaching experience and five years of administrative experience.

4. **TERM OF OFFICE AND VACANCIES OF OFFICE BEARERS:-** (1) The term of office of office bearer of the Council shall be for a period of three years from the date on which the member was elected, nominated or appointed to the post.

(2) An outgoing member shall continue in office until the election or nomination, as the case may be of his or her successor.

(3) In the event of any vacancy in the office of the elected or nominated members of the Council, another person shall be nominated in his or her place and such person shall hold office for the remaining period of the term.

(4) An elected or nominated member may at any time resign from his or her post by writing to the President.

(5) The President may resign from his or her office by giving notice in writing to the Council.

(6) When the office of the President or any other elected or nominated member(s) of the Council is vacant, the Registrar or Secretary-cum-Treasure shall after giving notice of not less than seven days to the Members of the Council convene a meeting for the election or nomination to fill the vacant post(s).

(7) An elected or nominated member shall be deemed to have vacated his or her seat:

(a) On the expiry of the term of office;

(b) On absence, without sufficient ground in the opinion of the Council from three consecutive meetings of the Council, where the interval between the first and the third of the said meetings exceeds six months.

5. **MODE OF APPOINTMENT OF REGISTRAR:-**

The State Government shall appoint a person to the post of Registrar as provided under sub-section (1) of Section 6 of the Meghalaya Nursing Council Act, 1992. The post of Registrar shall be equivalent to the post of Assistant Director Nursing. Appointment to the post of Registrar shall be made by promotion from amongst the member of the service holding the post of Matron or Principal and possessing the requisite experience and qualifications as indicated below:

Must have rendered not less than two years of continuous service in post of Matron or Principal on the first day of the year on which the Selection is made or twenty years of total length of service and possessing Post Basic B.Sc. Nursing, BSc Nursing, M.Sc Nursing, PhD Nursing or similar qualifications from recognized Institution and three years of teaching experience for M.Sc Nursing and five years of teaching experience for B.Sc Nursing or Post Basic B.Sc Nursing.

6. **PROBATION**:- Every person appointed to the post of Registrar under proviso to sub-rule (1) of Rule 5 shall be on probation for a period of 6 months :

Provided that the period of probation may for good and sufficient reason be extended by the appointing authority in any individual case by a period not exceeding two years:

Provided further that where a person appointed to the post in the service could not be placed under probation for want of permanent vacancy, any period which he has rendered in a temporary capacity may, having regard to his performance, be counted towards the period of probation.

7. **DISCHARGE OR REVERSION**:-A probationer shall be liable to be discharged from the post in the service or as the case may be, reverted to the permanent post on which he holds a lien or would hold a lien had it not been suspended under the rules applicable to him prior to his appointment to the post, if:

- (1) She or he fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfactory performance during the period of probation; or
- (2) She or he fails to pass the Departmental examination unless the appointing authority permits him to sit for re-examination in the subject or subjects in which he or she failed or
- (3) On any information received relating to her or his nationality, age, health, character and antecedents, the Appointing Authority is satisfied that a probationer is ineligible or otherwise unfit for being a member of the service.

8. **FEES STRUCTURE**:-The Fees Structure payable to the Meghalaya Nursing Council shall be as specified by the Indian Nursing Council and prescribed in the Regulation. An appeal may be done as provided under Section 12 or under sub-section (2) of Section 17 of the Meghalaya Nursing Council Act, 1992.

9. **POWER OF THE GOVERNOR TO DISPENSE WITH OR RELAX ANY RULE**:- The requirement of any of these rules to such extent and subject to such condition as it may consider necessary for dealing with the case in a just and equitable manner, or for meeting the exigencies of public interest:

Provided that the case of any person shall not be dealt with in any manner less favourable to her or him than that provided under these rules.

10. **INTERPRETATION**:-If any question arises relating to the interpretation of these rules the decision of the Government with the approval of Personnel & AR Department shall be final.

11. **REPEAL AND SAVINGS**:-All Rules, orders or notification corresponding to and in force immediately before the commencement of these rules are hereby repealed:

Provided that all orders made or action taken under the rules, order or notification so repealed or any action taken in pursuant thereto shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

Sd/-

(Sampath Kumar, IAS)

Principal & Secretary to the Government of Meghalaya,
Health & Family Welfare Department.

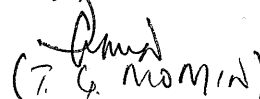
Memo No.Health.138/2017/106-A

Dated Shillong, the 9th March, 2021.

Copy to:

1. The P.S. to the Minister, Health & Family Welfare Department for kind information of the Minister.
2. The Private Secretary to the Chief Secretary to the Government of Meghalaya for kind information of Chief Secretary.
3. The Principal Secretary to the Government of Meghalaya, Health & Family Welfare Department for kind information
4. The Commissioner & Secretary to the Government of Meghalaya, Health & Family Welfare Department for kind information.
5. The Accountant General (A&E), Meghalaya, Shillong.
6. The Director of Printing & Stationery, Meghalaya, Shillong with a request to publish the above in the next issue of the Meghalaya Gazette and to supply the undersigned with 100 (one hundred) copies of the published Gazette (soft copy enclosed).
7. The State Informatics Officer, NIC, Meghalaya, with a request to for upload the Notification in the Health Department website.
8. The Director of Health Services (MI)/(MCH&FW)/(Research), Meghalaya, Shillong for kind information.
9. The Deputy Director of Nursing/Assistant Director of Nursing, Directorate of Health Services (MI), Meghalaya, Shillong for kind information and necessary action.
10. The Secretary-cum-Treasurer, Meghalaya, Nursing Council, Pasteur Hills, Lawmali, Shillong.
11. Personnel & AR(A) Department/Law Department/Finance (E) Department

By order, etc.,


(T. G. Momin)

Joint Secretary to the Government of Meghalaya,
Health & Family Welfare Department.
