The Maharashtra Medical Council Rules, 1967

No. MMC .1055/ Unification-1,- *In exercise of the power conferred by sub- section (1) and (2) of section 30 of the Maharashtra Medical Council Act, 1965 (Mah. XLVI of 1965) and of all other power enabling it in this behalf, the Government of Maharashtra hereby makes the following rules the same having been previously published as required by sub-section (1) of the said section 30, namely –*

CHAPTER I

PRELIMINARY

1. Short Title. – These rules may be called the Maharashtra Medical Council Rules 1967.

2. Interpretation – In these rules, unless the context requires otherwise, -

a)"Act" means the Maharashtra Medical Council Act, 1965 (Mah. XLVI of 1965);

b)"Form" means a form appended to these Rules;

c)"Section" means a section of the Act.

CHAPTER II

ELECTION

Part I

3. Representatives of Medical Faculties of Universities :–

1) The Registrar shall by notice in writing inform the Registrar of every University established by law in the state that the term of office of the member is due to expire on the date specified in the notice, such notice being given not later than sixty days before the expiry of such term; and likewise inform the Registrar of such University of every casual vacancy within thirty days of its occurrence; and call upon the Registrar of such University to hold the election before the date specified in the notice. The notice shall be sent by registered post.

2) The name of the person elected shall, as soon as possible but not later than seven days after the date of declaration of the result of the election, be communicated by 1the Registrar of such University to the state Government.

Part II

4. Representative of the College of Physicians and Surgeons, Bombay :–

1) The Registrar shall by notice in writing inform the President of the College of physicians and Surgeons, Bombay, that the term of office of the member is due to expire on the date specified in the notice such notice being given not later than sixty days before the expiry of such term; and likewise inform the President of the College of physicians and Surgeons, Bombay, of every casual vacancy within thirty days of its occurrence and call upon the president to hold the election before the date specified in the notice. The notice

shall be sent by registered post.

2) The name of the person elected shall as soon as possible but not later than seven days

after the date of declaration of the result of the election, be communicated by the president of the College of physicians and Surgeons, Bombay, to the state Government.

Part III

Representative of Registered Medical Practitioners

5. Preparation of Electoral Rolls. :–

1) For the purpose of election under clause (d) of sub-section (3) of section 3, the Registrar shall prepare the electoral roll of registered practitioners from the register of medical practitioners. The electoral roll shall include the names of all practitioners on such date prior to the date of notice published under rule (8) as may be fixed by the Council for

each election.

2) The electoral roll shall be kept open for inspection in the office of the Council at least thirty days before the last date fixed for receipt of nomination papers under rule 7. The newspapers in Form 1, calling upon the registered practitioners to send their objections or suggestions, if any, with regard to the entries in the electoral roll before a date specified in the notice, which will not be earlier than fifteen days of the publication of the notice. All objections received before the date specified in the notice shall be considered by the Registrar and corrections made, if necessary in the electoral roll.

3) Any practitioner aggrieved by the decision of the Registrar may, within five days from the date of receipt of the order, prefer an appeal to the State Government.

6. Returning Officer. – The State Government shall appoint a person, not below the rank of Under Secretary to Government to be the Returning Officer. The staff of the Council's office shall assist the Returning Officer for conducting elections smoothly. The Returning Office shall issue such necessary instructions to all Presiding Officers, Polling Officers and other staff appointed by District Collector for conducting election and counting of votes as required to maintain complete secrecy in the process.

7. Fixation of the stages of election. –

1) The Returning Officer shall fix the date, hour and place for the following stages of the election, namely —

a) receipt of nomination papers;

b) scrutiny of nomination papers;

ba) withdrawal of candidature;

c) receipt of ballot papers ; and

d) counting of votes.

2) The date of the receipt of nomination papers shall be not less than forty days before the date fixed for the receipt of ballot papers. The date fixed for scrutiny of nomination papers shall be not less than thirty five days before the date fixed for receipt of ballot papers. The date fixed for withdrawals of candidature shall be not later than three days after completion of scrutiny of nomination papers or, if that day is a public holiday, the next succeeding day which is not a public holiday.

8. Notice of Election. – At least thirty days before the date fixed for the receipt of nomination papers, the Returning Officer shall publish in the Official Gazette and in at least four newspapers selected by him a notice in

Form 2 notifying the dates fixed under rule 7 and calling upon the electors to elect new members and to send nominations for the purpose.

9. Nomination of candidates. –

1) Every registered practitioner whose name appears in the electoral roll prepared under rule 5 (hereinafter referred to as the elector in this part) shall be qualified for election under this part.

2) Candidates qualified for election shall be proposed and seconded by practitioners qualified as electors.

Form 3 and the forms shall be supplied by the Registrar to every candidate on his requisition.

4) Every nomination papers duly completed and signed by the proposer and the seconder and subscribed by the candidate himself as assenting to the nomination shall be sent by post or otherwise so as to reach the Returning Officer on or before the date and the time appointed under rule 7 for receipt of nomination papers. Nomination papers received after the time so fixed shall be rejected. The Returning Officer shall immediately on receipt of a nomination paper record thereon the date and the time of its receipt by him.

10. Scrutiny of Nomination papers. – On the date appointed for scrutiny of nomination papers, the candidates and one proposer and seconder of each candidate may attend at the appointed time place, and the Returning Officer shall give them all reasonable facilities to examine the nomination papers which have been delivered within the time fixed for their receipt under rule 7.

11. Disposal of objections; Rejection of Nomination. –

1) The Returning Officer shall examine the nomination papers and shall decide all objections and may, either on such objection or on his own motion, after such summary enquiry, if any as he thinks necessary, refuse any nomination for any of the following reasons, namely-

a)that the candidate or his proposer or his seconder is not an elector;

b)that there has been any failure to comply with the provisions of the Act or the rules made thereunder relating to elections to the Council;

c)that the signature of the candidate or his proposer or his seconder is not genuine or has been obtained by fraud;

2) Where an elector has subscribed as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, only such of the papers so subscribed as have been first received upto the number of vacancies to be filled shall, subject to the provisions of sub-rule (1) be deemed to be valid; and the rest shall, be deemed to be invalid and rejected.

12. Completion of Scrutiny. –

1) The Returning Officer shall endorse on each nomination paper his decision whether the nomination paper has been accepted or rejected; and in case the nomination paper has been rejected, the reasons there for.

2) The scrutiny shall be completed on the day appointed in this behalf and no adjournment of proceeding shall be allowed.

13. Withdrawal of Candidature. – Any candidate may withdraw his candidature within three days of completion of scrutiny of nominations by a notice in writing signed by him and delivered by post or hand to the Returning Officer.

14. List of Contesting Candidates. – On completion of the scrutiny of the nominations and after the expiry of the period within which a candidate may withdraw his candidature under rule 13, the Returning Officer shall forthwith under his signature publish on the notice board at the office of the Council a list of contesting candidates.

15. Procedure at Uncontested Election. – After the publication of the list of contesting candidates if the number of contesting candidates does not exceed the number of vacancies to be filled in, the Returning Officer shall forthwith declare such candidates to be duly elected to fill such vacancies, and report the names of such candidates to the state Government.

16. Contested Election. –

1) When there are more contesting candidates than vacancies, the voting shall be by secret ballot in person and no votes shall be received by proxy or by post.

2) The Returning Officer shall forthwith publish the name and addresses of the contesting

3) The election shall be held in each District headquarters under the supervision of the District Collector.

17. Printings of Ballot Papers. –

Form 4 with the

names of the contesting candidates entered therein *[*******].

2)The names of candidates shall be arranged on the ballot paper in the same order in which they appear in the list of the contesting candidates.

3)If two or more candidates bear the same name, they shall be distinguished by addition of their occupation or residence or in the some other manner.

** The words "in alphabetical order according to the Devnagari script" deleted by G.N. dated 02.01.2002.*

18. Arrangement at Polling stations. –

1) The following information shall be displayed outside each polling station prominently, namely –

a)a notice, specifying the names and registration numbers of medical practitioners who are entitled to vote at the polling station and where the polling station has more than one polling booth, at each one of such booth, the particulars of voters allotted to such booth, and

b)a copy of the list of contesting candidates.

2) The District Collector shall appoint necessary staff for conducting elections, and provide at each polling station a sufficient number of ballot boxes, ballot papers, list of names and registration numbers of registered medical practitioners entitled to vote at district polling station, instruments for stamping the distinguishing mark on the ballot papers and articles, necessary for voters to mark the ballot papers, and such other equipments and accessories as may be required for taking the polls at such polling station.

3) The staff appointed for conducting lection shall strictly obey the instructions and directives given by the Returning Officer to them from time to time during the course of election.

19. Ballot boxes and preparation of ballot boxes for poll. –

1) Every ballot box shall be of such design as may be approved by the District Collector.

2) The Presiding Officers shall secure and seal the ballot box in such manner that the slit for insertion of ballot papers remains open and it is not possible to open the ballot box without breaking the seal. The Presiding Officer shall allow the polling agents present, to affix, if they so desire, their seal. Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signatures of such of the polling agents as are desirous of affixing the same.

20. Admission to polling station and issue of ballot papers. –

1) The Presiding Officer shall regulate the number of voters, to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than polling officers, public servants on duty in connection with the election; persons authorized by the District Collector or the Returning Officer, candidates, their election agents and polling agent of each candidate; and a person accompanying a blind or infirm voter who cannot move without help.

2) The Presiding Officer may employ at the polling station such persons as he thinks fit to help in the identification of the voters, i.e., registered medical practitioners by checking their Registration Certificate issued to them by the Maharashtra Medical Council.

3) As voter enters the polling station, the Presiding Officer, or the Polling officers authorized by him in this behalf, shall ask voter to show his or her registration certificate and shall check the voter name and other particulars with the relevant entry in the list of

voters. On satisfying about voter's identity, he shall put an indelible ink mark on his left middle finger or any other finger of his left hand in case his left middle finger is missing, or on his right middle finger, if his left hand is missing.

4) In deciding right of a person to obtain a ballot paper, the Presiding Officer or the Polling Officers as the case may be, shall overlook merely clerical or printing errors in an entry in the list of voters, if he is satisfied that such person is identical with the voter to whom such entry relates.

5) Every ballot paper, before it is issued to a voter, and the counterfoil attached thereto, shall be stamped on the back with such distinguishing mark as the District Collector may direct, and every ballot paper, before it is issued, to a voter, shall be signed in full on its back by the Presiding Officer.

6) The Presiding Officer shall deliver ballot paper to a voter after obtaining the signature of the voter on the counterfoil of the ballot paper.

7) No ballot paper shall be issued to any voter before the hour fixed for the commencement of the poll and after the hour fixed for the closing of the poll. However, ballot papers shall be issued to those voters who are present at the polling station at the time of closing of poll and such voters shall be allowed to record their votes even after poll closing hour.

21. Voting procedure. –

1) The voter on receiving the ballot paper shall forthwith, -

a)proceed to one of the voting compartment;

b)there make a mark the ballot paper with the instrument supplied for the purpose on or near the name of the candidate for whom he intends to vote;

c)after recording his vote, the voter shall put the ballot paper the ballot box after folding the ballot paper so as to conceal his vote;

d)quit the polling station;

e)every voters shall vote without undue delay;

f)no voter shall be allowed to enter a voting compartment when another voter is inside it.

2) In case if the voter violates the procedure as laid down in sub-rule(1), even after warning given by the Presiding Officer, the ballot paper issued to him shall, whether he has recorded his vote theron or not, taken a back from him by the Presiding Officer, or Polling Officer under the guidance of the presiding Officer.

3) after the ballot paper has been taken a back, the Presiding Officer shall record on its back the words "Ballot papers voting procedure violated" and shall keep all such ballot papers in a separate cover. The votes if recorded on such ballot papers shall not be counted.

4) The Presiding Officer shall issue another ballot paper to a voter if the ballot paper issued first is spoilt by him inadvertently or due to any other reason. Such ballot papers shall be marked "Spoilt-cancelled" and kept in a separate cover.

22. Closing of Polls. –

1) As soon as practicable after the closing of the poll, the Presiding Officer shall, in the presence of any candidates or their agents, close the slit of the ballot box, and where the ballot box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal.

2) The ballot box shall therafter be sealed and secure.

3) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first ballot box shall be closed, sealed and secured as provided in sub-rules (1) and (2) before another ballot box is put in use.

4) the Presiding Officer shall at the close of poll prepare a ballot paper account and enclose it in a separate cover with the words. "Ballot Paper Account" superscribed thereon.

5) the Presiding Officer shall then make into separate packets-

a)the marked copy of the voters list;

b)the counterfoils of the used ballot papers;

c)the ballot papers signed in full by the Presiding Officer but not issued to the voters;

d)any other ballot papers not issued to the voters;

e)the cancelled ballot papers;

f)any other papers directed by the Returning officer to be kept in a sealed packet.

6) the Presiding Officer shall then deliver or caused to be delivered to the Returning Officer at such place as the Returning Officer may direct,-

i)the ballot boxes;

ii)the ballot paper account;

iii)the sealed packets referred to in sub-rule(5); and

iv)all other papers used at the poll.

23. Scrutiny and Counting of Votes. –

1) The scrutiny and counting of votes shall be undertaken by the Returning Officer at the time, on the day and at the place appointed under rule7.

2) A candidate and not more than one representative duly authorized by him may remain present at the time of counting of votes.

3) The whole ballot paper shall be treated as invalid –

*[a) [*******]

b) if the make (x) is placed opposite the name of more candidates than the number of seats to be filled or if more vote are given than he is entitled to under sub- rule (1) of rule 21;

c) if the elector has put his signature on the ballot paper or has made any other mark thereon which may reveal his identity .

* [4) **********]

5)If the mark (x) is so placed as to make it doubtful to which candidate the elector has given his vote, the vote shall be deemed to be invalid *[*******].

6)If any elector has given more than one vote to any candidate, only one of such votes given shall be taken to be valid, provided that the ballot paper is other wise not invalid.

** Deleted by G.N. dated 2-8-1975.*

24. Declaration of Result of Election. –

1) When the counting of votes is completed, the Returning Officer shall forthwith declare the candidates to whom the largest number of votes has been given to be elected. If there is an equal number of votes in favour of each of two or more candidates for one vacancy, the selection shall be determined by the Returning Officer by drawing lot.

2) The Returning Officer shall also inform each successful candidate by letter of his having been elected to the Council and report to the State Government the date of declaration of the election, and the result thereof.

3) After the result of the election has been declared by him, the Returning Officer shall seal the ballot papers and all other documents relating to the election and shall retain the same with himself in safe custody for a period of six months, and thereafter cause them to be destroyed.

25. Filling of Casual Vacancy. – If there is a vacancy of a member elected under clause (d) of subsection (3) of section 3, the president shall, subject to the provision contained in the proviso

to sub-section (2) of section 5, take steps to fill it up as soon as possible by election in accordance with the procedure in rules 5 to 24 above.

Part IV

26. Election of President and Vice-President. - As soon as possible after the president or Vice-President as the case may be ceases to hold office either because of the expiry of the term of office or for any other reason whatsoever, the Council shall proceed to elect the successor President or Vice- President.

Part V

27. Time limit for referring election disputes. – The time limit for referring any dispute referred to in section (7) of section 3 to the State Government shall be thirty days in the case of elected members from the date of declaration of the result of election and in the case of election of the president or Vice- President, from the date of their election.

CHAPTER III

CONDUCT OF BUSINESS OF THE COUNCIL

28. Calling of Meetings. –

1) The Council shall ordinarily meet for the transaction of business in the months of February and September in each year; but the President may, wherever he thinks fit, and shall, upon a written requisition of not less than seven members and on a date not later than 15 days after the receipt of such requisition, call an extraordinary meeting.

2) The exact date, hour and place of such meeting shall be decided by the President.

29. Notice for calling a meeting. –

1) All members of the Council shall be given thirty clear days' notice of an ordinary meeting and ten clear days' notice of an extraordinary meeting. Every notice shall also be posted at the office of the Council. Such notice shall specify the date, time and place of the meeting and state whether the meeting is for general business or for any special business. If the meeting is for a special business the nature of such business shall also be mentioned in the notice

2) The Registrar shall sent to all members a copy of the agenda and explanatory notes thereon ten clear days' before the date fixed for an ordinary meeting.

30. Motions for insertion in Agenda. – Any member may send a motion to be inserted in the agenda for an ordinary meeting so as to reach the Registrar twenty clear days before the date fixed for the meeting. The Registrar shall take the orders of the president for inclusion of such motion in the agenda, and where any motion is disallowed the reasons for doing so shall also be communicated along with the agenda to the member who sent the motion. Provided that the President may, for reasons to be recorded in writing, accept any motion received after the expiry of the aforesaid period.

31. Attendance at Meetings. – At each meeting an attendance Register shall be placed in the meeting room and every member present shall sign against his name in the register.

32. Business to be transacted at Meeting. – At an ordinary meeting no business or proposition other than that specified in the agenda and in the case of an extraordinary meeting in the written request made for convening such meeting shall be transacted;

Provided that, the presiding authority may permit any business or proposition to be discussed which is of an urgent nature and which could not reasonably by entered in the notice.

33. Adjournment of Meeting. –

1) Subject to the provisions of sub-section (5) of section 8, the presiding authority may, at any time for reasons to be recorded in writing, adjourn the meeting to any future day or to any hour of the same day.

2) Whenever a meeting has been adjourned to a future day, the Registrar shall, if possible, send a notice of the adjournment to every member.

3) When a meeting has been adjourned to a future day, the president may change such day to any other day, and the Registrar shall send a written notice of the change to each member

of the Council.

4) At an adjourned meeting the business that is left indisposed of at the original meeting from which the adjournment took place shall, unless the president otherwise directs, take precedence over new business.

34. Minutes of Meeting. – Minutes of the proceedings of each meeting of the Council shall be kept in a book to be provided for the purpose and shall include the names of the members and if any member present at the meeting so desires, the names of the members voting respectively for or against any motion. This book shall be signed, by the president at the next meeting after the minutes are confirmed and shall, at all reasonable times be open to inspection by any member of the Council. Copies of the minutes shall be supplied to every member of the Council within thirty days from the date of the meeting.

35. Circulation of written proposition. – Whenever it appears unnecessary to the president to convene a meeting, he may, instead of convening a meeting, circulate a written proposition with the reasons for such proposition for the observation and votes of the members of the Council and thereupon the provisions of rule 34 shall mutatis mutandis apply.

36. Fees for attendance at meetings. – Every member of the Council (including the president) who is not a Government servant shall be paid a fee of rupees one hundred per day for attending a meeting of the Council

37. Travelling Allowance for attending meetings. – The members of the Council (including the president) shall be paid travelling expenses for attending the meetings of the Council, as follows-

i) Members who are Government servants may draw the travelling and halting allowance which they may be entitled to claim for travelling on official duties according to their grades under the Bombay Civil Services Rules 1959;

ii) Non-official members shall draw traveling allowance according to rule 1(i) (b) in section 1 of Appendix XLII-A to the Bombay Civil services Rules, 1959;

Provided that, if a non-official member travels by air, he shall draw air fare according to the rules applicable to the Government officers of the first grade. A certificate to the effect that the journey (one way or both ways, as the case may be) was performed by air shall be attached to the traveling allowance bill.

CHAPTER IV

Executive Committee

38. Number of Members. – The Executive Committee shall have six elected members in addition to the President, the Vice-President and the Surgeon General with the Government of Maharashtra.

39. Term of office. – The members of the Executive Committee shall hold office for one year from the date of their election;

Provided that, the term of office of the outgoing members shall be deemed to extend to and expire with the day immediately preceding the date on which their successors are elected.

40. Disability to continue as Member. – A member shall cease to be a member of the Committee-

a)if he cease to be a member of the Council; or

b)if he remains absent from two consecutive meetings of the Committee without the leave of the Committee.

41. Resignation of Member. – A member may resign at any time by a notice in writing to the president. Such resignation shall take effect from the date on which it is accepted by the President.

42. Casual vacancies. –

1) The Council shall as soon as there is a casual vacancy in the office of a member of the Executive Committee fill it up by electing a member from amongst its members:

Provided that, any such vacancy, occurring within two months prior to the expiry of the term of the members, shall not be filled.

2) A member elected under sub-rule (1) shall hold office so long as the member in whose place he is elected would have held it, if the vacancy had not occurred.

43. Calling of meeting. – The Committee shall ordinarily meet once every two months on such date as may be fixed by the President. The president may wherever he thinks fit and shall, upon a written requisition of not less than 2 members and on a date not later than seven days after the receipt of such request, call an extraordinary meeting.

44. Notice of meetings. – All members of the Executive Committee shall be given seven clear days notice of an ordinary meeting and three clear days' notice in the case of an extraordinary meeting. Such notice shall specify the place, date and time of the meeting, and state whether the meeting is a general meeting or a special meeting and the business to be transacted thereat.

45. Presiding Authority. – The president, when present, shall preside at every meeting of the Committee. If at any meeting the President is absent, the Vice-President shall preside at such meeting. In the absence of both the members present shall elect the presiding authority from amongst themselves.

46. Attendance at Meetings. –

1) At each meeting an attendance register shall be placed in the meeting room and every member present shall sign against his name in the register,

2) Five members including the President shall form a quorum.

47. Business to be transacted at meeting. – At any ordinary meeting no business other than that specified in the notice calling such meeting and in the case of an extraordinary meeting in the written request made for convening such meeting shall be transacted;

Provided that, the presiding authority may permit any business to be discussed which is of

urgent nature and which could not reasonably be entered in the notice.

48. Adjournment of meeting. –

1) If there is no quorum present, the presiding authority shall adjourn the meeting to another day, and cause a notice to be posted on the notice-board at the office of the Council and sent to each member of the committee. The business which would have been brought before the original meeting had there been a quorum thereat shall be *[*******] disposed of at such meeting whether there be a quorum or not.

2) Any special or ordinary meeting may, with the consent of a majority of members present, be adjourned from time to time; but only the business left indisposed of at the meeting from which the adjournment took place shall be transacted at the adjourned meeting subject to the proviso to rule 47.

** Deleted by G.N. dated 2.8.1975.*

49. Decision at meeting. –

1) All questions at a meeting of the Executive Committee shall be decided by a majority of votes of the members present, and voting.

2) The presiding authority shall have second or casting vote in all cases of equality of votes.

50. Minutes of meeting. – Minutes of the proceedings of each meeting of the Committee shall be kept in a book to be kept for the purpose and shall include the names of the members and if any member present at the meeting so desires, the names of the members voting for or against any question. This book shall be signed by the Presiding Authority at the next meeting after the minutes are confirmed, and shall, at all reasonable times, be open to inspection by any member of the Committee. Copies of the minutes shall be supplied to every member within fifteen days from the date of the meeting.

51. Powers, duties and functions of Executive Committee. –

1) The Executive Committee shall consider all petitions of applications addressed to the Council and shall submit its report thereon to the Council.

2) The Committee shall consider and prepare a report on any subject which may seem to require the attention of the Council or on such subject as may be indicated to it by the Council.

3) The Committee shall consider and report to the Council on all matters concerning the inclusion or deletion of any Qualification in or from the schedule to the Act.

4) The committee shall call from the authorities of any Medical College or School from any examining body such information as may be required by the Council and place it before the Council with its report.

5) The returns of professional examinations and their results shall be collected by the Executive Committee which shall prepare annually a table of results of such examinations to be laid before the Council.

52. Fees for attendance at meetings. – Every members who is not a Government servant, shall be paid a fee of rupees sixty per day for attending a meeting of the Executive Committee.

53. Traveling allowance for attending meetings – The members shall be paid traveling expenses for attending meeting of the Executive Committee as per rates specified in rule 37.

Chapter IV-A

President's Powers and Duties

53-A. Powers, duties, etc. of president to be exercised in his absence. – Subject to the provisions of the Act, and save as expressly provided in these rules, all the powers, duties and functions of the President may, during the absence of the President, be exercised or performed by the Vice- President.

Chapter V

Registration

Form 6.

55. Division of register. –

Part I shall contain the names of practitioner who possess any of the qualifications included in the First or the Second Schedule or in Part II of the Third schedule to the Indian Medical Council Act, 1956;

Part II shall contain the names of practitioners who possess any of the qualifications included in Part I of the Third Schedule to the Indian edical Council Act, 1956; *[*******]

Part III shall contain the names of other registered practitioners.

** Deleted by G. N. dated 2-8-1975.*

56. Application for registration. – An application for registration shall be made in Form 7 which will be supplied by the Registrar on request.

57. Notice to certain practitioners in register. – For the purpose of clause (b) of sub- section (5) of section 16, the registrar shall publish a general notice in

Form 8, and also send an individual notice in From 9, to every person whose name is entered in the register under clause (a) of sub-section (5) of section 16.

58. Manner of paying fee. – The fee of two rupees to be paid under clause (b) of sub-section (3) of section 16, shall be paid either in cash in the office of the Council or by crossed postal order or by money order.

59. Certificate of Registration. – The certificate of registration to be given to every registered practitioner under sub-section (7) of section 16 shall be in

Form 10.

59-A. Removal of name from register on the practitioners' request. –

1) A Registered Medical Practitioner may himself make an application for the removal of his name from the register. The application shall be accompanied by a declaration made by the applicant that no proceedings for the purposes of section 22 of the Act, are pending against him or that he is not aware of any proceedings or of any reason for the institution of any proceedings which might result in the removal of his name from the register or in depriving him of qualification entitling him to be registered.

2) Every such application shall, in the first instance, be referred by the Registrar to the authorities who granted the applicant his qualification or qualifications to ascertain whether there is any valid objection to such removal.

3) The Registrar shall bring such application before the next meeting of the Council or Executive Committee, which will consider the application and any objections thereto, and the President may put from the chair the questions;

Whether the Registrar shall remove the applicant's name from the register?

4) If the Council or the Executive Committee, as the case may be, grants the application, the Registrar shall remove the applicant's name from the register and send notice of such removal to the applicant by a registered letter addressed to his registered address,

60. Provisional Registration. –

1) Any person who desires to be registered provisionally under section 25 of the Indian Medical Council Act, 1956 shall apply to the Registrar in

Form 12 and shall be printed on paper of a colour different from the paper on which the certificate of registration under rule 59 is printed.

61. Renewal of Registration. –

1) The Registrar shall publish the first notice under clause (a) of section 23 in From 13, and the second notice thereunder in

2) The notice sent by the Registrar to every registered practitioner under clause (b) of section 23, shall be in

Form 15 and the accompanying form of application in Form 16. The further notice sent to individual registered practitioners failing to return the applications in response to the earlier notice shall be in Form 17.

Chapter VI

Inquiries

62. Complaints against registered practitioners. –

1) The Council may suo- motu or on any complaint made to it in that behalf hold an inquiry as respects the misconduct of any registered practitioner for the purposes of section 22 of the Act.

2) Any complaint or information received in the office of the Council about the misconduct of any registered practitioner shall be submitted by the Registrar to the president.

3) No complaint shall be entertained unless it is in writing addressed to the Council and signed by the person making it, and shall state the grounds of complaint, and shall be accompanied by declarations as to the facts of the case. All anonymous complaints may be disregarded.

4) Every declaration shall state the description and true place of abode of the declarant, and where a fact stated in a declaration is not within his personal knowledge, the source of the information, and grounds for the belief of the declarant in its truth shall be accurately and fully stated. Any declaration or part thereof which is made in contravention of this rule shall not be accepted as evidence.

5) If the President has reason to believe that a complaint is pseudonymous, he may call upon the complainant to furnish further particulars, for ascertaining if the complaint is genuine.

63. Procedure for submission of complaint to executive Committee. –

1) Subject to the provisions of rule 62, the President may, on going through the complaint and all papers submitted by the complainant, instruct the Registrar to ask the practitioner by means of a registered letter for any explanation he may have to offer.

2) All the documents pertaining to the complaint including any explanation forwarded by the registered practitioner shall then be referred to the Executive Committee along with the remarks of the president, if any.

64. Power of Executive Committee to refer complaint to Council. –

1) The Executive Committee shall consider the complaint, and may cause further investigation to be made and may take such legal advice by consulting any legal practitioner as it may deem fit.

2) The Committee shall, after consideration of the case, record its opinion and refer it to the council for decision.

65. Action to be taken by Council when case is referred to it. – When a case is referred to it under sub- rule (2) of rule 64, the Council may-

a) direct the Registrar to call for such additional information as it may desire to have about the points arising in the case;

b) direct the Registrar to file the papers if in its opinion no prima facie case is made out against the medical practitioner;

c) exonerate the medical practitioner of the charges leveled against him if the explanation offered by him is considered satisfactory by the Council; or

d) direct an inquiry to be held in accordance with rules 66 to 73.

66. Cases in which Council to hold inquiry, power of Council to appoint assessor. –

1) In all cases in which an inquiry for purposes of clause (b) of subsection (1) of section 22 is necessary an inquiry shall be held by the council in accordance with the procedure prescribed in rule 67 to 73; and for that purpose the Council may appoint an assessor to advise it as provided in sub-section (8) of section 22 of the Act;

Provided that, such inquiry shall not be necessary in cases where a registered practitioner has been convicted for misconduct within the meaning of clauses (i) and (ii) of the Explanation to sub,-section (1) of section 22. In such cases, the president shall obtain and place before the Council a copy of the Court's Judgment and the Council shall thereupon decide upon the penalty to be imposed under rule 73 read with section 22 of the Act.

2) An Assessor appointed shall be paid a remuneration of rupees three hundred per day for attendance at an inquiry.

67. Notice of charges on Registered Practitioner. –

Form 18 subject to such variation as the circumstances of the case may require. Such notice shall specify the nature and particulars of the charge and shall inform him, of the day in which the Council intended to deal with the case, and shall call upon the practitioner to put in his written statement of his defense within a period of not less than fifteen days or such other period not exceeding sixty days as may be permitted by the Council, and to attend before the Council on such day. The notice shall be sent three weeks before the date of inquiry. Such charge shall be drawn clearly and precisely.

2) The notice shall be accompanied by a statement of allegations on which each charge is based. The relevant allegations as to facts, the inferences which they lead to, and the circumstances supporting such inferences shall be clearly mentioned along with any other circumstances proposed to be considered while passing orders on the case.

3) Copies of the relevant documents, if any (including any document given or sent to the Council by or on behalf of the other party which such other party shall be entitled on proper proof to use at the hearing as evidence in support of or in answer to the charge specified in the notice of inquiry) shall also be supplied to the registered practitioner alongwith the notice and statement of allegations.

4) Copies of any other documents or statements required by such practitioner to prepare his defence may also be supplied to him on request or he may be allowed to take copies.

68. Reply to notice. – The registered practitioner shall, within the time specified in the notice or such extended period as is permitted by the President, put in written statement of his defense, and state whether he desires to be heard in person by the Council.

69. Council and complainant if any, to be supplied with copies of all documents etc. –

1) Copies of all material documents including the written statement of defence, if any, which is placed before the Council as evidence in regard to the case shall be supplied to all members of the Council before the hearing of the case commences.

2) The complainant may, on application in writing, obtain copies of any explanation, statement or other documents put forth in the defence by the registered practitioner.

70. Legal assistance at inquiry. – At the hearing of the case by the Council, the Council may be represented by any legal practitioner and the complainant, if any, and the practitioner may also be represented or assisted by their legal practitioner;

Provided that, where any advice is tendered to the Council by an assessor appointed under section 22 on any question of law, as to evidence, procedure or any other matter such advice shall be subject to the provisions of section 22 Of the Act.

71. Procedure of inquiry. –

1) Where a complainant appears personally or by a legal practitioner, the following procedure shall be followed, namely-

a) The Registrar will read to the Council the notice of enquiry addressed to the practitioner.

b) The complainant will then be invited to state his case by himself or his legal practitioner and to produce his evidence in support of it. At the conclusion of the evidence of the complainant, his case will be closed.

c) The practitioner will then be invited to state his case by himself or by his legal practitioner 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.

d) At the conclusion of the practitioner's case, the Council shall, if the practitioner has produced evidence, hear the complainant in reply on the case generally, but will hear no further evidence except in any special case in which the Council may think

it right to receive such further evidence. If the practitioner produces no evidence, the complainant will not be heard in reply except by special leave of the Council.

e) Where a witness is produced by any party before the Council will be first examined by the party producing him, and be cross examined by the adverse party, and then re-examined by the party producing him. The Council reserves to itself the right to decline to admit in evidence any declaration where the declarant is not present or declines to submit to cross examination.

f) The president and the assessor, if any, appointed under section 22 may put questions to the complainant and registered practitioner including any of their witnesses; and members of the Council, through the President, may likewise put questions to them.

2) Where there is no complainant or no complainant appears, the following procedure shall be followed namely.

a) The Registrar shall read to the Council the notice of inquiry addressed to the practitioner, and will state the facts of the case and produce before the Council the evidence by which it is supported.

b) The practitioner shall then be invited to state his case by himself or by his legal practitioner 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.

c) The legal practitioners of the Council, if any, may be heard in reply if the Council so desires,

72. Record of proceedings at inquiries. – The President shall keep a record of proceedings at the inquiry held under rule 71 including the evidence of each witness.

73. Power of Council to give further opportunity to practitioner to make statement. – Notwithstanding anything contained in rule 71, after completion of the inquiry the registered practitioner shall be given a further opportunity of making any oral or written statement. Copies of such evidence as are required by the registered practitioner for making such statement shall be supplied to him.

74. Decision of Council and Implementation. – As soon as the hearing of the case is over and the registered practitioner has made his oral or written statement, if any, the Council shall deliberate thereon in private and at the conclusion of the deliberation, the president shall pronounce its decision immediately thereafter or at any time thereafter in terms; of clause (a) or (b) of sub-section (1) of section 22; and thereupon the President shall direct the Registrar to inform the parties of the decision of the Council by a registered Cellar and to implement the decision.

75. Re-entry of name of practitioner in register. –

Form 19 and specify the grounds on which the application is made. The application shall be accompanied by the applicant's certificate of degree, diploma or licence and also by a certificate from any Gazetted Officer of the State Government or from a Justice of the peace as to his good character since the removal of his name from the register.

2) The President shall cause such inquiries to be made as be deems fit in respect of the application and place it before the Council at its next meeting for decision.

3) The decision of the Council shall be communicated to the applicant and if the Council agrees to re-enter the name in the register a fee of fifty rupees be paid by the practitioner before his name is re-entered in the register by the Registrar.

Chapter VII

Appeals

76. Appeal. –

1) Every appeal by a person aggrieved by any decision of the Registrar shall be addressed to the President, shall state the grounds for the appeal and shall be accompanied by all relevant documents in original which shall be returned along with the decision communicated under sub-rule (3).

2) The President may call for any additional particulars that may be required after going through the appeal, and the original papers on which the Registrar has given his decision.

3) The appeal shall be placed before the next ordinary meeting of the Council The Council shall after giving a hearing to the appellant and the Registrar, take a decision which shall be communicated to the appellant by registered post.

Chapter VIII

Conditions of Service of Registrar and other Staff and Supervisory Powers and Duties of Registrar

77. Registrar. –

1) The post of Registrar shall be permanent. The Registrar shall be a full-time Officer of the Council and shall not do any other work except with the permission of the Council. Any person, on his first appointment to a clear vacancy in the office of the Registrar, shall be on probation for one year.

2) The Registrar shall draw pay in the scale of Rs 270-15-360-E.B.-15-450 (city) and dearness allowance at the rate admissible to Government servants drawing an equivalent pay.

78. Other employees of Council. – No officer or servant of the Council shall without the previous permission of the Council engage himself in any work unconnected with the work of the Council.

79. Attendance. –

1)The Registrar and other employees of the Council shall attend office at the hours prescribed by Government for Government Offices in Greater Bombay and at other times when considered necessary.

2)The Registrar shall not absent himself from duties without permission of the President. The other employees of the Council shall not be absent from their duties without permission of the Registrar.

80. Leave. –

1) Leave can not be claimed as of right. The President shall grant leave to the clerical staff of the Council. Leave to peons shall be granted by the Registrar. Discretion to refuse or cancel leave of any description is reserved to the authority competent to sanction leave.

2) Casual leave may be given for special and unforeseen circumstances for a period of not more than eight days at a time, the total period of leave in a year being limited to fifteen days. Casual

leave may, with the permission of the sanctioning authority, be prefixed or affixed to Sunday and holidays.

3) Every employee of the Council (including the Registrar and temporary employees) may be granted leave according to the provisions of Bombay Civil Service Rules, 1959.

81. Retirement. – The normal age of retirement for all employees including the Registrar shall be 58 years;

Provided that, the Council may, with the previous sanction of the state Government, grant extension of service to any employees for periods not exceeding one year at a time.

82. Resignation. –

1)The Registrar may leave service of the Council after giving three months' notice. If he leaves without giving notice he shall forfeit three months' pay.

2)Any other employee of the Council may leave service after giving one month's notice if he is temporary, and three months' notice, if he is permanent. In the case of failure to give the required notice, the employee shall have to forfeit pay for the notice period.

83. Termination of services. –

1) The Council may terminate the services of any employee other than the Registrar after due enquiry giving such employee fair opportunity to explain as to why his services should not be terminated. The Council may also impose any other minor penalty on any employee other than the Registrar after giving such employee a show cause notice;
Provided that, it shall be lawful for the Council to terminate the services of its employee who is appointed on a purely temporary basis and who has given an under-taking that his services are liable to be terminated at any time without notice and without assigning any reason.

2) In case of serious default by any employee other than the Registrar, the President may suspend such employee pending a full-fledged enquiry. During the period of suspension, such employee may be paid subsistence allowance according to the provisions of the Bombay Civil Services Rules.

84. Provident Fund. –

1)The Council shall establish a provident fund which shall be administered, maintained and used in accordance with the rules prescribed in Schedule 'A' to the rules.

2)The provident fund of the Maharashtra (Bombay area) Medical Council shall be merged with and form part of the provident fund establish under these rules.

3)Subscription to the provident fund shall be compulsory for all permanent officers and servants of the Council and for all temporary officers and servants, who have put in more than one year's continuous service.

85. Duties of Registrar. –

1) The Registrar shall have general control over the management of the office. All the other employees shall be directly under the Registrar, who shall assign to them their duties.

2) The Registrar shall keep the registers in accordance with the provisions of the Act and these rules.

3) The Registrar, as Secretary of the Council shall conduct and have charge of the correspondence of the Council and shall issue all requisite notices in the manner required under these rules.

86. Maintenance of account books and other registers. – The Registrar shall maintain the

following books and registers-

1) Cashbook;
2) Ledger;
3) Inward and Outward ledger including postage accounts;
4) Dead stock register;
5) Stock register for printed certificates;
6) Receipt books;
7) Register for grants;
8) Voucher files;
9) Attendance roll;
10) Register of leave accounts;
11) Registers required for the provident Fund of the Council;
12) Service Books; and
13) Other registers that may be necessary.

87. Opening of Bank Account. – An account shall be opened in the State Bank of India, Bombay, in the name of the Council and all monies of the Council shall be deposited in the Bank,
subject to the provisions of rule 88. All cheques in the Bank shall be signed by any one member of the Executive Committee and by the Registrar.

88. Receipt of Money. – The Registrar shall receive all monies payable to the Council. He shall not retain in his hands sum exceeding Rs. 300, the balance being lodged in the Bank to the credit of the Council.

89. Annual statement of income and expenditure. – The Registrar shall in the month of July in each year prepare a statement of income and expenditure of the preceding financial year, and draw the attention of the Council to such matters as seem deserving of notice.

90. Annual accounts and Audit. – The annual accounts shall be made up by the Registrar under the direction of the Executive Committee. They shall be audited by the Chief Auditor, Local Fund Accounts, as soon as possible after the close of each financial year.

91. Estimates of revenue and expenditure. –

1) the month of February in each year, an estimate of the revenue and of the expenditure of the Council for the year commencing on 1st April then next ensuing, shall be laid before the Council.
2) Such estimate shall make provision for the fulfillment 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, all fees received from registration and other sources,
3) The Council shall consider the estimate so submitted to it and shall, sanction the same without modifications or subject to such modifications as it may deem fit.

92. Supplementary estimates. – The Council may at any time during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Council in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimate.

93. Scrutiny of claims. – A bill of other voucher presented as a claim for money shall be

received and examined by the Registrar. If the claim is for a sum not exceeding Rs. 25 and the bill is in order, he shall pay it. If the claim is for a sum exceeding Rs. 25 but not exceeding Rs. 250 payment shall be made after the claim is sanctioned by the President. If the claim is for a sum exceeding Rs 250 payment shall not be made until it has been examined and passed by the Executive Committee.

94. Accounting of all sums received or spent. – The Registrar shall immediately bring into account in the cash book all monies received or spent by the Council.

95. Application of Bombay Civil Services Rules. – Save as otherwise expressly provided in these rules, the provisions of the Bombay Civil Services Rules, 1959 shall apply to the employees of the Council as they apply in relation to Government servants.

Chapter IX

Miscellaneous

96. Form of list and particulars to be included. –

1) The list of registered practitioners printed and published under sub-section (1) so section 21 shall be in Form 20. The list shall be divided into four parts corresponding to the parts of the register. Every list to be published subsequent to the first list shall show the names of all persons entered in the list as on the 31st December preceding the year of such publication, and shall be published on or before a date to be decided by the Council.

2) There shall be made every year and entered in the printed list of registered practitioners, enumeration of —

i) The total number of persons borne on the register on the 31st December immediately preceding such year;

ii) The number of persons added by registration during such preceding years;

iii) The number restored to the register;

iv) The number removed from the register, stating the sanction of the Act under which the name has been removed; and

v) The number removed by reason of death.

97. Manner of publication of list. –

1) A printed copy of the list shall be published by the Registrar by exhibiting it on the notice, board of his office. A notice that the printed copy of the list has been exhibited on the notice board, and is available for perusal shall be given by the Registrar in the Official

2) Printed copies of the list shall be distributed to such officers, institution and other organizations as the state Government may from time to time direct and the Council may from time to time decide.

3) Printed copies shall also be kept for sale to the public.

98. Charging of fees. – Fees will be levied by the Council as shown below-

Sr. No.	Purpose	Fees
1.	For recording change of name in the register	Rs.5
2.	For entering each additional qualification specified in the Schedule to the Act or in the First Schedule or part I of the Third schedule to the Indian Medical Council Act, 1956.	Rs.5 (Subject to a maximum of Rs. 15

3.	For entering each additional qualification specified in the Second Schedule or Part II of the Third Schedule to the Indian Medical Council Act, 1956.	Rs. 10
4.	For issue of duplicate certificate of registration.	Rs. 15
5.	For issue of a certified copy of an entry in the register	Rs. 2

FORM 1

See rule 5(2)

Notice of Publication of Electoral Rolls

Notice is hereby given that the electoral roll for election of members of the Maharashtra Medical Council under clause (d) of sub-section (3) of section 3 of the Maharashtra Medical Council Act, 1965, has been prepared in accordance with rule 5 of the Maharashtra Medical Council Rules, 1967 and copies of the roll will be available for inspection at the office of the Council at address of the Council.

2. (a) Every claim for inclusion of a name in the roll; or

(b) every objection to,

i)the inclusion of any other person's name in the roll; or

ii)to any particulars in any entry in the roll;

shall be addressed to Registrar and shall be presented or sent by post to him at the address referred to above so as to reach him on or before the ……. day of ……20

Registrar,
Maharashtra Medical Council.

Bombay, Dated the…….. day of……20.

FORM 2

(Rule 8)

Notice of Election

Election to the Maharashtra Medical Council , Bombay

Notice is hereby given pursuant to the provisions of rule 8 of the Maharashtra Medical Council Rules, 1967, that-

1) *an election is to be held of*…… members of the Maharashtra Medical Council elected by the registered practitioners from amongst themselves;

2) + nomination of registered practitioners eligible to fill the seat/ seats+ are invited;

3) forms of nomination paper may be obtained from the Registrar on application;

4) nomination papers may be sent so as to reach the undersigned at or before ……. (hours) on the…….. at…… (date) (place)

5) nomination papers will be taken up for scrutiny at …… on the…….. (hours) (date) at…… (place)

5A) Candidature may be withdrawn by a notice in writing signed by the candidate and delivered to the Returning Officer so as to reach him at or before …….. (hours)……. (date) …….. (place) ……

6) in the event of the election being contested ……..

a) the voting shall be by secret ballot;

b) the election shall be held in each District head quarters under the supervision of the District Collector on the…… (date) during …… hours to …….. hours;

c) all medical practitioners whose names have been included in the electoral roll should vote in person and bring with them their registration certificate issued to them by the Maharashtra Medical Council for facilitating identification of voters.

Date:

Address: Returning Officer

* Here insert the number of impending vacancies.

+ Strike off the alternative not require.

FORM 3

Rule 9(3)

Form of Nomination Paper

Election to the Maharashtra Medical Council, Bombay

(To the filled in by the proposer)

I hereby nominate ……..as a candidate for the forthcoming election to the Maharashtra Medical Council

1. Full name of candidate
2. Full postal address of the candidate
3. Serial number of candidate in the Electoral roll
4. Full name of proposer 5. Full postal address of proposer
6. Serial number of proposer in the electoral roll

Date: Signature of proposer

……..

(To be filled in by the seconder)

I second the above nomination-

1. Full name of seconder
2. Full postal address of seconder
3. Serial number of seconder in the electoral roll

Date: Signature of Seonder

……

(To be filled in by the candidate)

I hereby signify my willingness to serve if I am elected.

Date: Signature of Candidate

……

(To be filled in by the Returning Officer) Serial No. of nomination paper ……..

This nomination paper was delivered to me at my officer at ……..

(hour) On ……..

(date)

Date: Returning Officer

……

..

Decision of Returning Officer accepting or rejecting the Nomination paper

I have examined this nomination paper in accordance with the provisions of the Maharashtra Medical Council Rules, 1967, and decided, as follow-

Date: Returning Officer ……

FORM 4

Rule 17(1)

Specimen Ballot Paper

Counterfoil	Maharashtra Medical Council Election	Serial no.
No. of elector on the electoral roll to whom to whom the ballot paper has been issued		
	Signature of the Presiding Officer	Signature of the Elector

BALLOT PAPER

Maharashtra Medical Council Election

.....

(Year)

Directions to electors for recording of vote-

1) You have ……. votes.

2) Record each vote by putting 'x' mark in column 3 against the name of the candidate for whom you wish to vote.

3) You must not put more than..... crosses.

4) You must not put more than one cross opposite the name of any candidate.

5) Your vote is secrete. You must not put your signature on the ballot paper or make any other mark on it which will reveal your identity.

6) After recording your vote, fold the ballot paper in such manner as to conceal your vote and put it in the ballot box.

Sr. No.	Name of the candidate	Space for putting cross mark

@FORM 5

@ Deleted by G. N. dated 02.01.2002

FORM 6

(Rule 54)

Form of Register of Medical Practitioners

PART II

Registration number	Full name including father's/husband's name and surname, and also maiden name and surname in the case of a married woman	Address
1	**2**	**3**
Qualification and date on which each was obtained	Date of registration	Date of removal and if subsequently reinstated the date of re-entry after
5	**6**	**7**

FORM 7

(Rule 56)

Maharashtra Medical Council

Form of Application for Registration under sub-section (3) of section 16

To

THE REGISTRAR,
MAHARASHTRA MEDICAL COUNCIL
Swadeshi Mills Estate, Next Roxy Cinema,
Tata Road, Mama Parmanand Marg, Bombay 400 004.

Sir,

I request you to register by name and other particulars, as stated below, under the Maharashtra Medical Council Act, 1965 and issue me a certificate of registration:-

Name in full (beginning with Surname including *father's /husband's name in BLOCK letters only)

Address (To be entered in the register)

Maiden name and surname in the case of a married woman (Beginning with surname in BLOCK letters)

Nationality …….

Dr./Shri/Shrimati/Kumari

…… ……

……

…… ……

……

Date of Birth …….

Description of qualifications of which registration is desired. The name of the University of the Licensing Body should also be stated	Date of obtaining the qualifications. State also the institution from which you appear for the said examination alongwith your number at the
	1. Date
	2. Institution
	3. No. at the Examination
	4. Examination Centre

2. I forward herewith.

i) * My birth certificate.
* Matriculation Certificate.
* S.S.C. Examination Certificate.
* School Leaving Certificate.
* Domicile, Age, and Nationality Certificate.
* Extract of Pass Port, if any in original

and

ii) * The Degree
* Diplomas.
* Licence.
* Certificates.
* Other evidence in support of my

having obtained the qualification which I possess, in original.

The above documents may please be returned to me when no longer required.

3. The registration fee of Rs. 50 (Rs. Fifty only) is sent
*in Cash/by Crossed Postal Order/by Money Order

*4. I am applying for registration for the first time and I was not registered as a medical practitioner under any law in India before this.

*4. I am/was provisionally registered under Section 25 of the Indian Medical Council Act, 1956 and enclose the certificate of provisional registration in original for cancellation.

*4. I was/have been registered under the ……. in the year …… and my registration number is/was ……..

5. I have carefully read the instructions with this form and I certify that the particulars furnished above are true to the best of my knowledge and belief.

Yours faithfully (Usual Signature) Date ……..

1. All particulars in the application shall be filled in by the applicant only.
2. All particulars should be in neat legible hand or type written.
3. The registration fee should be sent in person or by money order or crossed postal order.

When the fee is sent by money order, the postal receipt should be attached to the application.

4. The applicants should remember that their names entered in the application must exactly correspond with their names at the University or other Examination, as the case may be

SPECIMEN OF PRACTITIONERS SIGNATURE AS USED ON
MEDICAL CERTIFICATES
PRESENT ADDRESS

* Strike of the alternative not applicable.

N.B.- Please also forward copies of certificates and other evidence, if any, under paragraph 2 of the application.

FORM 8

(Rule 57)

Form of General Notice under clause (b) of sub-section (5) of section 16

Notice is hereby given to all persons whose names stood entered either in the register of medical practitioners duly kept under-

i) Section 11 of the Central Provinces and Berar Medical Registration Act, 1916, as in force in the Vidarbha region of the State (other than persons whose names were entered in the register on or after the 1st November 1956);

or

ii) Section 10 of the Medical Registration Act, as in force in the Hyderabad area of the State; on the …….

(enter the day immediately preceding the appointed day)

that their names have been entered in the register prepared under the Maharashtra Medical Council Act, 1965. Every such person is further informed that he should pay to the undersigned a fee of two rupees in cash or by money order or by crossed postal order within two months of the date of this notice, if he desires to continue his name in the register prepared under the Maharashtra Medical Council Act, 1965. The names of all persons who fail to pay the fee within this period will be removed from the register in accordance with the provision in clause (b) of sub-section (5) of section 16.

*Date : 20 .

……
Registrar,
Maharashtra Medical
Council
†……

* This date should be the same as the date on which the notice is published in the Gazette. † Here enter full address of the Registrar.

FORM 9

(Rule 57)

Form of Individual Notice under clause (b) of Sub-section (5) of section 16

To

*(Here mention the name and last known address of the medical practitioner)

Sir,

In pursuance Of clause (b) of sub-section (5) of section 16 of the Maharashtra Medical Council Act, 1965, notice is hereby given that you should pay to the undersigned a fee of two rupees in cash or by crossed postal order or by money order on or before * for ……. the continuance of your name on the register under the said Act.

If you fail to pay the fee within the time stated above, your name shall be removed from the register as a defaulter.

Yours faithfully,

……

….

Registrar

Maharashtra Medical Council Date :

Address :

FORM 10
(Rule 59)
Certificate of Registration
The Maharashtra Medical Council, Bombay

Registration No…….

This is to certify that the withinsigned.-* Doctor / Shri / Shrimati / Kumari

……..

(Full name)

possessing the qualification of ……. Has been duly registered under the Maharashtra Medical Council Act, 1965 (Mah. XLVI of 1965), in Part † …….. of the register.

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

Dated the 20 ……..

Registrar

Seal

* Strike off the alternative not applicable
† Here insert the part of the register

_____

FORM 11

(Rule 60)

MAHARASHTRA MEDICAL COUNCIL

Form of Application for Provisional Registration under section 19

To
THE REGISTRAR,
MAHARASHTRA MEDICAL COUNCIL,
Swadeshi Mills Estate, Next to Roxy Cinema,
Tata Road, Mama Parmanand Marg, Bombay
4.

Sir,

I request you to give me provisional registration under section 25 of the Indian Medical Council Act, 1956, and to issue the necessary certificate.

My particulars are stated below: -

Name in full (beginning with surname and including *father's/ husband's name in BLOCK letters only).

Shri / Smt. Kumari …… …….

Address …….

Maiden name and surname in the case of a married woman (beginning with surname in BLOCK letters.)

Nationality……

Qualification or examination passed Name of University or Licensing Body

Kumari …… …….

Date of birth……

…….

…….

Institution from which appeared for the examination and number at the examination

Date of passing the examination or of obtaining the qualification

2. I forward herewith.

……..

i) my Birth Certificate or Matriculation Certificate or S.S.C. Examination Certificate or School Leaving Certificate or Domicile, Age and Nationality Certificate or Extract from Passport in original.

ii) the Degree or Diploma or Certificate of passing the qualifying Examination which I possess in original and

iii) Certificate from the Head of the Medical Institute (recognised by the University) where I have been admitted for Internship Training.

These may be returned to me when no longer required.

3. I have been selected for practical training at the ……..
(state name of approved institution)

*employment in the medical capacity at the ……
ate name of approved institution)

*appointment in the Medical Service of the Armed Forces of the Union and I enclose as evidence ……..

4. The registration fee of five rupee is sent *in cash by/Crossed Indian

Postal Order/by Money Order.

5. I am applying for registration for the first time and I was not registered as a medical practitioner in India before the date of this application.

6. I have carefully read the instructions sent with this form and I certify that the particulars furnished above are true to the best of my knowledge and belief.

Yours faithfully

(Usual signature) ……..

Date

Place

Instructions

1. All particulars shall be filled in by the applicant only.
2. All particulars should be in neat legible hand or type written.
3. The registration fee should be sent in person or by money order or crossed postal order. (When the fee is sent by money order, the postal receipt should be attached to the application.)
4. The applicants should remember that their names entered in the application must exactly correspond with their names at the University or other Examination, as the case may be.
5. Evidence under paragraph 3 of the application shall include selection or appointment order.

* Strike off the alternative not applicable.

FORM 12

(Rule 60)

MAHARASHTRA MEDICAL COUNCIL

Certificate of Provisional Registration

Registration No. ……

This is to certify that *Shri/Shrimati/Kumari……... of …… having passed the Third M.B.B.S. Examination of the ……. University in the year …… has been given provisional registration under the Maharashtra Medical Council Act, 1965, (Mah. XLVI of 1965), for the purpose of Practical Training (Internship).

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

Subject to the provisions of the said Act, this certificate is valid upto the day of † ……. 20 , or completion of Internship, whichever is latest.

Seal

Dated the …… 20. Registrar

* Strike off the alternative not required

† Here insert the date of validity of certificate.

FORM 13

(Rule 61)

Form of First Notice under clause (a) of section 23

No. . - Notice is hereby given to all registered practitioners whose names are included in the register maintained under the Maharashtra Medical Council Act, 1965 (other than those who have been registered provisionally), that they have to make an application to the undersigned for the continuance of their names on the register as provided in clause (b) of section 23 of the said Act.

Separate notice alongwith the prescribed form of application is being sent by registered post to each registered practitioner at his address entered in the register. The application form should be returned to the undersigned duly completed within forty-five days of the date of such notice. Any practitioner not receiving the application

form may obtain it from the undersigned. If any practitioner fails to return the application form duly completed within the time specified above he will have to pay a fee of two rupees with his application after the date aforesaid.

Registrar
Maharashtra Medical Council

Date……

* …….
……

_____

FORM 14

(Rule-61)

Form of Second Notice under clause (a) of section 23

No. .- Notice was given to all registered practitioners whose names are included in the register maintained under the Maharashtra Medical Councils Act, 1965 (other than those who have been registered provisionally) vide No ……. dated …….. published in the Maharashtra Government Gazette, Part ……., dated …… , to send their application to the undersigned for continuance of their names on the register. Separate notices with application forms were also dispatched to the registered practitioners at their addresses shown in the register.

Further notice is now given to all the practitioners who have not so far returned the application forms duly completed to the undersigned, to return them within the time specified in the notice sent to them. Application sent after that date will be accepted only on payment of a fee of rupees two alongwith their applications.

Separate further notice along with another application form is also being sent by registered post to each practitioner whose application is not received by the undersigned within the time allowed, specifying the further period during which the applications will be received only if accompanied by a fee of rupees two. The names of all practitioners who fail to send their applications along with the fee of rupees two during the further period allowed will be removed from the register as defaulters.

Registrar
Maharashtra Medical Council
* …….

* Here enter full address of the Registrar.

FORM 15
(Rule 61)

Form of Notice to a Registered Practitioner for Continuance of his Name on the Register, under clause (b) of section 23

To
(Here mention the name and address of the medical practitioner
as entered in the register)

Sir,

In pursuance of clause (b) of section 23 of the Maharashtra Medical Council Act, 1.965, notice is hereby given calling upon you to return to me the enclosed form of application for continuance of your name on the register within forty-five days of the date of this notice.

2. If you fail to return the application duly filled in and signed on or before ……, it shall not be accepted thereafter unless it is accompanied by a fee of two rupees.

Yours faithfully,
……
….
Registrar
Maharashtra Medical Council
*

……
……..

* Here enter full address of the Registrar.

FORM 16

(Rule 61)

Form of Application for Renewal of Registration

To
The Registrar,
Maharashtra Medical
Council,
*
…….
……
…

Subject .- Renewal of Registration.

Sir,

Full name: ……

In reply to your notice dated …… , I request that my name may be continued on the Register of Medical Practitioners. The necessary particulars are given below:-

Full name:

…….

. (beginning with surname)

Maiden name in case of married woman: (beginning with surname)
Registered qualifications with
dates of Registration :
Registration No.

Permanent address for purpose of Registration :

Date ……

NOTE

1) This form must be returned duly completed so as to reach the Registrar, Maharashtra Medical Council for continuance of registration within forty-five days of the date of the notice.

2) All details shall be correctly filled in.

3) Applications which do not contain the required particulars are liable to be rejected.

4) Applications sent in pursuance of the further notice under clause (b) of section 23 will be accepted only if they are accompanied by a fee of Rs. 2 and sent within thirty days of the date of such further notice.

* Here enter full address of the Registrar.

———————

FORM
17
(Rule 61)

Form of further notice to a registered practitioner for continuance of his name on the register under clause (b) of section 23

To
(Here mention the name and address of the medical practitioner as entered in the register)

Sir,

I am directed to invite your attention to my notice dated the ……. 20, and to give you a further notice as required by clause (b) of section 23 of the Maharashtra Medical Council Act, 1965, calling upon you, to return to me the enclosed form of application for the continuance of your name on the register within thirty days from the date of this notice together with a fee of two rupees.

If you fail to return the form of application duly filled in and signed along with the fee of two rupees on or before …….., your name will be removed from the register as a defaulter.

Yours faithfully,
……
….
Registrar
Maharashtra Medical Council
* ……. *

Here enter full address of the Registrar.

_____

FORM 18

(Rule 67)

Notice

On behalf of the Maharashtra Medical Council, I …….

(name)

the Registrar, give you notice that on an examination of the materials available, it is found that a prima facie case exists for holding an inquiry into your conduct in the matters hereafter mentioned and do hereby charge you …….. as under:-

(Here mention specific charges)

2. A statement of allegations and a statement of evidence are appended.

3. You are called upon to put in your written statement of defence along with such documents as you intend to rely on in your defence in answer to the above charges within days ……. from the date hereof and to state at the same time whether you desire to be heard in person by the Council. If you desire to examine any witnesses in your defence, you are called upon to furnish at the same time the names and addresses of your witnesses. On your failure to put in your statement or to furnish the names and addresses of your witnesses within the time allowed to you, it will be presumed that you do not wish to make a statement or to furnish any witnesses.

4. You are further called upon to state why the above charges or any of them if held proved, should not be considered as good and sufficient ground for imposing upon you any of the penalties specified in clause (b) of sub-section (1) of section 22 of the Maharashtra Medical Council Act, 1965.

5. A copy of section 22(1) of the Maharashtra Medical Council Act, 1965, together with extract of rules 67 to 75 of the Maharashtra Medical Council Rules, 1967, is enclosed for your information. Your attention is particularly invited to rule 67. You may if you so desire, apply for copies of the relevant documents.

Date:
Place:

……

..

Registrar,
Maharashtra Medical Council

_____

FORM 19

(Rule 75)

Application for Re-entering Name in the Register

To

The Registrar,

Maharashtra Medical Council,

1) I, the undersigned (i) …….. now holding the qualification

(ii) …… apply for re-entry of my name in the Register.

2) By the order, dated (iii) …… the Maharashtra Medical Council, directed my name to be removed from the Register on a complaint made by (iv) …….. and the misconduct for which the Council directed the removal of my name was (v) ……..

3) Since the removal of my name from the Register, I have been residing at (vi) …… and my occupation has been (vi) …….

4) It is my intention if my name is re-entered in the Register to (vii) ……..

5) The grounds of application are (viii) ……

6) I forward herewith —

a) the degree/diploma/licence of (ii) …… in original.

b) a certificate of good character from (ix) …….

Signature of the Registered Practitioner

i) Insert full name.

ii) Insert qualification, if any.

iii) Insert date.

iv) Insert name and address of complainant, if any.

v) Insert charge on which name was removed.

vi) These blanks must be filled in according to circumstances.

vii) Insert particulars as to proposed future professional occupation.

viii) All facts and grounds on which the application is made should be clearly and concisely stated.

ix) Insert name of Gazetted Officer or J.P. giving the certificate.

———————

FORM 20

(Rule 96)

Form of List of Registered Practitioners

PART

Serial No. 1	Name, qualifications and address 2	Date of registration and registration No 3

SCHEDULE 'A'

(Vide rule 84 of the Maharashtra Medical Council Rules, 1967)

Rules for Provident Fund of The Maharashtra Medical Council

1. Definition. – In these rules, unless there is anything repugnant to the subject or context,

(a) "family" means

i) in the case of a male subscriber the wife and children of a subscriber and the widow and children of a deceased son of the subscriber;

Provided that, if a subscriber proves that his wife has been judicialy separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently indicates by express notification in writing to the Registrar that she shall continue to be regarded as a member of his family;

ii) in the case of a female subscriber, the husband and children of the subscriber, and the widow and children of a deceased son of the subscriber:

Provided that, if a subscriber by notification in writing to the Registrar, expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matter to which these rules relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

Explanation 1.- "Children" means legitimate children.

Explanation 2.- An adopted child shall be considered to be a child, when the Registrar or if any doubt arises in the mind of the Registrar, the Solicitor to the Government of Maharashtra, is satisfied that under the personal law of the subscriber, adoption is legally recognized as conferring the status of a natural child, but in this case only;

(b) "Fund" or "Provident Fund" means the Provident Fund established and maintained under these rules;

(c) "Pay" means pay, substantive and officiating, special pay leave salary and dearness pay

Explanation. — For the purpose of calculating the pay of an employee of the Council at any time on or after the 1st day of April 1970, the dearness pay shall be deemed always to

have formed part of his pay.

(d) "Year" means fi

2. Application. – These rules shall apply to the employees of the Council for whom subscription to the provident fund is compulsory under sub-rule (3) of rule 84 of the Maharashtra Medical Council Rules, 1967.

3. Management. – The Fund shall be administered by the Registrar under the direction of the Council in accordance with these rules.

4. Constitution of Fund. –

(1) The fund shall be made up of —

a) subscriptions,

b) contributions, and

c) interest on subscriptions and contributions.

(2) The Council shall, as soon as practicable and in any case at least every six months, invest in the name of the Council the corpus and all monies of the Fund through the Reserve Bank of India in Government securities within the meaning of clause (a) of section 2 of the Indian Securities Act, 1920, or in securities of the nature specified in clauses (c) and (d) of section 20 of the Indian Trusts Act, 1882:

Provided that monies which are required to be applied immediately or within twelve months may be deposited with the State Bank of India or any other Bank approved by the State Bank of India or any other Bank approved by the State Government in this behalf.

5. Rate of subscription and Manner of Recovery.

(1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, that is to say,-

a) It shall be expressed in whole rupees; and

b) It may be any sum expressed in whole rupees not being less than 8 per cent of his pay and not more than 20 per cent thereof.

(2) The subscriber shall intimate to the Registrar the fixation of the amount of his subscription in writing when he is first required to join the Provident Fund, and thereafter at least one month before the commencement of each year.

(3) The amount of subscription so fixed shall remain unchanged throughout the year.

(4) Subscription as fixed by the subscriber under sub-rule (2) shall be deducted every month from his pay and credited to his account. It shall be considered as paid to the fund on the first day of the month following that in respect of which the pay is due.

6. Contributions. – The Council's contribution shall be equal to 8 per cent of the subscriber's pay during the year, and shall be made yearly on 31st March except in the case of death or retirement of a subscriber when the Council's contribution to that subscriber's account shall be calculated to date. The amount of contribution payable by the Council shall be rounded off to the nearest whole rupee (i.e. fifty paise and above shall be treated as one rupee, and amounts less than fifty paise shall be ignored).

7. Gratuity. – If an employee of the Council retires or resigns or dies while in service, the Council shall pay to such employee by way of gratuity an amount equal to half month's pay for each completed year of service, the maximum amount to be so paid being not more than Twenty months pay which ever is less:

Provided that, the amount shall not be so paid unless the employee has put in at least five years continuous service with the Council.

Explanation - For purposes of this rule, the pay of the employee shall be the average pay drawn by him during the three years immediately preceding the date of his retirement from service, any periods of leave on reduced pay or leave without pay being ignored.

8. Rate of Interest. –

(1) Interest, at the same rate as is fixed by the Government of Maharashtra from time to time for a subscriber to the General Provident Fund, shall be allowed by the Council or, the amount at the credit of a subscriber, and shall be credited annually on the 31st March or when any subscriber quits service or dies while in service, on the date of his quitting service, or death, as the case may be.

(2) If the interest payable under this rule exceeds the interest earned by the Council on the investments of the Provident Fund, such excess shall be provided by the Council from other funds at its disposal and shall not be charged to the State Government.

9. Accounts. –

1) A separate account shall be kept for each subscriber showing the amount of his own personal subscriptions, with the interest thereon as it accrues and his share of the yearly contribution of the Council with interest thereon and the amount of advances outstanding, if any. The account shall be maintained in whole rupess, fractions of a rupee equal to or exceeding fifty paise being counted as one rupee and fractions of a rupee less than fifty paise being ignored. A copy of his account for the previous year shall be furnished to each subscriber not later than 31st July in each year.

2) The Council shall deposit each year in the Fund an amount to be fixed with reference to the charges to be met by the Council in payment of liability to the Fund

3) The following books of account shall be maintained:-

a)Provident Fund Ledger;

b)Register of Subscriber;

c)Provident Fund Cash Book;

d)Register of Advances and Recoveries; and

e)Investment Register.

10. Circumstances in which accumulation are payable. – The total sum at the credit of a subscriber shall be payable to him on the termination of his service subject to the right of the Council to deduct therefrom any sum due to themselves, provided that, the total sum deducted shall not exceed the total of their contribution, credited to his account, and provided that —

a) a subscriber who resigns his post within five years after his admission to the Fund will receive his own subscriptions and his share in the complete accrued interest of the Fund, and with the sanction of the Council also the contribution made to his account by the Council.

b) if a subscriber is permanently disabled or invalidated he will ordinarily receive his subscriptions, the Council's contributions in his behalf, and his share in the whole of the accrued interest at whatever stage of his service, he is disabled or invalidated.

c) if a subscriber is dismissed or removed from service on grounds of gross misconduct or fraud, he shall not be entitled to any contribution by the Council. Such a subscriber will receive his own subscriptions and his share in the complete accrued interest of the Fund, provided that if the order of dismissal is subsequently cancelled, the amount of the Council's contribution to his account shall, on his reinstatement in the service, be replaced at his credit in the Fund.

11. Payments. – When the amount standing to the credit of a subscriber in the Fund or the balances thereof after any deduction under rule 10 becomes payable, it shall be the duty of the Registrar to make payment as provided in section 4 of the Provident Fund Act, 1925.

12. Advances. –

1) The President in the case of the Registrar, and the Registrar, in the case of other staff, may at their discretion, grant advances to subscribers out of the fund towards any of the following purposes:-

a)to pay expenses incurred in connection with the illness of a subscriber or a member of his family;

b)to pay expenses in connection with marriages or other ceremonies which by the religion of the subscriber it is incumbent upon him to perform and in connection with which it is obligatory that expenditure should be incurred.

2) The advance shall not ordinarily exceed three month's pay and shall in no case exceed the amount of the subscriber's subscriptions including accrued interest.

3) When an advance has already been granted to a subscriber, no subsequent advance shall be granted to him, except for very special reasons to be recorded in writing, until at least three calendar months have elapsed since the complete repayment of the advance taken.

4) The amount of any advance to a subscriber under this rule shall be debited to a separate account of such subscriber as against his own contributions to the Fund and will operate to reduce protanto the amount standing to his credit in the fund, from time to time, until the advance shall be recovered, the recoveries being credited to the said account as and when made. No interest will be credited to the account of any subscriber to whom an advance has been made of any amount for the time being debited to his account as representing an outstanding advance.

5) An advance shall be recovered from the monthly pay of the subscriber in such number of equal monthly installments, not being more than 36 in any case, as the sanctioning authority at the time of sanctioning the advance may direct. The recovery shall commence on the first occasion after the advance is made, when the subscriber draws pay or leave salary on full pay for a whole month and shall be in addition to the usual subscription.

Note: A subscriber may, however, at his option make repayment in less than the number of installments fixed as hereinabove provided. No installments will be recovered from the salary of any subscriber who is on leave, unless such leave is leave on full pay. When two or more advances are made, each advance should be treated separately and the monthly deduction of not less than 1/24th of each advance shall be made until the advance is cleared.

6) The installments will be paid by compulsory deductions from substantive pay and will be in addition to, the usual subscriptions.

7) When an advance is repayable in twelve installments an additional installment representing interest and equivalent to 3 ½ per cent of the amount of the advance shall be paid in the month following that in which the last installment is paid. Similarly two additional installments representing interest, each equivalent to 3 ½ per cent of the total amount of the advance, shall be paid when the advance is repayable in more than 12 installments.

In calculating interest as above, a fraction of a rupee shall be taken at the next higher whole rupee if it exceeds fifty paise, and shall be ignored if it does not.

13. Withdrawal from Fund. –

1) Subject to the provisions of this rule, the Council may, at any time after completion of twenty five years of service of a subscriber or within five years before the date of his retirement on superannuation, whichever is earlier, sanction withdrawal by him from the amount standing to his credit in the Fund for meeting expenditure in connection with the marriage of the subscriber's son or daughter or any other female relation dependent on him.

2) In respect of the marriage of the subscriber's son or daughter or a female relation dependent on him, the sum withdrawn by the subscriber under sub-rule (1) shall, subject to sub-rule (3), not exceed-

a)three month's pay in the case of his son, and six month's pay in any other case, of the subscriber; or

b)the amount actually subscribed by him along with interest thereon standing to his credit; whichever is less.

3) In special cases, the maximum limit in clause (a) of sub-rule (2) may be relaxed by the Council but in no case shall the amount sanctioned exceed six months pay in the case of his son, and ten months' pay in any other case, of the subscriber.

4) If two or more marriages are to be celebrated simultaneously, the amount admissible in respect of each such marriage shall be determined as if the withdrawals are sanctioned separately, one after another.

5) In respect of the same marriage, the subscriber may either withdraw the money under sub-rule (1) of this rule or draw an advance under rule 12.

6) A subscriber, who has already drawn or may draw in future a refundable advance under rule 12, may convert at his discretion, by written request, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in this rule.

7) Withdrawal by a subscriber from the amount standing to his credit in the fund shall be permitted not earlier than three months preceding the month in which the marriage actually takes place.

8) A subscriber shall furnish a certificate to the Council within the period of one month from the date of marriage, or if he is on leave within one month on return from leave, that the money has actually be utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn together with the interest thereon at the rate determined under rule 8, from the month of withdrawal shall be re-deposited into the fund
forthwith by the subscriber.

14. Nomination. –

1) The Registrar shall, as soon as may be, require every subscriber to the Fund to make a nomination conferring the right to receive the amount that may stand to his credit in the fund in the event of his death before quitting service or retirement from the service of the Council.

2) Each subscriber who at the time of joining the Fund has a family shall fill in and sign the nomination in Form 'A' appended to these rules. A subscriber, who, at the time of joining the Fund, has no family, shall fill in and sign the nomination in Form '13' appended to these rules:

Provided that a nomination made in Form '13' shall be deemed to have been made in accordance with these rules only for so long as the subscriber has no family.

3) If the subscriber at any time acquires a family, he shall fill in and sign the nomination in Form 'A' and forward the same to the Registrar as provided hereinabove, and if he has under this rule nominated any person other than a member of his family, he shall cancel the previous nomination.

4) A subscriber may in his nomination distribute the amount that may stand to his credit in the Fund amongst his nominees at his own discretion.

5) A nomination may be cancelled by a subscriber and replaced by any nomination, which is

permitted to be made under this rule.

15. Interpretation – The power of interpreting these rules and of deciding cases of dispute or doubt is vested in Government whose decision on all matters appertaining to and arising out of these rules or the disputes hereunder shall be final.

APPENDIX 'A'

Form 'A' of Nomination when the Subscriber has a Family

I hereby declare that in the event of my death the amount at my credit in the Provident Fund established under the Maharashtra Medical Council Rules, 1967, shall be distributed among the members of my family mentioned in column 1 in the manner shown against their names. The amount due to a nominee who is a minor at the time of my death shall be paid to the person whose name appears in column 5.

Name and address of the nominee or nominees	Relationship with the subscriber	Age of the nominee	Amount or share of accumulations	Name and address of the person to whom payment is to be made on behalf of the
1	2	3	4	5

Dated the …….day ……. of ……. 20, at ……..

Witnesses-

1. ……
2. ……

…….

….. Signature of

Subscriber

APPENDIX 'B'

Form 'B' of Nomination when the subscriber has no Family

I hereby declare that I have no family, and that in the event of my death the amount at my credit in the Provident Fund established under the Maharashtra Medical Council Rules, 1967 shall, in the event of my having no family at the time of death, be distributed among the persons in column 1 in the manner shown against their names. The amount due to a nominee who is minor at the time of my death shall be paid to the person whose name appears in column 5.

Name and address of the nominee or nominees	Relationship with the subscriber	Age of the nominee	Amount or share of accumulations	Name and address of the person to whom payment is to be made on behalf of the
1	2	3	4	5

Dated the …….day … at ……..

Witnesses-

1. ……
2. ……

……
Signature of

…..
Subscriber

_____