

Kerala Gazette No.2 dated 8th January 1974.

PART-1

GOVERNMENT OF KERALA

**Health (G) Department
NOTIFICATION**

No.62312/G2/71/HD

Dated, Trivandrum, 15th June 1972.

In exercise of the powers conferred by section 35 of the Nurses and midwives Act, 1953, (10 of 1953) and in supersession of the Nurses and Midwives rules, 1958, published under Notification No.HL.9-17533/55/DD dated the 20th August, 1958 in part I of the Kerala Gazette No.35 dated the 9th September, 1958, the Government of Kerala hereby make the following rules, the same having been previously published as required by sub-section (i) of the said section, namely:--

RULES

1. These rules may be called the Kerala Nurses and Midwives Rules, 1972.
2. In these rules, unless the context otherwise requires:--
(a) "Act" means the Nurses and Midwives Act, 1953 (10 of 1953);
(b) "Appellate Authority" means the Kerala Nurses and Midwives Council represented by its Staff Selection Board or the Government of Kerala as the case may be;
(c) "Appendix" means an Appendix to these rules;
(d) "Employees" means the Officers and servants of the Council other than the Registrar;
(e) "Form" means a form appended to these rules;
(f) "General Nursing" means the training in nursing diseases of men, Women and Children for not less than three years or such other period as may be approved by the Council from time to time in institutions recognized in that behalf under rule 83;
(g) "Government" means the Government of Kerala;
(h) "Inspecting Authority" means the Registrar of the Council "Registered Practitioner" means a Medical Practitioner registered under part A in Modern Medicine under the Travancore Cochin Medical Practitioners Act, 1953, or such other relevant Act, in force from time to time;
(i) "Section" means section of the Act;
(j) "Staff Selection Board" means the body which may be constituted by the Government for the selection of staff to the Council's establishments;
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(k) The words and expressions used in the Act, and not defined in these rules shall have the meanings assigned to them in the Act.

Conduct of the Election of Members of the Council

3.	The Registrar shall maintain a register of members of the Council in Form I in Appendix I
4.	The president shall, not more than 90 days before the expiration of the term of office of a member of the Council and in the case of a vacancy occurring otherwise than by expiry of the term of office of a member, after the office has become vacant, take steps to have the vacancy filled up by fresh nomination or election, as the case may be.
5.	<p>On an election becoming necessary under clause (d) or clause (e) or clause(f) of sub-section (2) of section 3, the President or any person authorized or deputed by him in that behalf shall function as the Returning Officer in respect of such election.</p> <p><i>Explanation</i> :-- Reference to the Returning Officer in these rules shall, unless a contrary intention appears, be deemed to include any person authorized or deputed by the Returning Officer to perform any duty or function in respect of an election.</p>
6.	<p>Not less than forty days before the date fixed for the holding of an election, the Returning Officer shall prepare and publish a notice in English and Malayalam in the Gazette and at the office of the Council stating:--</p> <p>(a) the number of persons to be elected;</p> <p>(b) the date on which and the hours between which the nomination papers shall be presented, to him, an interval of at least seven days being allowed between the date of publication of the notice and the date for presentation of nomination papers;</p> <p>(c) the date for withdrawal of nominations;</p> <p>(d) the date on which the nomination papers will be taken up for scrutiny;</p> <p>(e) the last day on which and the place where the voting paper will be received an interval of atleast 10 days, being provided between the posting of the voting paper and the last date for receiving it; and</p> <p>(f) the day on which and the place and hour at which the Returning Officer will commence the counting of votes.</p>
7.	<p>1. All nurses whose names have been entered in part A of the register of nurses in force for the time being shall be entitled to vote at the election of members to the Council under clause (d) of sub-section (2) of section 3 and the said register shall be deemed to be the electoral roll for this purpose.</p> <p>2. All midwives whose names have been registered in Part A of the register of midwives in force for the time being shall be entitled to vote at the election of members from among registered midwives to the Council under clause (e) of sub-section (2) of section 3 and the said register shall be deemed to the electoral roll for this purpose.</p> <p>3. All Auxiliary nurse—midwives whose names have been registered in the register of auxiliary nurse-midwives in force for the time being shall be entitled to vote at the election of members from among the registered auxiliary nurse-midwives to the Council under clause (e) of sub-section (2) of section 3 and the said register shall be deemed to be the electoral roll for this purpose.</p>

4. All health visitors whose names have been registered in the register of health visitors in force for the time being shall be entitled to vote at the election of a registered health visitor to the Council under clause (f) of sub-section (2) of section 3 and the said register shall be deemed to be the electoral roll for the purpose.
5. For purposes of sub-rules (1), (2), (3), and (4) the Registrar shall arrange for the printing and publishing of the electoral rolls containing the names of electors whose names are entered in the respective registers on the date of notice under rule 6.
8. Any person whose name appears in the electoral roll may be nominated as a candidate at the election.
9. The nomination of every candidate shall be made by means of a separate nomination paper which shall be in Form II on Appendix I and shall be supplied free of cost by the Returning Officer to any elector who applies for the same.
10 1.(a) Every nomination paper shall be subscribed by two electors as proposer and seconder.
(b) Every candidate shall make a declaration expressing his willingness to stand for election.
(c) Every candidate shall furnish along with his nomination paper a deposit of Rs.50/-. The amount may be remitted to the Registrar in cash and the receipt issued by him shall be furnished along with the nomination paper before the Returning Officer.
2. The same elector may subscribe as many nomination papers as there are vacancies to be filled but not more. Each candidate shall be nominated by a separate nomination paper.
3. When a person has subscribed whether as proposer or Seconder, to a large number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been received upto the number of vacancies to be filled shall be deemed to be valid.
4. On receipt of a nomination paper, the Returning Officer shall forthwith endorse thereon the date and hour of such receipt. Nomination papers which are not received before the date and time appointed in that behalf by the Returning Officer shall be rejected.
5. The rejection of a nomination paper of any candidate on the ground of any irregularity in respect thereof shall not affect the validity of the nomination of the candidate if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.
11. On the date and at the time and place appointed by the Returning officer for the purpose, every proposer and the seconder and the candidates nominated may attend the scrutiny of nomination papers and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as afore said.
12. The Returning Officer shall examine the nomination papers and shall either on his own motion or on objection made, decide all questions which may arise as to the validity of any nomination including questions regarding the eligibility of the candidates to stand for election and his decision on all such questions shall, subject to the provisions of rule 29, be final.
13.1. Any duly nominated candidate may withdraw his candidature by sending to the Returning Officer written and signed withdrawal notice within seven days from the date of his nomination.

<p>2. If a candidate who has made the deposit referred to in clause (c) of sub rule (i) of rule 10 withdraws his candidature in the manner and within the time specified in sub-rule(1) or if the nomination of any such candidate is rejected, the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the counting of votes, the deposit made by, the candidate shall be returned to his legal representative.</p>
<p>3. If a candidate who has made the deposit referred to in clause (c) of sub-rule (i) of rule 10 is not elected and the number of votes polled in his favour does not exceed 25 percent of the total number of votes polled, his deposit shall be forfeited to the Council.</p>
<p>14. If the number of duly nominated candidates standing for election does not exceed the number of members to be elected, the Returning officer shall forthwith declare such candidates to be elected.</p>
<p>15. If the number of duly nominated candidates exceeds the number of members to be so elected, the Returning Officer shall cause the names and addresses of the candidates to be entered in the voting paper in Form III, in Appendix I and shall publish the said names and address in the Gazette.</p>
<p>16. Not less than ten days before the last date appointed for voting, the Returning Officer shall send to each elector one such voting paper duly filled in together with declaration paper in Form V, and a letter of intimation in Form IV in Appendix I by ordinary post and obtain a certificate of posting in token thereof :</p> <p>Provided that—</p>
<p>(a) an elector who has not received his voting and other connected papers sent by post to him or whose papers have been inadvertently spoilt in such manner that they cannot be conveniently used, or who has lost his papers may apply with a signed declaration to the effect for new papers in the place of those not received, spoilt or lost. If the papers have been spoilt, they shall be returned to the Returning Officer who shall cancel the same on receipt. On receipt of the application the Returning officer shall, if he is satisfied that there is a case for the supply of fresh papers, supply such papers to the elector;</p>
<p>(b) no election shall be invalidated by reason that an elector has not received his voting paper, if a voting paper has been issued to him in accordance with these Rules.</p>
<p>17. Every elector desirous of recording his vote shall send his voting paper by registered post to the Returning Officer or cause it to be deposited in the ballot box provided for the purpose in the Office of the Council during office hours, after recording his vote thereon, in the manner prescribed therein, voting papers which are not received by the Returning Officer on or before the date and time appointed for the receipt of voting papers shall be rejected.</p>
<p>18. On receipt of a voting paper, the Returning Officer shall endorse on the cover containing the voting paper received by him, the date and hour of its receipt.</p>
<p>19. After satisfying himself that the electors have affixed their signature to the declaration paper, the Returning Officer shall place them in safe custody pending disposal as mentioned in rule 27.</p>
<p>20. The Returning Officer shall cause the votes to be counted on such date and at such time and place as may be appointed.</p>
<p>21. Every candidate may be present in person with a representative if he so desires or may authorise in writing not more than two representatives to be present at the counting of votes.</p>
<p>22. The Returning Officer shall, at the time of scrutiny, reject a voting paper which does not comply with the instructions on the voting paper, endorsing the word “Rejected” thereon.</p>
<p>23. The Returning Officer shall, if requested to do so show the voting papers which he rejects under rule 22 as well as other voting papers to the candidates or their representatives.</p>
<p>24. If any objection is made to any voting paper with regard to its acceptance or rejection such objection</p>

shall be decided at once by the Returning officer whose decision shall, subject to the provision of rule 29, be final.
25. When the counting of votes has been completed, the Returning Officer shall announce the results of election which shall be provisional pending the publication of the results by the President in the Gazette.
26. If there is an equality of votes between two or more candidates, the Returning Officer shall draw lots in the presence of the candidates or their representatives present during the counting and the candidate whose name is first drawn shall be declared elected.
27. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal the voting papers and all other documents relating to the election and shall keep the same in safe custody for a period of six months and thereafter cause them to be destroyed in the absence of any direction to the contrary from any competent authority.
28. 1. Where the President is not the Returning Officer, Returning Officer shall communicate the result of the election to the President.
2. The President shall in all cases publish the name (s) of the elected candidate or candidates in the Gazette.
29. The Council may, of its own motion or on objection made in writing by any elector including a candidate, declare any election that has been held to be void on account of any sufficient cause and may call on the President to take steps to hold a fresh election within a specified time and any decision of the Council under this rule shall be final and shall not be liable to be questioned by any suit or other legal proceedings.
30. The Vice-President of the Council shall be elected by secret ballot at the first meeting of the council. In the case of an equality of votes among two or more candidates the choice among such candidates shall be determined by lot.
31. All petitions presented to the Council shall be considered by the Council.
32. All petitions received immediately before a meeting of the Council shall be laid on the table.

The Registrar

33. The term of appointment of the Registrar shall be fixed by the Government in each case in consultation with the Council.
34. Government may grant the Registrar all kinds of leave admissible under the Kerala Service Rules.
35. Whenever the Council is of opinion that the Registrar has deliberately failed to carry out the duties assigned to him by the Council or has acted in a way prejudicial to the interests of the Council, the Council may by resolution passed by a majority consisting of 2/3 of the total membership of the Council request the Government to take such disciplinary action as the Government may deem fit stating specific charges thereof with evidence, if any.
36. The Registrar shall have power to punish the officers and servants employed under him as provided in these rules.
37. The Registrar shall be present at every meeting of the Council. It shall be his duty to take minutes of proceedings at all meetings of the Council.
38. The Registrar shall have the right to participate in the discussions of the Council but shall not function as a member of the council whether by way of voting or moving any resolution.

Punishment that may be imposed on the employees

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39. <i>Suspension:-</i>
1. The Registrar may, at any time, place an employee under suspension, where –
(a).any disciplinary proceeding against him is contemplated or is pending, or
(b) a case against him in respect of any criminal offence is under investigation or trial, or
(c) final orders are pending on the disciplinary proceedings if the appointing authority considers that in the then prevailing circumstances it is necessary, that the employee should be suspended from service.
2. An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the Registrar and shall remain under suspension until further orders.
3. Where a penalty of dismissal or removal from service imposed upon an employee under suspension is set aside in appeal or on review under these rules and the case is remitted for further enquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.
4. Where a penalty of dismissal or removal from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the Registrar, on a consideration of the circumstances of the case decides to hold a fresh enquiry against him on the allegations on which the penalty of dismissal or removal from service was originally imposed, the employee shall be deemed to have been placed under suspension by the Registrar from the date of the original order of dismissal or removal and shall continue to remain under suspension until further orders.
5. An order of suspension made or deemed to have been made under this rule may, at any time be revoked by the Registrar.
6. Whenever an employee is placed under suspension he shall be paid such subsistence and other allowances admissible under the rules for the time being in force regulating such matters in the Kerala Service Rules.
40. The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on an employee, namely:-
(i) Censure;
(ii) Fine;
(iii) Withholding of increments or promotion;
(iv) Recovery from pay of the whole or part of any pecuniary loss caused to the Council by negligence or breach of orders;
(v) Reduction to a lower rank in the seniority list or to a lower grade or post or time scale;
(vi) Dismissal from service;

41.	1. The authority which may impose the penalties of –
	(i) Censure
	(ii) Fine
	(iii) Withholding of increment
	(iv) Recovery from pay of the whole or part of any pecuniary loss caused to the Council by negligence or breach of orders shall be the Registrar.
	2. The authority to impose the penalties of –
	(i) Reduction to a lower rank in the seniority list or to a lower grade or post or time scale and.
	(ii) Dismissal from service shall be the Staff Selection Board of the Council.
42.	1. No order imposing any of the penalties specified in items (i) to (iv) of rule 40 shall be passed except after the employee is informed in writing of the proposal to take action against him and of the allegation on which it is proposed to take action and also an opportunity is given to make any representation, he may wish to make.
	2. The record of proceedings in such cases shall include.
	(i) a copy of the intimation to the employee of the proposal to take action against him.
	(ii) a copy of the statement of allegations communicated to him,
	(iii) his representation, if any,
	(iv) the orders of the case together with the reasons thereof.
43.	1. No order imposing any of the penalties specified in items (v) and (vi) of rule 40 shall be passed except after an enquiry is held, as far as may be, in the matter hereinafter provided.
	2. When a complaint is received by the Registrar or on consideration of the report of an investigation or for other reasons, the Registrar is satisfied that a formal enquiry should be held into the conduct of the employee, an enquiry may be conducted by him with the approval of the Staff Selection Board.
	3. The Registrar conducting the enquiry shall frame definite charges on the basis of the allegations on which the enquiry is proposed to be held. Such charges together with a statement of the allegations on which they are based shall be communicated in writing to the employee and he shall be required to submit within such time as may be specified a written statement of his defence and also to state whether he desires to be heard in person.
	4. The employee shall, for the purpose of preparing his defence, be permitted to inspect and take extracts from such official record as he may specify provided that such permission may, for reasons to be recorded in writing, be refused if, in the opinion of the Registrar such records are not relevant for the purpose or it is against the interest of the Council to allow him access thereto.
	5. On receipt of the written statement of defence or if no such statement is received within the time specified the Registrar may enquire into such of the charges as are not admitted.

<p>6. The Registrar shall in the course of the enquiry considers such documentary evidence and take such of all evidence as may be relevant or material in regard to the charges. The employee shall be entitled to cross examine witnesses examined in support of the charges and to give evidence in person and to have such witnesses, as may be produced, examined in his defence.</p>
<p>7. The employee may present to Registrar a list of witnesses whom he desires to examine in his defence. The Registrar shall normally request such witnesses to appear before him to give evidence and where the witness to be examined is an employee. The Registrar shall normally try to secure the presence of the witness, unless he is of the view that the witness's evidence is irrelevant or not material to the case under enquiry. Where the witness proposed to be examined by the employee is a non –official, the Registrar shall be under no obligation to summon and examine him unless the employee himself produces him for examination.</p>
<p>8. At the conclusion of the enquiry, the Registrar shall prepare a report of the enquiry recording his findings on each of the charges together with reasons therefore and submit it before the Staff Selection Board.</p>
<p>9. The record of enquiry shall include.</p>
<p>(i) The charges framed against the employee and the statement of allegations furnished to him.</p>
<p>(ii) his written statements of defence, if any;</p>
<p>(iii) the oral evidences taken in the course of enquiry;</p>
<p>(iv) the documentary evidence considered in the course of enquiry;</p>
<p>(v) Orders, if any, made by the Registrar; and</p>
<p>(vi) a report setting out the findings on each charges and the reasons therefore;</p>
<p>10. If the Staff Selection Board is of opinion that any of the penalties specified in sub-rule (2) of rule 41 should be imposed on the employee it shall direct the Registrar to issue him a notice stating the penalty propose to be imposed and calling upon him to submit within a specified time which may not generally exceed one month, such representation as he may wish to make against the proposed action. The employee shall also be directed to state whether he wants to be heard by the Staff Selection Board.</p>
<p>11. After the expiry of the period fixed for receipt of the representation under sub-rule (10) the Registrar shall prepare a report on the representation, if any, received from the employee and place it before the Staff Selection Board. The employee shall also be directed to appear before the Staff Selection Board, if he desires so.</p>
<p>12. The Staff Selection Board shall consider the representation received, if any, from the employee and hear the employee, if he so desires and pass such orders as it may deem fit.</p>
<p>13. Orders passed by the Staff Selection Board shall be communicated to the employee by the Registrar. The orders shall include the report of enquiry and the statement of findings.</p>
<p>44. There shall be no appeal against any order passed under the provisions of these rules except as expressly provided in these rules.</p>
<p>45. 1. An appeal on the order punishment passed by the Registrar shall be preferred before the Staff Selection Board.</p>
<p>2. An appeal against the order of the Staff Selection Board shall be preferred before the Government, whose decision shall be final.</p>

46.	No appeal under these rules shall be entertained unless it is submitted within a period of sixty day from the date on which the appellant receives a copy of the order appealed against: Provided that the appellate authority may at its discretion entertain on appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.
47.	1. Every person submitting an appeal shall do so separately and in his own name.
	2. The appeal shall be addressed to the authority to whom the appeal lies, shall contain all material statements and arguments on which the appellant relies, and shall not contain any disrespectful or improper language and shall be complete in itself.
48.	Every appeal shall be submitted to the Registrar but a copy of the appeal may be submitted direct to the appellate authority.
49.	1. The Registrar may withhold the appeal, if—
	(i) it is an appeal against an order from which no appeal lies; or
	(ii) it does not comply with any of the provisions of rule 47 or 48
	(iii) it is not submitted within the period specified in rule 46 and no cause is shown for the delay or;
	(iv) it is repetition of an appeal already decided and no new facts or circumstances are adduced; or
	(v) it is addressed to an authority to which no appeal lies under these rules;
	Provided that an appeal withheld on the only ground that it does not comply with the provisions of rule 47 or 48 shall be returned to the appellant and if resubmitted within one month thereof after compliance with the said provisions shall not be withheld.
	2. Where an appeal is withheld, the appellant shall be informed of the fact and the reasons therefore and a copy of the communication shall be forwarded to the appellate authority.
50.	The appellate authority may pass such orders as it may deem just and equitable after considering all the aspects of the case.
51.	The authority which made the order appealed against shall give effect to the order passed by the appellate authority.

Maintenance of Registers

52.	Register of nurses—The register of nurses to be kept under section 18 of the Act shall be maintained by the Registrar in Form I in Appendix II.
	(2) The entries in the register shall be verified and attested by the Register.
53.	1. The register of nurses shall be divided into two parts, Part A and Part B.
	2. Part A of the register shall be divided into 6 sections (a) to (f) as hereinafter provided—
	(a) Section (a) shall contain the names of nurses trained in institutions recognised and approved under rule 85 in the State and out do the State or trained in approved foreign general training schools, the qualification of which are recognised by the Indian Nursing Council.
	(b) Section (b) shall contain the names of nurses who have under gone general training in a language of the State or in English in approved hospitals other than hospitals other than hospitals for Women and Children in the State and are recognised for registration by the Indian Nursing Council.

<p>(c) Section (c) shall contain the names of nurses who have undergone training in approved hospitals for Women and Children in the English language and are recognised for registration by the Indian Nursing Council.</p>
<p>(d) Section (d) shall contain the names of nurses who have undergone training in approved hospitals for Women and Children in a language of the State and are recognised for registration, by the Indian Nursing Council.</p>
<p>(e) Section (e) shall contain the names of male nurses trained in the English language and are recognised for registration by the Indian Nursing Council.</p>
<p>(f) Section (f) shall contain the names of male nurses trained in a Language of the State and recognised for registration by the Indian Nursing Council.</p>
<p>3. A nurse registered in section (e) of the Part A of the register shall be eligible for registration in Section (a) of that part if he has undergone training in the nursing of men in a Training School in the State which has been recognised and approved under rule 83, for a period of not less than six months and has passed the prescribed examination at the end of the training.</p>
<p>4. Part B of the register shall contain the names of nurses registered under clause (d) of sub-section (1) of section 20.</p>
<p>54. <i>Register of midwives—</i></p>
<p>1. The register of Midwives to be kept under section 18 of the Act shall be maintained by the Registrar in Form II in Appendix II.</p>
<p>2 The entries in the register shall be verified and attested by the Registrar.</p>
<p>55. 1 The register of midwives shall be divided into two parts, Part A and part B.</p>
<p>2. Part A shall be divided into two sections (a) and (b) as herein after provided.</p>
<p>(a) Section (a) shall contain the names of midwives who hold certificates recognized by the Indian Nursing Council or who have undergone the courses of instruction in English for two years; and in the case of qualified nurses for 9 months or such other period as may be approved by the Council and have passed the examination conducted by the Examination Board of the Council.</p>
<p>(b) Section (b) shall contain the names of midwives who have undergone the course of instructions in a language of the State for eighteen month and in the case of qualified nurse for six months, in institutions which have been approved and recognized under rule 83 and have passed the examination conducted by the Examination Board of the Council.</p>
<p>3. Part B shall contain the names of midwives registered under clause (d) of sub-section (b) of section 20.</p>
<p>4. Any nurse or midwife who possesses any additional qualification may apply to the Registrar for the entry of such qualification against his name in the register, and of satisfactory proof is produced, such qualification shall be entered against his name in the register on payment of the prescribed fee.</p>
<p>56. <i>Register of dhais ---</i></p>
<p>1 The register of dhais to be kept under section 18 shall be maintained and by the Registrar in Form III in Appendix II.</p>
<p>2 The entries in the register shall be verified and attested by the Registrar.</p>
<p>57. <i>Register of auxiliary nurse midwives—</i></p>
<p>1. The register of auxiliary nurse midwives to be kept under section 18 of the Act shall be maintained</p>

by the Registrar in Form IV in Appendix II.
2. The entries in the register shall be verified and attested by the Registrar.
3. The register shall be divided in to two sections (a) and (b) as hereinafter provided.
(a) Section (a) shall contain the names of auxiliary nurse midwives who hold certificates recognized by the Indian Nursing Council and who have been trained in English language.
(b) Section (b) shall contain the names of auxiliary nurse midwives who hold certificates recognized by the Indian Nursing Council and who have been trained in a language of the State.
58. Register of health visitors:--
1. The register of health visitors to be kept under section 18 shall be maintained by the Registrar in Form V in Appendix II.
2. The entries in the register shall be verified and attested by the Registrar. The register shall be divided into two sections (a) and (b) as hereinafter provided;
(a) Section (a) shall contain the names of health visitors who have undergone a course of training in English and possess certificates recognized by the Indian Nursing Council.
(b) Section (b) shall contain the names of health visitors who have undergone a course of training in a language of the State and possess certificates recognised by the Indian Nursing Council.

Conditions of Registration

591. (a) Every nurse or midwife who desires to have his name entered in Part A of the register of nurses or of the register of midwives and every auxiliary nurse-midwife, health visitor who desires to have his name entered in the appropriate register shall apply to the Registrar in the Form VI in Appendix II and every such application shall be accompanied by any diploma or certificate of training in original, held by such person.
2. Every person not in possession of any such diploma or certificate of training but practising as a nurse or as a midwife on 1 st April, 1964 who desires to have his name entered in Part B of the register of nurses or the register of midwives shall apply to the Registrar, in
Form VI in Appendix II. Every application shall be accompanied by a certificate in Form VII in Appendix II from a qualified registered medical practitioner or the Tahasildar of the Taluk to show that he has practised as nurse or as midwife for a period of not less than three years preceding the Ist April 1964.
<i>Explanation:--</i> A person who desires to have his name entered both as a nurse and as a midwife shall make separate application therefor.
3. Every nurse and midwife registered under the Madras Nurses and Midwives Act, 1926, and eligible for registration with the State Council free of registration fee under sub-section (2) of section 40A shall apply to the Registrar within the time prescribed by the Council for entry of their names in the register. The application shall contain the name, registered address, registration number and the language in which the training was received and the date of registration and shall be accompanied by the registration certificate possessed by them.
4. Every dhai registered under the Madras Nurses and Midwives Act, 1926, who is eligible for the entry of his name in the register prepared by the Council under sub-section 2(a) of section 18 and desiring to have his name entered in the register shall be apply to the Registrar in Form VI in Appendix II before the date specified by the Council on this behalf.
60. A nurse shall be entitled to have his name registered in Part A of the Register of Nurses, if—
(a) he holds a degree, diploma or certificate in nursing recognised by the Kerala Nurses and

Midwives Council or by the Indian Nursing Council; or
(b) his name has been registered by the Nurses and Midwives Council of any State in India, if provision has been made for the registration in that state of nurses registered by the Council under the rules and is he remits a fee of rupees five.
61. A person shall be entitled to have his name entered in Part A of the Registrar of midwives, if---
(a) he has completed two years' training, and in the case of a trained nurse has completed nine months training or such other period of training as may be prescribe by the Council at an institution approved and recognised in that behalf under rule 83 and has passed the examination conducted by the Examination Board of the Council; or
(b) he holds a certificate recognised by the Indian Nursing Council; or
(c) his name has been registered by the Nurses and Midwives Council of any State in India if provision exists for reciprocal registration and if he remits a fee of rupees five; or
(d) he possess a certificate of qualification in midwifery issued by the Government or any institution in the State approved and recognised under rule 83 or by any other competent authority in India, provided it has been recognised by the Indian Nursing Council.
62. A person shall be entitled to have his name entered in the register of auxiliary nurse-midwives, if—
(a) he has completed 2 ½ years training at any institution approved and recognised in that behalf under rule 83 and has passed the examination conducted by the Examination Board of the Council; or
(b) he holds a certificate in auxiliary nurse midwifery recognised by the Indian Nursing Council.
63. A person shall be entitled to have his name entered in the register of health visitors, if—
(a) he has completed 2.1/2 years training, and in the case of a trained nurse one year and nine months training at an institution approved and recognised in that behalf under rule 83 and has passed the examination conducted by the Examination Board of the Council; or
(b) he holds a Health Visitors' Certificate recognised by the Indian Nursing Council.
64. Every nurse, midwife, auxiliary nurse-midwife or health visitor whose name has been entered in the register shall be entitled to receive from the Registrar free of charge a certificate of registration in Form VIII in Appendix II.

Rate of fees to be charged for Registration

65. 1. Every person who applies to the Registrar for restoration of his name to the appropriate register shall pay a fee of rupees five: Provided that the fee payable for restoration in the register after voluntary removal there from shall be one half of the said fee of rupees five.
(2) Any nurse or midwife registered in Part B of the register of Nurses or Midwives who applies to the Registrar for admission in Part A of such register shall pay a fee of rupees five.
(3) Any nurse or midwives who applies to the Registrar for the entry of any additional qualification against his name in any register shall pay a fee of rupees five for such entry in such register.
66. In the event of a certificate of registration being lost or accidentally destroyed the holder may apply to the Registrar for a fresh certificate and the council may if they think fit, order the grant of a fresh

certificate upon payment by the applicant of a fee of rupees five. A certificate issued under this rule shall be marked "Duplicate".

67. The holder of a certificate of registration desiring a change of name may apply to the Council for a fresh certificate and the council may, if it thinks fit, order the grant of a fresh certificate to the applicant on his surrender of the old certificate and on payment of a fee of rupees five.

68. Any person shall be entitled upon payment to the Registrar of a fee of rupee two along with an application to be furnished with a certificate under the seal of the Council certifying that on a specified date or during a specified period the name of any nurse, midwife, auxiliary nurse-midwife, health visitor or dhai is or was, or is not or is not or was not in the register.

Refusal to register and Removal of name from and Restoration of name to the Register.

69. The Council may, refuse to register, or remove from the register permanently or for a specified time in the name of a nurse, midwife, auxiliary nurse-midwife, health visitor or dhai.

(a) for any offence committed by him including a breach of any regulation which provided that such breach shall be deemed to be an offence for the purpose of this rule; or

(b) for professional incompetence negligence or contravention of methods ordinarily invoked in the course of training of nurses, midwives, auxiliary nurse-midwives or health visitors; or

(c) if he has been sentenced by any criminal court for any offence involving moral turpitude such sentence not having been reversed and a period of three years has not elapsed from the date of the expiration of the sentence.

70. Whenever information is received that a candidate for registration as a nurse, midwife, auxiliary nurse-midwives, health visitor or dhai or a registered nurse, midwife, auxiliary nurse-midwife, health visitor or dhai has been censured by any judicial or other competent authority in relation to his professional character or has been guilty of any misconduct, the Registrar, after making enquiries relating thereto, shall lay the matter before the President.

71. The President may thereupon cause a written explanation to be called for from the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai, as the case may be. If the president is satisfied that a *Prima facie* case has been made out against the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai, as the case may be, he may himself proceed with further investigation and take further evidence, taking, if necessary, the advice and assistance of a legal practitioner, or he may appoint a committee of the members of the Council to make such further investigation and take such further evidence as may be necessary.

72. When the President or the Committee, as the case may be considers that a case for further enquiry has not been made on, the President or the committee may decline to proceed with the matter and shall report their action to the Council at its next ordinary meeting.

73. When the president or the committee as the case may be considers that a case for further enquiry has been made out the Registrar, shall sent by registered post to the nurse, midwife, auxiliary nurse-midwife, health visitor, or dhai a notice in writing in form IX in Appendix II specifying the nature and particulars of the charge against him and informing him of the time and date and place of the meeting at which the case will be heard by the Council and requiring him to send or deliver to the Registrar his certificate and badge; if any, not later than the date on which the hearing takes place. Such notice shall be sent in the address of the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai as given by him in his application on entered in the register or if the Registrar has reason to believe that; the address has been subsequently changed, then in the last known address of such nurse, midwives, auxiliary nurse-midwives, health visitor or dhai as the case may be. Such notice shall be sent at least fifteen days before the date fixed for heating by registered post with acknowledgement due.

74. The case shall be heard at a meeting of the Council, of which at least seven days' notice shall be given by the Registrar to each member of the Council and the nurse, the midwife, the auxiliary nurse-midwife, the health visitor or the dhai, as the case may be, shall be entitled to be represented by a legal practitioner. If the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai intends to be represented by a legal practitioner, not less than seven days' notice of such intention shall be given to the Registrar.

75. At the hearing, the Registrar or other person appointed by the Council for the purpose shall first state to the Council the facts of the case and the charge made against the nurse, midwife, the auxiliary nurse-midwife, the health visitor or dhai, and shall then submit to the Council the evidence, received in support of the charge and the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai, or his representative shall be invited by the President to address the Council and to tender evidence in answer to the charge and the Registrar or other person appointed by the council for the purpose shall be entitled to cross-examine any witness on any evidence tendered in answer to the charge and to reply on the whole case after the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai or his representative has replied. The nurse, midwife, auxiliary nurse-midwife, health visitor or dhai shall also be entitled to cross-examine any witness produced in support to the charge in the same way as the Registrar or other person appointed by the Council is entitled to cross-examine a witness produced by the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai.

76. If the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai, as the case may be does not attend either in person or by a representative, the Council may proceed to hear and determine the case in his absence; or if satisfied with the validity of the grounds of his absence, may postpone the hearing to a later date.

77. Upon the conclusion of the case, the council shall after considering the evidence, whether oral or documentary, pronounce its decision forthwith or on a later date in writing or at a subsequent meeting.

78. If the Council finds the charge against the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai to be proved either wholly or in part, it may refuse to include his name in the register or may remove his name from the register permanently or for such period as it thinks fit.

79. The Registrar shall forthwith communicate the decision of the Council to the nurse, midwife, auxiliary nurse-midwife, health visitor or dhai, as the case may be, by registered letter with acknowledgement due addressed to the last known address of such person.

80. In the case of the temporary removal of such name from the register, the Registrar shall delete the name from the register on which it is included, and during the period of such temporary removal shall retain with him the certificate and badge, if any. In the case of permanent removal, the Registrar shall delete the name of such person from the register in which it is included and cancel the certificate and retain the badge, if any

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81. (1) A nurse, midwife, auxiliary nurse-midwife, health visitor or dhai may apply for removal of his name from the register. Every such application shall bear evidence that it is being made at the applicant's own request and free will and shall be signed by the applicant and being accompanied by a declaration made by the applicant in the presence of two witnesses who shall be either First Class Magistrates or Gazetted Officers or qualified registered Medical Practitioners and who are willing to identify the applicant and to give evidence as to his character and who shall state explicitly whether or not they are aware of any proceedings which might result in establishing any cause for the removal of the applicant's name from the register without his consent or of depriving him without his consent of any qualification or diploma or certificate he may be holding which entitled him to be registered under these rules. Every such application

shall also be accompanied by the certificate of registration and badge, if any, of the applicant.
(2) The Registrar shall bring such application together with the documents in support thereof to the next meeting of the Council, at which the application and any objection there to shall be considered. The Council shall then consider whether there is any valid objection to such removal and if it finds no valid objection thereto shall remove the applicant's name from the register.
(3) The Registrar shall, upon the removal of the applicant's name from the register send notice of such removal to the applicant by registered letter addressed to his last known address.
82. (1) When the name of a nurse, midwife, auxiliary nurse-midwife, health visitor or dhai has been removed from the Register temporarily for a specified period under the foregoing rules, any application for the restoration of the name of such nurse, midwife, auxiliary nurse-midwife, health visitor or dhai before or after the expiry of the term of any temporary removal shall be made in writing addressed to the Registrar and signed by the applicant stating the grounds on which the application is made.
(2) The application shall contain the names and addresses of two or more persons, of whom two shall be either First Class Magistrates, or Gazetted Officers or qualified registered medical practitioners or registered nurses, registered midwives, registered auxiliary nurse-midwives or registered health visitors able and willing to identify the applicant and to give evidence as to his character and the nature of his employment, both before and since the date of the removal of his name from the register and such other information as may be required.
(3) The Council may require the applicant to verify by an affidavit or declaration on oath before a First Class Magistrate, the statement made in his application or any further statements which it thinks necessary and may, if it thinks fit, require the applicant to attend in person at a meeting of the council at which the matter is to be considered.
(4) If upon consideration of the application and of the evidence furnished in support of it, the Council is satisfied that the name of the applicant should be restored to the register, it may direct the Registrar accordingly and upon payment by the applicant of the prescribed fee his name shall be restored to the register and his certificate together with a badge if any, shall be returned to him. The Registrar shall note in the certificate, the dates of removal and re-entry and the section under which the removal has been made.

Recognition of institutions for training Nurses, Midwives, Auxiliary Nurse-Midwives, Health visitors

83. (1) The Council shall from time to time, approve and recognise institutions which in its opinion are competent to train nurses, midwives, auxiliary nurse-midwives, health visitors and to grant degrees, diplomas, or certificate to them for the purpose of admission to the register under these rules and report the fact to the Government.
(2) For purposes of recognition of a training institution under sub-rule (1) the institutions should stratify the conditions specified in the regulations made by the council under section 36 for training and examination of nurses, midwives, auxiliary nurse-midwives and health visitors.
(3) Every training institution shall provide full facilities for inspection by the representative of the Council if and when so directed by the council.
(4) Every training institution that seeks recognition by the Council shall furnish in advance a sum of one hundred rupees per member of the Inspection Commission for every inspection. This amount shall be remitted to the Registrar in cash before the sending of such commission.

Withdrawal of approval and recognition of institution

84. If on the report of its representative, the Council is of opinion that the training in an approved and recognised institution is not being properly carried on or that the authorities of the institutions have not carried out the directions and the suggestions, if any, of the Council or in the opinion of the Council the institution is not fit to be continued as a recognised one, the Council may withdraw its recognition and report the fact to the Government. Such institution shall not be approved and recognised again unless and until the Council is satisfied that the training at such institution will be properly carried on in future. The order of withdrawal shall be served by registered post.

Fee to be paid in respect of appeals

85. (a) The fee to be paid in respect of an appeal under section 24 shall be Rupees ten.

(b) The fee to be paid in respect of an appeal under section 27 shall be Rupees fifty.

(c) The Government shall have power to call for such documentary or oral evidence as may be considered necessary by them for the purpose of deciding the appeal.

(d) The date fixed for hearing of the appeal by the Government shall be intimated to the appellant and the Council. The appellant shall also be allowed, if he so chooses, to represent his case before the Government either by himself or by his advocate. The Council shall also be allowed to represent themselves before the Government either by the President or a representative of the Council of the Registrar, with the legal advisor, if any, of the Council.

Application of funds

86. There shall be a fund for the Council, called the "Kerala Nurses and Midwives Councils Fund" (hereinafter referred to as the fund).

87. All fees and other payments received under the provisions of the Act, or rules or regulations issued there under shall constitute the fund and all expenditure shall be met from the fund.

88. The fund shall be lodged in a Scheduled Bank in a personal deposit account in the name of the Council and shall be operated by the Registrar on behalf of the Council. All orders of cheques against the fund shall be signed by the Registrar.

89. Every year, in the month of January, the Registrar shall prepare a budget showing the probable receipts and expenditure of the Council for the ensuing financial year and submit the same to the Council for sanction. The budget estimate sanctioned by the Council shall be forwarded to the Government for their approval not later than the 1st March in every year. The budget estimate shall make provision for the fulfilment of the liabilities of the Council and for effectively carrying out its objects. At any time during a year for which an estimate has been sanctioned, the Council may cause to prepare and submit to the Government for sanction a supplementary estimate providing for any modifications which they may deem advisable and necessary to make in the distribution of the amount to be raised and expended during that year.

90. In cases of emergency the Registrar may incur expenditure in excess of the budget sanctioned for any one head, of savings to the extent of the excess expenditure incurred are available under other heads to balance the budget. The expenditure so incurred in excess of the budget allotment shall be reported immediately to the Council for sanction and to the Government.

91. For all moneys received on behalf of the Council receipts in Form I in Appendix III shall be given by the Registrar or by the person authorised by him in that behalf.

92. All moneys received shall, as soon as received, be entered in a register of receipts maintained for the purpose in Form II in Appendix III. The daily totals of the receipts shall be struck in the register of receipts and carried over to the appropriate columns in the cash book.

93. No money received on behalf of the Council shall be utilised for its expenditure without first being remitted into the bank.

94. Remittance in to the bank shall be made daily or weekly as may be decided by the Registrar and that all the moneys in hand on the day of remittance shall be remitted in full, and that in case weekly remittance is declared remittance shall nevertheless be made as and when the cash on hand at any time exceeds Rupees on hundred.
95. The Registrar shall examine the pass book from time to time and in any case at least once a week and shall immediately call the attention of the bank to any discrepancy that may appear between the credit and debits as shown therein and those shown in the books of the office of the Council.
96. The cash book shall be in Form III in Appendix III. The daily totals of the register of receipts and register of payments shall be carried over to the cash book.
97. The cash book shall be balanced at the close of every month and signed by the Registrar in token of the correctness of every entry made thereon. The balance worked out in the cash book shall agree with the balance shown in the bank pass book of the council as shown under.
<p>Bank balance.....</p> <p>Imprest</p> <p>Add: 1. Unremitted balance in hand.....</p> <p>2. Uncredited draft/cheque.....</p> <p>Deduct Uncashedcheque.....</p> <p>Balance as per cash book.....</p>

Expenditure

98. The following shall be authorised expenditure of the Council:--
(1) The fees and other allowances payable to the President and members of the Council.
(2) Pay and allowances of the Registrar and other officers and servants.
(3) Election expenses, if any,
(4) Office rent.
(5) Legal expenses, if any.
(6) Expenses on account of Inspection of teaching Institutions.
(7) Contingencies
(8) Purchase and repair of furniture, etc.
(9) Any other item of expenditure which may be necessary to carry out the provisions of the Act.
99. All payments out of the fund in respect of the bills presented to the Council shall be made only after the bills are passed by the Registrar.
100. All payments to the members of the Council, examines etc., and all payments amounting the rupees fifteen and above shall be made only by cheques drawn on the bank in which the funds of the Council are lodged. The cheques shall be in favour of the person to whom the money is to be paid. But payment on account of pay and allowances to the Council’s employees shall be made by self cheques drawn by the Registrar, the amount as drawn being disbursed on obtaining acquaintances. They pay and allowances of the Registrar may be drawn by the Registrar by self cheques.

101. Every payment made either in cash or by cheque shall be supported by a voucher duly receipted, stamped if necessary and signed by the person to whom the money is due and to whom it has actually been paid.
102. Every item of expenditure shall be entered in a bill prescribed the Government in the respective codes.
103. All bills and vouchers that have been paid shall be numbered consecutively for a month in the order of payment and shall be stamped 'paid' or 'Cancelled' as the case may be and filled carefully for check and audit.
104. Sub-vouchers for payments made out of the Office imprest shall be filled separately and shall be attached to the respective contingent bills drawn for recoupment of imprest.
105. The payment as per each voucher shall be entered in the Register of payments in Form IV in Appendix III.
106. The daily totals of the payments shall be struck in the Register of payments and carried over to the appropriate column in the cash book.
107. The Council may authorise the Registrar to retain a sum of one hundred rupees as imprest to meet petty expenditure. All claims below rupees fifteen shall be paid from the imprest and all payments from the imprest shall be entered in an imprest register in Form V in Appendix III.
108. The imprest amount may be recouped whenever necessary by drawing a contingent bill for the expenditure met from the imprest since last recoupment. The total expenditure as per the contingent bill so drawn shall be classified head war and posted in the payment register.
109. No expenditure exceeding one hundred rupees shall be incurred and no articles the value of which exceeds one hundred rupees shall be purchased without the previous sanction of the Council. Previous sanction of the Government shall be obtained for all expenditure exceeding five hundred rupees.
110. The Registrar shall prepare all statement showing the receipts and expenditure of the Council every month in Form VI in Appendix III and shall submit the same to the Council for their approval before the end of the succeeding month.
111. A stock Register of all articles and properties of the council shall be maintained by the Registrar and shall be checked by the Registrar once in six months.
112. The accounts of receipts and expenditure of the Council shall be audited by the Examiner and the staff of the Local Fund Audit Department (hereinafter referred to as the auditors). The Registrar shall submit the accounts to the auditors when required by them.
113. The auditors may—
(a) by summons in writings require the production of any document, the perusal or examination of which they believe to be necessary for the elucidation of accounts;
(b) by summons in writing require any person having the custody or control of any such document to appear before them;
(c) require any person so appearing to make and sign a declaration with respect to such document or answer any question or to prepare and furnish any statement. relating thereto
114. The auditors shall submit to the Council a statement of audit of the accounts of the Council for a year, or of such other period as may be required by the Government and a duplicate copy thereof to the Government within such period as may be fixed by the Government.
115. The audit report shall specify all cases of irregular, illegal or improper expenditure; of failure to recover money or other property due to the fund, or loss or waste of money or other property thereof

caused by neglect or misconduct.

116. The auditors shall also report on any other matter relating to the account as may be necessary or on which the Government may require them to report.

117. The registrar shall forthwith remedy any defect or irregularity that may be pointed out by the auditors and report the same to the Council and to the Examiner, Local Fund Audit Department.

Fees and Allowances payable to the President, Vice-President and Members.

118. The non-official members of the Council, shall be paid T.A. and D.A. at the rates admissible to Second Grade Officers of the Governments.

119. Official members of the Council, will be paid T.A and D.A admissible to them under the Kerala Service Rules.

120. All non-official members of the Council, who are residing at a distance not exceeding 8km from the Office shall be paid D.A at the rates admissible to Second Grade Officers of the Government.

121. The T.A. shall be claimed in Gazetted Officers T.A. Bill Form and the Bill shall be countersigned by the Registrar.

Salary and allowances of Registrar

122. The Registrar shall receive such salary and allowances as are sanctioned to him by the Government from time to time. He shall be eligible to draw T.A. at the rates admissible under part II of the Kerala Service Rules.

123. The Registrar may require any employee of the Council to furnish such seniority as may be decided by the Council for the due performance of his duties.

Appendix—I

FORM I

(see rule 3)

REGISTER SHOWING PARTICULARS OF THE

MEMBERS OF THE COUNCIL

1. Name
2. Permanent address with Revenue District
3. Whether nominated or elected, and in the case of elected members by whom elected
4. Tenure
5. Date of commencement of tenure of Office
6. Date on which the tenure of Office will expire in the ordinary course.
7. If the appointment terminates before the due date mentioned in column 6, the date and reason for such earlier termination.

Appendix—1

FORM II

(See rule 9)

NOMINATION PAPER

1. Name of candidate
2. Registration Certificate Number and Part
3. Address
4. Name and address of proposer and his Registration Certificate Number and Part
5. Signature of Proposer
6. Name and address of the Seconder and his Registration Certificate Number and Part
7. Signature of Seconder

I “declare that I am willing to stand for election”

Signature of candidate

Nomination papers which are not received by the Returning Officer before the
.....will be rejected.

Appendix—I

FORM III

(See rule 15)

VOTING PAPER

Election to to the Kerala Nurses and Midwives Council under
clause.....of sub-section of Section
..... of the Nurses and Midwives Act, 1953.

<i>Serial number</i>	<i>Name of candidates duly nominated and address</i>	<i>Vote</i>
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Returning officer

Instructions:--

1. The number of vacancies to be filled in is.....
2. Please cross mark thus “X” against the name of the candidates (or each of the candidate) for whom you wish to vote.
3. A voting paper will be invalid if---
 - (a) It does not bear the Returning Officer’s initial or facsimile signature; or
 - (b) a voter signs his name or writes words or makes any mark on it, by which it becomes recognisable; or
 - (c) no vote is recorded thereon; or
 - (d) the number of votes recorded therein exceeds the number of vacancies to be filled; or
 - (e) it is void for uncertainty of one or more votes exercised.

Appendix—I

FORM IV

(See rule 16)

LETTER OF INTIMATION

Sir/Madam,

1. The persons whose names are printed on the voting paper, sent herewith, have been duly nominated as candidates for election to the Kerala Nurses and Midwives Council. Should you desire to vote at the election, I have to request that you will—
 - (a) fill up and sign the declaration paper,
 - (b) mark your vote, in the column provided for the purpose in the voting paper, as directed on the voting paper,
 - (c) enclose the voting paper in the voting paper cover stick it up and return enclosing the same in the outer envelope addressed to me by registered G.1853. post so as to reach me not later thanp.m on the or deposit or cause to be deposited the envelope addressed to me in the ballot box provided for the purpose at the office of the Returning Officer between.....
..... (time), on working days up to (date)
.....

Note:-- Every elector should send the cover containing his or her election papers by registered post

individually if the same cannot be deposited in the ballot box on the above date.

2. Voting paper will be rejected, if
 - (a) the outer envelope enclosing the voting paper cover is not sent by registered post or it is received later than the hour fixed for the closing of the poll or it is not deposited in the ballot box at the office of the Returning Officer on the date and between the hours fixed; or
 - (b) the outer envelope contains no declaration paper outside the smaller cover; or
 - (c) the voting paper is not enclosed in the voting cover; or
 - (d) the declaration paper is not the one sent by the Returning Officer to the voter; or
 - (e) more than one declaration paper or cover containing voting paper have been enclosed in one and the same envelope; or
 - (f) the declaration is not in order; or
 - (g) the voting paper is invalid.
3. A voting paper will be invalid, if
 - I. it does not bear the Returning Officer's initials or facsimile signature; or
 - II. a voter signs his name or writes any word or makes any mark by which it becomes recognisable, or
 - III. no votes is recorded thereon; or
 - IV. the number of vote recorded therein exceeds the number of vacancies to be filled in or,
 - V. it is void for uncertainty of one or more votes exercised.
4. Declaration papers need not be attested but in the case of a voter who is incapacitated from blindness or other physical cause from voting in the manner prescribed, it shall be competent for him to record his vote by the hand of any of the following persons:--
Magistrates (as defined in the Code of Criminal Procedure), District Munsiffs and District Registrars.
Such persons shall on the declaration paper, certify the incapacity and attest the fact of his having been requested by the voter to mark the voting paper for him and of its having been so marked by him in the presence of the voter.
5. If a voter inadvertently spoils a voting paper, he can return it to the Returning Officer who will, if satisfied of such inadvertence, issue to him another voting paper.
6. The scrutiny and counting of votes will begin at (time) on
.....(date).....(date).....
7. No person shall be present at the scrutiny except the Returning Officer and such persons as the Returning Officer may appoint to assist him and the candidates and not more than one representative of each candidate duly authorised by him in writing.

Returning Officer.

Office of the Registrar,
Kerala Nurses and midwives council,
Trivandrum.

Appendix—I
FORM V
(See rule 16)
DECLARATION PAPER

Election to the Kerala Nurses and Midwives Council under sub-section
.....of Section of the Nurses and
Midwives Act, 1953.

(Member)

Serial Number.....

Elector's Name.....
Father's Name.....
Registration Certificate Number and Part.....
Elector's Declaration.

I,..... (Name in full and designation)
declare that I am an elector for the election of a Member to the Kerala Nurses and Midwives Council by
the Registered Nurses and Midwives under clause of sub-section
..... of Section..... of the Nurses
and Midwives Act, 1953, and have signed no other voting paper at the election.

Signature :

Address:

Station :

Date :

Appendix—II
FORM I
(See Rule 52)
REGISTER OF NURSES

1. Serial No.
2. Regd. No.
3. Name
4. Date of birth
5. Place of birth
6. Father's (Guardian) name
7. Name of Training institution attended with date
8. Name and year of qualification and the authority which granted the qualification
9. Date of Registration
10. Whether registered with any other council; if so the name of that council, date of registration and registration number
11. Permanent postal address with Revenue District
12. Present postal address with Revenue District
13. Remarks.

Appendix II
FORM II
(See Rule 54)

1. REGISTER OF MIDWIVES
Serial No.
2. Regd. No.
3. Name
4. Date of Birth
5. Place of birth
6. Father's (Guardian) name
7. Name of training institution attended with date
8. Name and year of qualification and the authority which granted the qualification
9. Date of registration
10. Whether registered with any other Council; if so the name of that council, date of registration and

registration number

11. Permanent postal address with Revenue District
12. Present postal address with Revenue District
13. Remarks.

Appendix II
FORM III
(See Rule 56)

1. REGISTER OF DHAIS

- Serial No.
2. Regd. No.
3. Name
4. Date of birth
5. Place of birth
6. Father's (Guardian) name
7. Name of training institution attended with date
8. Name and year of qualification and the authority which granted the qualification
9. Date of registration
10. Whether registered with any other council; if so the name of that council; date of registration and registration number
11. Permanent postal address with Revenue District
12. Present postal address with Revenue District
13. Remarks.

Appendix II
FORM IV
(See Rule 57)

REGISTER OF AUXILIARY NURSE-MIDWIVES

1. Serial No.
2. Regd. No.
3. Name
4. Date of birth
5. Place of birth
6. Father's (Guardian) name
7. Name of training institution attended with date
8. Name and year of qualification and the authority which granted the qualification
9. Date of registration
10. Whether registered with any other council; if so the name of that council, date of registration and registration number
11. Permanent postal address with Revenue District
12. Present postal address with Revenue District
13. Remarks.

Appendix II
FORM V
(See Rule 58)
REGISTER OF HEALTH VISITORS

1. Serial No.
2. Regd. No.
3. Name
4. Date of birth
5. Place of birth
6. Father's (Guardian) name
7. Name of training institution attended with date
8. Name and year of qualification and the authority which granted the qualification
9. Date of registration
10. Whether registered with any other council; if so the name of that council, date of registration and registration number
11. Permanent postal address with Revenue District
12. Present postal address with Revenue District
13. Remarks.

Appendix II
FORM VI
(See Rule 59)
APPLICATION FOR REGISTRATION
KERALA NURSES AND MIDWIVES COUNCIL

1. Name and present postal address of the applicant with Revenue District (in Block letters)
2. Name and permanent postal address of the applicant with Revenue District (in Block letters)
3. The full signification of the initial (s) (if any) which stand with the name (in Block letters)
4. Date of birth in words and figures (Christian Era)
5. Place of birth (in Block letters)
6. Nationality
7. Sex
8. Whether married or single
9. Name of father or guardian (in Block letters)
10. State whether the application is for registration as Nurse, Midwife, Auxiliary Nurse, Midwife or Health Visitor.
11. Name (s) of the training institution (s) attended with date(s)
12. Name and year of qualification for which registration is required and name of the authority which granted the qualification (original documents to be enclosed)
13. Whether registered with any other council (if so give the name of the council, Regn.No., and date of registration)
14. Particulars regarding the remittance of registration fee, Amount, date of receipt and place of remittance (Receipt in original to be enclosed)
15. General educational qualification
16. Permanent bodily marks
17. Any remarks.

DECLARATION

I(name in full) hereby declare that the statements made in the form are true to the best of my knowledge and belief and that I am free from the disqualifications mentioned in section 6 of the Nurses and Midwives Act, 1953, as amended and I promise in the event of my being registered and on consideration thereof to be bound by and to conform in all respects to the rules, regulations etc., framed by the council from time to time in force.

Signature

Station :
Date

Appendix—II
FORM VII
(See rule 59(2))

CERTIFICATE OF THREE YEARS PRACTICE
REFERRED TO IN CLAUSE (ii) OF SUB-SECTION (1) OF SECTION 20

On the basis of records in this Office/after due enquiries it is seen that.....
..... has been practising as nurses/midwife at the following places.

Place	Period
1.	
2.	
3.	
Full name and address of the nurse/midwife	
Name of father or guardian	
Age and date of birth	
Other occupation if any	
Personal marks.	
I.	
II.	
Tahsildar/Qualified Registered Medical Practitioner with Reg.No.	

Appendix—II
FORM VIII
(See Rule 64)

REGISTRATION CERTIFICATE
KERALA NURSES AND MIDWIVES COUNCIL

This is to certified that (Name in full)
..taken a course of
training at (Name of training school)
..... from
.....to
.....has passed the examination for (Nurses / Midwives, etc.)
conducted by (Name of examination board)
.....
..... on
Date Part

..... of the Register maintained under the provisions of the Nurses and Midwives Act, 1953, as amended, as a registered (Nurse/Midwife, etc.)
.....

The number assigned to him/her in the Register is
dated theday of19.....

(Seal)

Registrar

Appendix—II
FORM IX
(See Rule 73)

.....
.....
..... To take notice that the charge or charges against
.....which are set forth below has/have been
brought to the notice of the Council and that the Council proposes to investigate such charge
(s) at a meeting to be held at the office of the Council at on
the day of19 at
.....a.m/p.m and to determine whether your name should be
removed from the register.

Particulars of charge (s)

You are hereby required to attend before the Council at the time and place mentioned above and to answer such charge (s) bringing with you all papers and documents in your possession relevant to the matter and any person whose evidence you wish to lay before the Council.

The following points should be carefully noted :-

- (a) You are entitled to be represented at the hearing before the Council a legal practitioner but if you propose to employ a legal practitioner, you must give written notice to the Registrar at the address mentioned above at least seven days before the hearing.
- (b) It is imperative that you should either send to the Registrar before the date fixed for the hearing or bring with you to the hearing your certificate and badge.

A copy of the Kerala Nurses and Midwives Rules is enclosed and your attention is drawn to rules of the said rules.

Date:

Registrar of the Council

Appendix—III
FORM I
(See Rule 91)
KERALA NURSES AND MIDWIVES COUNCIL
RECEIPT

Bk.No.
Name and address of party
On what account
Amount

Rt.No

G.1853

Signature

Appendix—III
FORM II
(See Rule 92)
REGISTER OF RECEIPTS OF KERALA NURSES AND MIDWIVES COUNCIL

Date	Receipt No.	From whom	Head of account	Total of each Receipt	Daily total carried over to cash book
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Appendix—III
FORM III
(See Rule 96)
CASH BOOK

Receipt				Payment			
Date	Particulars as per register of receipt	Amount	Head of account	Date	Particulars as per payment register	Amount	Head of account

Total for the month

Opening balance

Grand total

Total for the month

Closing balance

Appendix—III
FORM IV
(See Rule 105)
REGISTER OF PAYMENTS

Date	Sl.No.of Vr.	No. of cheque by which paid	To whom paid	Head of account	Total of each Vr.	Daily total carried to each book
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Appendix—III
FORM V
(See Rule 107)
IMPREST REGISTER

Date	Sl.No. of Vr.	To whom paid	Particulars of payment	Amount	Remarks
------	---------------	--------------	------------------------	--------	---------

Total
Balance
Drawn from Bank as per cheque No. Dated
Cont.Bill No.
Total

Appendix—III
FORM VI
(See Rule 110)
CLASSIFIED ABSTRACT OF RECEIPTS AND EXPENDITURE OF
KERALA NURSES AND MIDWIVES COUNCIL

Receipts			Expenditure		
Head of account with budget estimate	Total receipts during the month	Total including receipts of previous month	Head of accounts with budget estimate	Total expenditure during the month	Total including expenditure of previous months
Total for the month Opening Balance Grand Total			Total expenditure for the month Closing Balance Details of closing balance Imprest Unremitted balance in hand Balance in Bank as per Pass Book Total Deduct uncashed cheque Balance Details of uncashed cheques Cheque No. And the date Amount		

By order of the Governor,

K.P.Viswanathan Nair,

Secretary.

