

[Authoritative English Test of this Department Notification No. HFW – B (A)2-2/2001-II, dated 23-11-2011 as required under clause (3) of Article 348 of the constitution of India.]

HEALTH AND FAMILY WELFARE DEPARTMENT

NOTIFICATION

Shimla-2, the 23rd November, 2011

No. HFW-B (A)2-2/2001-II.-Whereas the draft rules titled as the Himachal Pradesh Medical Council (Fee) Rules, 2011 were published in the Rajpatra, Himachal Pradesh (Extra-Ordinary) on 11-9-2007 vide notification of even number dated 16-8-2007 for inviting objections and suggestions from person likely to be affected thereby as required under section-31 of the Himachal Pradesh Medical Council Act, 2003, within a period of 30 days from the date of publications;

And, whereas no objection/suggestion has been received in this behalf from general public on the said draft rules during the stipulated period;

Now, therefore, in exercise of the powers conferred by section-31 of the Himachal Pradesh Medical Council Act, 2003, the Governor of Himachal Pradesh is pleased to make the following rules, namely:

RULES

1. Short title and commencement-(1) These rules may be called the Himachal Pradesh Medical Council (Fees) Rules, 2011

2) They shall come into force on the date of their publication in the Rajpatra, Himachal Pradesh.

2. Definitions- (1) In these rules, unless there is anything repugnant in the subject or context,

(a) "Act" means the Himachal Pradesh, Medical Council Act, 2003 (Act No. 16 of 2003)

(b) "Annexure" means the annexure annexed to these rules;

(c) "Council" means the Himachal Pradesh Medical Council constituted under section 3 of the Act;

(d) "Prescribed fee" means fee chargeable by the Council and prescribed in these rules,

(e) "Register" means the register of fees to be maintained under sub-rule (3) of rule 3 of these rules;

(f) "Registrar" means the Registrar of the Council to be appointed under sub-section (1) section 14 of the Act;

(g) "Schedule of Fees" means Schedule of fees specified under sub-rule (1) of rule 3 of these rules;

(h) "Section" means a section of the Act; and

(i) "State Government" means the Government of Himachal Pradesh.

(2) The terms and expressions used herein and not defined in these rules, but defined in the Act, shall have same meanings respectively as assigned to them under the Act.

3. Fees.-(1) Every application to the Council shall be made alongwith payment of appropriate fees specified in the Schedule of Fees given in Annexure “A” to these rules.

(2) The fees payable to the Council, as prescribed in these rules, shall be paid by means of a Bank Draft or Pay Order drawn in favour of the Registrar, Himachal Pradesh State Medical Council, payable at Shimla.

(3) The fees payable to the Council shall be received by the Registrar, or any other employee of the Council authorized by him in writing in this behalf, on behalf of the Council and shall be deposited on the same day, or the day following that on which these are received, in a Bank account to be maintained by the Council at such Bank and in such Branches as the Council may direct from time to time and receipt in the Form as given in Annexure “B” shall be given by the Registrar or the employee receiving the fees, as the case may be, in lieu of having received the fees, and shall be entered in the register prescribed for the purpose in the Form in Annexure “C” to these Rules.

(4) Unless there is anything repugnant in the rules framed by the State Government in this behalf the Council shall, whenever it considers necessary, utilize the fees deposited in the Bank account under sub-rule (3) for meeting the expenses of the Council under the Act.

4. Refund. -Amounts received by the Council towards fees shall not be refunded under any circumstances. The amounts thus received shall remain credited to the account of the Council:

Provided that any amount paid by a petitioner in excess of the prescribed fees shall be credited to the suspense account of the Council and may be refunded if claimed within a period of three years and if no claim for refund is made within the aforesaid period the amount shall be credited to the account of the Council.

ANNEXURE-A

[See rule 3 (1)]

SCHEDULE OF FEES

Sr.No.	Nature of application	Statutory provisions	<u>Fees (in rupees)</u>	Remarks
1.	For registration	Sections 15, 16 and 31 (2) (h) read with sub rule (1) and (3) of registration rules.	<u>Fees</u>	
2.	For provisional Registration.	Sections 18 and 31 (2) (i) read with rule 4 of registration rules.		
3.	For Entering Each additional qualifications.	Section 19 (5) and 31 (2) (j) Read with rule 8 of registration rules.		
4.	For recording Change of name in the register.	Section 19 (4), 31 (2) G) read with rule 7 of the registration rules.		
5.	For issuance of duplicate certificate of	Section 19 (6) and 31 (2) (j) Read with rule 15 of the Registration rules.		

	registration /provisional registration			
6.	For issuance of a Certified copy of an entry in the register.	Section 20 (4) (proviso) read with rule 16 of the registration rules.		
7.	For renewal of Registration.	Section 23 (2) and 31 (2) (m) read with rule 3 (3), rule 9 and rule 10 of the registration rules.		
8.	Fees for restoration of registration in the Register of medical Practitioners.	Section 22 (2) and 31 (2) (l) and (m) read with rule 13 of the Registration rules.		
9.	Late fee for non-registration (non-refundable fees) - (a) up to period of Six months from the date from which registration was due; (b) for period more than six Months But Before 1 year; (c) for period more than 1 year	Section 31 (1)		
10.	Late fees for non-renewal of registration, (non-refundable fees)- (a) up to Six months from the date from which the registration is due for renewal (b) for period more than six Months, but up to one year. c) for period more than one year.	Section 31 (1)		
11.	For issue of No Objection Certificate.	Rule 13 of the registration rules.		
12.	For supply of certified copies Of Documents/ Orders passed by the Registrar, Council or the	Rule 16 of the registration rules		Irrespective of number Of Words/ lines in a Page.

	Executive Committee- (a) if required in due course (b) if urgently Required.			
13.	For Filing an Appeal to the Council Against the order of the Registrar (a) if the appeal is against the order Passed Against the applicant; (b) if the appeal is against the order passed Against any person other than the applicant.	Section 24 read with rule 47 of the general rules.		

Note:- For the purposes of this Schedule,-

(a) "Registration rules" mean the Himachal Pradesh Medical Council (Registration) Rules, 2011.

(b) "Election rules" mean the Himachal Pradesh Medical Council (Election) Rules, 2011.

(c) "General rules" means the Himachal Pradesh Medical Council (General) Rules, 2011.

ANNEXURE-B

[See rule 3 (3)]

<p>RECEIPT</p> <p style="text-align: center;">HIMACHAL PRADESH STATE MEDICAL COUNCIL.</p> <p>Book No. _____</p> <p>Serial No. _____ Dated: _____</p> <p>Received from Shri /Shrimati.....the sum of Rs.....(Rupees.....)</p> <p>On account of.....</p> <p>In cash/through pay order/DD.....</p> <p style="text-align: right;">Registrar</p>	<p>RECEIPT</p> <p style="text-align: center;">HIMACHAL PRADESH STATE MEDICAL COUNCIL.</p> <p>Book No. _____</p> <p>Serial No. _____ Dated: _____</p> <p>Received from Shri /Shrimati.....the sum of Rs.....(Rupees.....)</p> <p>On account of.....</p> <p>In cash/through pay order/DD.....</p> <p style="text-align: right;">Registrar</p>
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ANNEXURE-C

[See rule 3 (3)]

HIMACHAL PRADESH STATE MEDICAL COUNCIL REGISTER OF FEES

Sr. No.	Appli - cation No.	Name of Person Remitting Demand/ Draft/pay Order	Purpose Of Remittance Of Demand Draft/ Pay Order	No. & Date of Demand Draft/ Pay order	Particulars Of Demand Draft/pay/ Order amount	Name Of the Bank	Name & Initials Of Clerk Making entry	Name & Initials Of the officials To whom Demand Draft/Pay Order has been passed	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.

By order,

Sd /-

Secretary (Health).