

 सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
	साअधिकार प्रकाशित	<i>Published by Authority</i>
	आषाढ़ 18, मंगलवार शाके 1941-जुलाई 9, 2019 <i>Asadha 18, Tuesday, Saka 1941-July 9, 2019</i>	

भाग 4 (ग)

उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम

Department of Ayurved & Indian System of Medicine
Notification

Jaipur, July 02, 2019

G.S.R.8 :- In exercise of the powers conferred by sub-section (1) and (2) of section 42 of the Rajasthan Ayurved Nursing Council Act, 2012 (Act No. 17 of 2012), the State Government hereby makes the following rules for the purpose of carrying out the provisions of the said Act, namely:-

Part- I
Preliminary

1. Short title and commencement.- (1) These rules may be called the Rajasthan Ayurved Nursing Council Rules, 2018.

(2) They shall come into force with immediate effect.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

- “Act”** means the Rajasthan Ayurved Nursing Council Act, 2012 (Act No. 17 of 2012);
- “Fees”** means any fees determined and chargeable by the Rajasthan Ayurved Nursing Council;
- “Form”** means Form appended to these rules;
- “Government”** means the Government of Rajasthan;
- “Register”** means the Register of the Ayurved Nursing Professionals maintained by the Council under section 16 of the Act;
- “Returning Officer”** means any officer appointed by the Government for the purpose of an election under section 4 and 5 of the Act;
- “Registered Ayurved Nursing Professional”** means any person registered by the Rajasthan Ayurved Nursing Council under section 17 or 32 of the Act;
- “Section”** means a section of the Act; and
- “State”** Means the state of Rajasthan.

(2) Words and expressions used but not defined in these rules but defined in the Act shall have the same meaning as assigned to them in the Act.

Part- II

Election of Members

3. Appointment of Returning Officer.- For the purpose of the election to the offices of the President, Vice-President and members, the State Government shall appoint any officer of the Rajasthan Administrative Service as a Returning Officer. The Returning Officer shall be appointed not later than sixty days before the completion of the term of existing, President, Vice-President and members.

4. Notice for election.- (1) The Returning Officer shall issue a notice calling upon the registered Ayurved Nursing Professional of the State to elect the requisite number of members to the Council under clause (a) and teachers of the recognized institutions under clause (c) of section 4 and shall by such notice, fix a programme and time schedule for the various stages according to which the election shall be held, specifying, in particular of the following:-

- (a) First date, time and place of receiving nomination papers;
- (b) Last date, time and place of receiving nomination papers;
- (c) Date, time and place scrutiny of nomination papers;
- (d) Last date and time for withdrawal of nomination;
- (e) Last date and time for receiving ballot papers in case of polling, i.e. if the number of candidates, who have filed their nomination papers, exceeds the number of seats for which the election is to be held; and
- (f) Date, time and place for counting of ballot papers.

(2) The above notice shall be published in one state level Hindi news paper and affixed on the notice board of the Council and also uploaded on the official website of the Council.

5. Time of Publication of Notice.- The Notice for election shall be published at least fifteen days before the first date for receiving nomination papers.

6. Electoral Roll.- (1) The Electoral Roll shall consist of,-

- (i) where the election is under clause (a) of section 4, the list of registered Ayurved Nursing Professionals in all its parts, as printed and published under section 27 corrected upto the date immediately preceding the day on which notice for election is published.
- (ii) where the election is under clause (c) of section 4, the list of teachers of the institutions recognized by the Council. Every recognized institutions shall intimate to the Registrar of the Council the names of the teachers and their contact information on roll of the institution at the beginning of the academic session every year within seven days of beginning of the academic session. The registrar shall hand over consolidated list of all the list, so received, to the Returning on the day on which notice for election is published.

(2) Copies of the Electoral Roll shall be made available to any person who desires to obtain copies on payment of a fee of rupees ten per page.

(3) A person whose name is not borne in the Electoral Roll shall not be entitled to participate in the election.

7. Nomination Paper.- (1) Every nomination for election of member shall be made in Form-A. Every nomination paper shall be duly filled in and signed by the two proposers and candidate.

(2) Proposers shall be persons whose names are in the Electoral Roll.

(3) A proposer may propose more than one candidate. A separate nomination paper should be used for each candidate proposed.

(4) A Demand Draft of rupees 3000/- (rupees three thousand), in favor of the Registrar, Rajasthan Ayurved Nursing Council, shall be enclosed with every nomination paper as security money. The security money shall be forfeited in favour of the Rajasthan Ayurved Nursing Council, if the contesting candidate gets less than 10% of the total votes casted.

(5) Every candidate filing nomination shall be required to submit an affidavit to the regarding details of criminal cases in which he/she is convicted and or pending against him/her in any court.

(6) The Returning Officer shall issue a receipt of every nomination paper received by him stating time and date of receipt such nomination paper.

(7) Nomination form shall be issued by the Returning Officer on payment of rupees one hundred and record of such nomination papers shall be kept serial wise.

(8) A candidate can fill not more than two set of nomination paper.

8. Scrutiny of Nomination papers.- (1) On the date and at the time as fixed for the scrutiny of nomination papers, by the notification issued under rule 4, the Returning Officer shall examine all the nomination papers and decide all objections which may be made to any nomination and may, either on such objection or on his own motion, after such enquiry, if any as he think necessary, and after giving the candidate a reasonable of two days opportunity of being heard decide such objection. The decision of the Returning Officer accepting or rejecting a nomination paper shall be final.

(2) Every candidate, for whom nomination paper has been received, either himself or his one representative duly authorized by him in writing, shall be entitled to be present at the time of the scrutiny of nomination papers. The authorization letter shall bear the photo of the representative so authorized.

9. Withdrawal of Nomination.- (1) A candidate who has been duly nominated at any time before the last date and time, so fixed may withdraw his candidature in writing and thereupon he shall cease to be a candidate for the election.

(2) If more than one set of nomination papers have been filled by a candidate, withdrawal of one set shall be considered as withdrawal of candidature and all the nomination papers shall be treated withdrawn.

10. Uncontested election.- On the last date fixed for withdrawal of nomination, if the number of duly nominated candidates is equal to or less than the number of seats for which the election is to be held, the Returning Officer shall declare such candidates as duly elected and if the number of duly nominated candidates is greater than the number of seats for which the election is being held, the Returning Officer shall proceed to obtain the vote in the manner laid down in rule 11.

11. Election and declaration of result.- (1) In case of an election, where vote are to be taken, the Returning Officer shall prepare a final list of contesting candidates immediately after the last date fixed for withdrawal of nomination is over and affix it on the notice board of the office of the Returning Officer.

(2) The list referred in sub-rule (1) above shall be prepared in the alphabetical order of English Language.

- (3) The Returning Officer shall get ballot papers printed with serial number and names of the contesting candidates in the alphabetical order of English language. If there is more than one candidate of the same name, the father's name shall also be printed and their names shall be arranged in the alphabetical order of father's name.
- (4) A ballot paper in Form- B shall be issued to each person whose name is borne on the Electoral Roll referred to in rule 6, by registered post. An identification envelop addressed to the Returning Officer with the particulars specified in Form- C printed on its back shall also be sent along with every ballot paper.
- (5) No duplicate copy of ballot paper or identification envelope shall be issued in any circumstances and no election shall be invalidated by reason of the non- receipt of a ballot paper or identification envelope by an elector,.
- (6) On receipt of the ballot paper and identification envelope, the elector shall, if he desires to vote in the election, record his vote on the ballot paper in accordance with the instructions printed thereon and fill up the information printed on the back of the identification envelop and shall place the ballot paper in the identification envelope. Close the identification envelope and either hand over it to the Returning Officer personally or send it by post. Ballot papers sent otherwise shall not be accepted.
- (7) Ballot Papers received after the time and date fixed in the notice referred to in rule 4 or after such other subsequent date as may be fixed by the Returning Officer shall be rejected. Vote recorded in any paper or form other than the ballot paper supplied, shall not be accepted.
- (8) Each elector shall have as many vote as the number of seats for which the election is held, and he shall record his vote by putting a cross-mark in ink against the name of each of the candidate whom he wants to vote in the column provided for it in the ballot paper (Form-B). If he record vote for more candidates than the number of seats for which the election is held, his ballot paper shall be rejected. An elector may record his vote for a lesser number of candidates than the number of seats for which the election is held.
- (9) A ballot paper shall not be signed by the elector nor the elector shall write or mark anything on a ballot paper other than the cross-mark to indicate his vote. A ballot paper in which vote have been recorded in contravention of this sub-rule shall be rejected.
- (10) A ballot paper in which a mark is placed in such a manner as to make it doubtful to which candidate the vote is given, or in which the elector has placed any mark whereby he may afterwards identified, or in which an alteration or erasure occurs indicating a change of vote, shall be invalid and shall be rejected.
- (11) All particulars mentioned on the back of the identification envelope shall be filled in. Identification envelopes not so filled up shall not be opened and ballot paper shall not be taken out of it and shall be treated as rejected. The returning officer shall put a note on the identification envelop to this effect and sign.
- (12) The counting of vote shall take place, in the presence of the Returning Officer, on the date and at the time and place fixed in the notice issued under rule 4 or such other subsequent date as may be fixed in this regard by the Returning Officer.
- (13) The contesting candidate may be present in person or send a person authorized by him in writing, to watch the process of the counting of vote but he shall not be authorized to see an identification envelope after the ballot paper in it has been taken out.

(14) After opening the identification envelop, if the ballot paper is not found in it, the Returning Officer shall put a note to this effect on the identification envelop and sign.

(15) The Returning Officer shall decide any objection that may be raised at the time of the counting of vote regarding any identification envelope or ballot paper and endorse the word “rejected” and the ground of rejection on every ballot paper or identification envelope containing ballot paper declared invalid and rejected by him.

(16) The Returning Officer shall Count or cause to be counted the valid vote given to each candidate.

(17) When the counting of vote has been completed, the Returning Officer shall declare the candidate or candidates having higher number of valid vote as duly elected.

(18) When two or more candidates get equal vote and the addition of one vote shall entitle any of these candidates to be declared elected, the determination of the person or persons to whom such an additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(19) The Returning Officer shall seal up in separate packets the counted and rejected ballot papers, rejected identification envelopes due to non filing of complete information by the voter on the back side of the identification envelopes containing ballot papers, and record on each such packet description of its contents and the date of the election which it refers.

12. Certificate of election.- (1) after declaration of the result of the election, the Returning Officer shall,-

(a) Prepare and certify a return in Form-D setting forth,-

- (i) the names of the candidate or candidates declared duly elected;
- (ii) total number of identification envelopes received;
- (iii) total number of identification envelopes not opened due to non filling up the particulars on the back side of it;
- (iv) total number of identification envelopes opened but ballot papers not found in it;
- (v) total number of valid vote; and
- (vi) total number of rejected vote.

(b) submit the result of election in Form-D to the Government for publication in the Official Gazette;

(c) as soon as may be possible, after a candidate has been declared elected, grant to such candidate a certificate of election in Form-E and obtain from the candidate an acknowledgement of its receipt duly signed by him. It is essential that this acknowledgement is signed by the candidate himself and his signature is attested by the Returning Officer personally. The acknowledgement shall be in the form shown below:-

I acknowledge the receipt of the certificate of election in Form-E in respect of my election result, as member of the Rajasthan Ayurved Nursing Council, declared on

Date

Signature of Candidate

- (d) cause the candidates so elected to take oath in the Form-F and shall give the candidate a certificate to this effect; and
- (e) forward all papers relating to the election to the Registrar Rajasthan Ayurved nursing council, Jaipur for custody. The Registrar Rajasthan Ayurved nursing council, Jaipur shall ensure safe custody of the papers for twelve calendar months
- (2) While in the custody of the Registrar counted ballot papers, rejected ballot papers, and rejected identification envelope referred in sub-rule (19) of rule 11 shall not be opened and their contents shall not be exposed, except by order of the Government under section 7 of the Act.

13. Completion of election process.- The whole election process shall be completed before the expiry of term of existing member.

14. Election for casual vacancies of member.- (1) Any vacancy occurring otherwise than by efflux of time shall be filled in by holding bye-election in accordance with the provisions of the foregoing rules contained in this part of these rules.

Part-III

Election of President and Vice-President

15. Meeting for election of President and Vice-President.- As soon as may be possible, after the completion of election under section 4 and after the results have been notified in the Official Gazette by the Government, the Registrar shall convene a meeting of the members of the Council for the purpose of election of a President and of a Vice-President of the Council under the chairmanship of Returning Officer. The members elected to the council and present in the meeting shall bring the certificate of election in Form-E and certificate in Form-F issued by the Returning Officer.

16. Election of President and Vice-President.- (1) The election of the President and Vice-President shall be held by ballots taken in such manner as the Returning officer as may determine.

(2) The Returning officer shall not exercise any vote in the election. In the case of equality of vote, the result shall be declared by drawing of lot in the manner in which the Returning Officer may think proper.

17. Proceeding of meeting for the purpose of election.- The proceedings of the meeting held for the purpose of conducting elections shall be signed by the Registrar. A copy of the proceedings together with the names of the President and Vice-President shall forthwith be forwarded to the Government for publication in the Official Gazette.

18. Election for casual vacancies of the President or Vice-President.- Any vacancy occurring otherwise than by efflux of time shall be filled by holding bye-election in accordance with the provisions of the foregoing rules contained in this part of the rules.

Part-IV

Powers, duties, casual vacancies and re-election

19. Powers and duties of President.- (1) The President shall exercise such powers and perform such duties as are laid down in the Act, rules, regulation and standing orders of the Council. He shall also perform such duties as he considers necessary in the furtherance of the objects for which the Council is established.

(2) If the Office of the President is vacant or if the President for any reason is unable to exercise the powers and perform the duties of his office, the Vice-President shall perform the duties and exercise the powers of the President.

Part-V

Management of the property of the Council and maintenance and audit of accounts

20. Purchase and Disposal of Assets.- The Council shall have power to purchase, acquire or hold or dispose of immovable assets according rule 258 of GF&AR (Pt-1) with the prior approval of the State Government.

21. Registrar to be in charge of properties.- The Registrar shall be in-charge of the all properties of the Council and he shall be responsible for proper management of the properties of the Council.

22. Opening of account in Bank.- The Council shall open an account in the any scheduled bank. The Council may decide to receive receipts through online gateway of the bank.

23. Signature on Cheques.- All payments for imprest shall be made through cheques / DD / electronic transfer, cheque upto rupees one lac shall be signed by the Registrar only and all cheque above rupees one lac shall be signed by the Registrar and President both.

24. Transaction by cheque.- All receipts and payments shall be made by cheque/ demand draft/ through electronic transfer. In urgent cases transactions can be made in cash also according to rule 74 of GF&AR (Pt-1).

25. Surplus funds.- Any surplus funds with the Council shall be kept in Personal Deposit (PD) Account in Treasury concerned.

26. Accounts of the Council.- Accounts of the Council shall be prepared from 1st April to 31st March every year and,-

- (i) books of accounts as per relevant account rules shall be maintained with appropriate heads and receipts and expenditure shall be entered therein;
- (ii) the Registrar shall be allowed a permanent advance of a certain amount as may be decided by the Council as imprest for petty expenses, for which a separate books of accounts shall be maintained; and
- (iii) the expenditure incurred on account of such petty expenses shall be recouped from time to time by drawing from the Bank, and shall be entered in the Cash Book and the Ledger Bills and such recoupment shall be passed by the Registrar.

27. Expenditure to be as per budget.- No expenditure shall be incurred unless it has been provided for in the Budget approved by the Council and unless the necessary funds are available. Emergency expenditure necessitated by circumstances not foreseen may be allowed by the president to be incurred in anticipation of the approval of the Council, provided funds are available to meet such expenditure. There shall be a upper limit of Rupees One lakh for aforesaid emergency expenditure and this shall be approved by the Council in the next General meeting.

28. Budget of the Council.- In Advance 3 month before the beginning of the next financial year, the Registrar shall prepare a statement of receipts and expenditure for the next financial year and an revised Budget for the current financial year. These shall be placed

before the Council and the Council forthwith shall decide what financial aid from the Government, (if any) shall be asked for in order to enable it to carry on the functions of the Council.

29. Supplementary Budget.- The Council may at any time during the year for which any Budget had been sanctioned cause a supplementary Budget to be prepared and submitted to it. Every such supplementary Budget shall be considered and sanctioned by the Council, in the same manner as if it were an original annual Budget.

30. Audit of account.- The accounts of the Council shall be audited once in every year by auditors appointed by the Council and the Audit Report shall be considered by the Council, in its meeting following the submission of the Report. The audit report shall be submitted to the Council by the Auditor appointed on or before the date, so fixed by the Council. A copy of the audit report shall also be sent to the Government, if the Council received any fund/grant/aid from the State/ Central Government in any financial year in such cases the accounts of the Council shall be audited by the Director, Local Fund Audit Department for that financial year.

Part-VI

General

31. Logo of the Council.- The Rajasthan Ayurved Nursing Council can adopt a LOGO and the same can be used on the official papers of the Council.

32. Reference to the Government.- If any question arises as to the interpretation or application of these rules or the validity of any election, the same shall be referred to the Government whose decision thereon shall be final.

33. Note of decent by registrar.- The Registrar shall put a note of decent on the decision taken by the Council and send it to the State Government for decision, if he/she feels that the decision taken by the Council is contrary to the financial rules and provisions of the Act and prevailing laws or against the interest of the Council.

FORM-A

Nomination Paper

(See rule 7)

1. Name of proposer (in full as registered)
2. Father's Name
3. Age
4. Registration number
5. Residence Address

6. Office Address

7. Name of the Candidate Proposed

Passport Size
Colour Photo
(Self attested)

I (Name in full) registered Ayurved Nursing Professional in Rajasthan with registration number Propose the above named candidate for election as member of the Rajasthan Ayurved Nursing Council *from registered Ayurved Nursing professionals/teachers of the recognized institutions.

Date

Signature (in full) of proposer

(FIRST)

1. Name of proposer (in full as registered)
2. Father's Name
3. Age
4. Registration number
5. Residence Address
6. Office Address
7. Name of the Candidate Proposed

Passport Size
Colour Photo
(Self attested)

I (Name in full) registered Ayurved Nursing Professional in Rajasthan with registration number Propose the above named candidate for election as member of the Rajasthan Ayurved Nursing Council *from registered Ayurved Nursing professionals/teachers of the recognized institutions.

Date

Signature (in full) of proposer

(SECOND)

*Score out the words not applicable.

Declaration by the candidate nominated

Passport
Size
Colour
Photo

I, hereby declare that I agree to this nomination. I am a registered Ayurved Nursing Professional in Rajasthan with registration number And that my address is –

Residence

Office

Date

Signature (in full) of the candidate

Name (in full) of the candidate

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY

(To be handed over to the person presenting the Nomination Paper)

Serial No. of nomination paper.....

The nomination paper of a candidate for election was delivered to me at my office

At..... (Hour) on (Date) by the candidate/proposer.

All nomination papers will be taken up for scrutiny at (Hour) On (Date) at

Signature of Returning Office

FORM-B
BALLOT PAPER
[See rule 11 (4)]

Serial No.....

S. No.	Name and Registration no, of contesting candidate	Mark by Voter
1		

Directions for voters: -

1. Every voter should put a cross mark (X) in ink in column 3 against the name of each person, the voter wants to votes for. No other mark, writing or signature, shall be put on ballot paper.
2. Every voter can record vote to a maximum number of Contesting candidates. If you record vote more than Contesting candidates your vote will be rejected.
3. Every voter can vote for less than Candidates, if he so wishes.
4. The ballot paper thus marked with cross mark should be put the identification envelop and envelop with the ballot paper shall then be returned to the Returning Officer either by post, or hand over it to the Returning Officer personally. Ballot paper sent otherwise shall not be accepted. It shall be reached to the Returning Officer on or before the (time) (date).
5. The information on the back of the identification envelope shall be filled up in all particulars mentioned in the form printed thereon Identification envelopes not so filled up, the ballot papers contained therein shall be rejected;

FORM-C
Information on the back of identification envelop
[See rule 11 (4)]

Number (As stamped on the ballot paper).

I (Name in full of the Undersigned and the person to whom the enclosed ballot paper was addressed), affirm that my name is included in the register of registered Ayurved Nursing Professional in the Rajasthan Ayurved Nursing Council with registration number.....; and that I have not marked any other ballot paper of this electorate for this election.

Address

Signature (in full)

Date

FORM-D
RESULT SHEET
[See rule 12(1) (a)]

Result sheet of election as member of the Rajasthan Ayurved Nursing Council *from registered Ayurved Nursing professional/teachers of the recognized institutions.

*(Score out the words not applicable)

S. No.	Name of CANDIDATE WITH REGISTRATION NO.	NUMBER OF VALID VOTES RECORDED IN FAVOUR OF THE CANDIDATE
1		

1. Total no of identification envelops received
2. Total no if identification envelops not opened due to non filling up the particulars on the back side of it.....
3. Total no of identification envelops opened but ballot papers not found in it
4. Total number of valid votes
5. Total number of rejected votes

I declare that –

- 1(Name) (Registration no)
- 2..... (Name).....(Registration no.)
- 3.....(Name).....(Registration no.)
- 4.....(Name).....(Registration no.)
- 5.....(Name).....(Registration no.)
- 6.....(Name).....(Registration no.)

Have been duly elected as the member of the Rajasthan Ayurved Nursing Council.

(Signature)

Returning Officer

Date.....

FORM-E
CERTIFICATE OF ELECTION
[See rule 12(1) (c)]

This is to certified that the
 Mr./Mrs./Ms..... (Name) S/O, W/o,
 D/o..... (Address) bearing
 registration.....has been duly elected as Member of
 the Rajasthan Ayurved Nursing Council under clause (i) clause (iii) of section 4 of the Act
 on(date).

Signature
(Full Name)
Returning Officer

FORM-F
FORM OF OATH OF AFFIRMATION
[See rule 12(1) (d)]

Ihaving been elected as Member of the Rajasthan Ayurved Nursing Council do swear in the name of the God/Solemnly affirm that I will bear true faith and allegiance to the constitution of India as by law established and that I will uphold the sovereignty and integrity of India and will bear all the responsibilities given by law as member of the Rajasthan Ayurved Nursing Council.

Signature and name of the Member

Sworn in the name of God/Solemnly affirmed by Mr./Mrs./Ms..... At
..... (Place) at (hour) this the
..... day of20 before me.

Signature of Returning Officer
Name and Seal

[No.F.25(11)Ayu/2017]
By Order of the Governor,
H.M.Dhaka,
Joint Secretary to the Government.

Government Central Press, Jaipur.