

No. Z.16015/02/2019-N
Government of India
Ministry of Health and Family Welfare

Nirman Bhawan
New Delhi - 110011
Dated 05th November, 2020

PUBLIC NOTICE

General Public is hereby informed that the Ministry of Health and Family Welfare proposes to finalise National Nursing and Midwifery Commission Bill, 2020 for setting up a National Nursing and Midwifery Commission and repealing the Indian Nursing Council Act, 1947. Accordingly, a draft National Nursing and Midwifery Commission Bill is prepared and attached for comments of the General Public/Stakeholders. Comments may be furnished via e-mail at nnmcbill-mohfw@nic.in on or **before 06.12.2020.**

Encl: As above


(Dr. Rathi Balachandran)
ADG(Nursing)

Draft Bill by Expert Committee	
	THE NATIONAL NURSING AND MIDWIFERY COMMISSION BILL, 2020
	A
	BILL
	<i>to provide for regulation and maintenance of standards of education and services by nursing and midwifery professionals, assessment of institutions, maintenance of a Central Register and State Register and creation of a system to improve access, research and development and adoption of latest scientific advancement and for matters connected therewith or incidental thereto.</i>
	CHAPTER I PRELIMINARY
Short title, extent and commencement.	1. (1) This Act may be called the National Nursing and Midwifery Commission Act, 2020.
	(2) It shall come into force on such date as the Central Government may, by notification, appoint; and different dates may be appointed for different provisions of this Act and any reference in any provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.
Definitions	2. In this Act, unless the context otherwise requires, —
	(a) "Autonomous Board" means any of the Autonomous Boards constituted under section 11;
	(b) "Chairperson" means the Chairperson of the National Nursing and Midwifery Commission appointed under section 4;
	(c) "Clinical Nursing" means safe, effective and high-quality nursing services in hospital units or nursing care delivered elsewhere, such as clinics, ambulances. Nursing services from tertiary hospitals to health posts in remote communities designated by acuity (emergency, intensive care), condition (cancer, cardiac, gastrointestinal), intervention (surgery) or population (paediatrics, obstetrics), and diagnostic services (laboratory and imaging).
	(d) "Commission" means the National Nursing and Midwifery Commission constituted under section 3;
	(e) "Community Health Nursing/ Public Health Nursing" means primary healthcare and nursing practice in a community setting for promoting and protecting the health of the population using knowledge from nursing.

	social and public health sciences with an aim to provide health services, preventive care, intervention and health education to community and population.
	(f) "Central Register" means the Indian Nurses and Midwives' Register maintained by the Nursing and Midwifery Ethics and Registration Board under section 25;
	(g) "Nursing Care (including Home-based Personal Care) Assistant" means a person as defined in Schedule I and having the requisite nursing care (including home-based personal care) assistant qualification, as prescribed by the Nursing and Midwifery UG Education Board;
	(h) "Medically Unfit" means a person who is unable to perform task or duty because of medical condition either physical or mental as proven by Competent Court/Authority under Section 7;
	(i) "Member" means a Member of the Commission appointed under section 5 and includes the Chairperson thereof;
	(j) "Midwifery Associate" means a person having obtained any recognised midwifery associate qualification, registered with Commission and as defined in Schedule I;
	(k) "Midwifery Practice" means the scope and range of roles, functions, responsibilities and activities, which a registered midwife may deliver as part of the services and as specified by the regulations under this Act;
	(l) "Midwifery Professionals" means the persons having obtained any recognised midwifery professional qualification, registered with the Commission and as defined in Schedule I;
	(m) "Midwifery Services" means care of women during pregnancy, labour, and the postpartum period, as well as care of new born by Nursing & Midwifery Personnel;
	(n) "Notification" means notification published in the Official Gazette and the expression "notified" shall be construed accordingly;
	(o) "Nursing Associate" means a professional having obtained any recognised nursing associate qualification, registered with Commission and as defined in Schedule I;
	(p) "Nursing and Midwifery Assessment and Rating Board" means the Board constituted under section 20;
	(q) "Nursing and Midwifery UG Education Board" means the Board constituted under section 18;

	(r) "Nursing and Midwifery PG Education Board" means the Board constituted under section 19;
	(s) "Nursing and Midwifery Ethics and Registration Board" means the Board constituted under section 21;
	(t) "Nursing institution" means a educational and training institution or research institution within India, recognised under this Act, which grants diploma or undergraduate or postgraduate or any other post degree diploma or certificate in nursing and midwifery, and include affiliated colleges and deemed to be Universities;
	(u) "Nursing & Midwifery Leader" means any nursing or midwifery professional who is the Head or Dean of a nursing educational institution or Principal or Vice-Principal of a college of nursing or Nursing Superintendent or Chief Nursing Officer of the nursing & midwifery department or State/National level Nursing & Midwifery officer or Principal Nursing Officer in the Community or any other nurse educator or nurse administrator or nurse practitioner who has done exemplary work in the area of nursing and midwifery;
	(v) "Nursing & Midwifery Personnel" means Nursing Professional or Midwifery Professional or Nursing Associate or Midwifery Associate as defined under this Act;
	(w) "Nursing Practice" refers to the scope and range of roles, functions, responsibilities and activities which a registered nurse may deliver as part of the services and as specified by the regulations under this Act;
	(x) "Nursing professional" means a professional having obtained any recognised nursing professional qualification, registered with the Commission and as defined in Schedule I;
	(y) "Nursing Services" means nursing care provided to a patient/client in all health care settings by Nursing & Midwifery Personnel;
	(z) "Prescribed" means prescribed by rules made under this Act;
	(aa) "President" means the Nursing and Midwifery President of an Autonomous Board under section 12;
	(bb) "Recognised nursing & midwifery qualification" means a nursing & midwifery qualification recognised under section 30 or section 31 or section 34, as the case may be;
	(cc) "Registered professional" means a nursing professional and midwifery professional who has registration from any State Commission;

	(dd) "Registered associate personnel" means a nursing, associate and midwifery associate who has registration from any State Commission;
	(ee) "Regulations" means the regulations made by the Commission under section 52;
	(ff) "Scope of Practice" refers to the services that a qualified nursing professional, midwifery professional, nursing associate, midwifery associate, nursing care (including home-based personal care) assistant is deemed competent to perform and permitted to undertake in keeping with the terms of their qualification, professional license and designation in an organization;
	(gg) "Schedule" means a Schedule annexed to this Act;
	(hh) "State Commission" means a State Nursing and Midwifery Commission constituted under Section 24;
Duly registered with central register	(ii) "State Register for Professionals" means State Nurses' and Midwives' Register for registration as a Nursing professional or a Midwifery professional, maintained by State Commission under Section 25;
	(jj) "State Register for Associates" means Register for registration as a nursing associate or a midwifery associate maintained by State Commission under Section 25;
	(kk) "University" shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956 and includes an institution declared to be deemed University under section 3 of that Act.
	CHAPTER II THE NATIONAL NURSING AND MIDWIFERY COMMISSION
Constitution of National Nursing and Midwifery Commission	3. (1) With effect from such date as the Central Government may, by notification, appoint in this behalf, there shall be constituted a Commission to be called the National Nursing and Midwifery Commission for exercising such powers and discharging such duties as may be laid down under this Act.
	(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.
	(3) The head office of the Commission shall be at New Delhi.

Composition
of the
National
Nursing and
Midwifery
Commission

4. (1) The Commission shall consist of the following members namely:

- (a) a person having an outstanding ability, proven administrative capacity and integrity and possessing a postgraduate degree in nursing and midwifery profession from any University with experience of not less than twenty-five years in the field of nursing and midwifery, out of which at least ten years shall be a nursing & midwifery leader to be appointed by the Central Government-Chairperson;
- (b) Additional Secretary to the Government of India in the Department of Health and Family Welfare in charge of nursing and midwifery-ex officio member;
- (c) Nursing Advisor to the Government of India in the Department of Health and Family Welfare - ex officio member;
- (d) One representative of the Ministry of Defence not below the rank of Additional Director General, Military Nursing Services to the Government of India in the Directorate General of Armed Forces Medical Services - ex officio member;
- (e) One representative of the Directorate General of Health Services not below the rank of Additional Director General - ex officio member;
- (f) One representative of the Indian Clinical Medical Research not below the rank of Additional Director General - ex officio member;
- (g) One person representing the National Medical Commission not below the rank of Deputy Secretary to the Government of India - ex-officio member;
- (h) Five persons representing out of the following on biennial rotation basis in alphabetical order, not below the rank of Chief Nursing Officer or Nursing Superintendent of the hospitals of the below listed Institutes, ex officio member-
 - i. All India Institute of Medical Sciences, New Delhi;
 - ii. Armed Forces Medical College, Pune
 - iii. Banaras Hindu University, Varanasi;
 - iv. Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry;
 - v. King George Medical University, Lucknow;
 - vi. Madras Medical Colleges, Chennai;
 - vii. National Institute of Mental Health and Neuro-Sciences, Bangalore;
 - viii. North Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong;
 - ix. Post Graduate Institute of Medical Sciences,

- Chandigarh;
- x. *Regional Institute of Medical Sciences, Manipur;*
 - xi. *Sree Chitra Tirunal Institute for Medical Sciences and Technology, Thiruvananthapuram;*
 - xii. *Tata Memorial Hospital, Mumbai;*

Provided that the Commission may add an Institute of repute/excellence to the above list with the approval of Central Government.

(i) Five persons of the rank of Dean/ Principal on biennial rotation basis in alphabetical order, from the following colleges of nursing attached to the institutions listed below under the Ministry of Health and Family Welfare- ex-officio member:

- i. *All India Institute of Medical Sciences, Delhi;*
- ii. *Rajkumari Amrit Kaur College of Nursing, Delhi;*
- iii. *ESI Hospital, Bangalore;*
- iv. *Yardhaman Mahavir Medical College (College of Nursing, Safdarjung Hospital), Delhi;*
- v. *Dr RML Hospital;*
- vi. *Lady Harding Medical College;*
- vii. *Regional Institute of Paramedical and Nursing Sciences (RIPANS), Aizawl;*
- viii. *Bhopal Memorial Hospital and Research Centre, Bhopal;*
- ix. *Central Institute of Psychiatry, Ranchi;*
- x. *Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry;*

Provided that the Commission may add an Institute of repute/excellence to the above list with the approval of Central Government.

- (j) One person from each of the six zones, not below the rank of Chairperson who should be a nursing and midwifery professional, representing the State Commissions on biennial rotation in the alphabetical order as per the zonal distribution of State and Union Territories -ex-officio member;
- (k) Twelve nursing members of eminence, two from each of the six zones of nursing and midwifery profession to be nominated by the State Governments, of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any

discipline of nursing and midwifery from any University and having experience of not less than fifteen years in the field of nursing and midwifery out of which at least seven years shall be as a nursing & midwifery leader - member;

Provided that at least one member from each zone should be dean nursing & midwifery or principal of nursing & midwifery institute.

- (l) Eight nursing & midwifery members of eminence, of which at least two should be midwifery professionals and at least one should be from each of the six zones, to be of nursing and midwifery profession to be nominated by the Central Government, of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of nursing and midwifery from any University and having experience of not less than twenty years in the field of nursing and midwifery out of which at least ten years shall be as a nursing & midwifery leader - member;
- (m) One person, representing charitable institutions engaged in education or services in connection with any recognised category, having such qualifications and experience as may be prescribed by the Central Government, to be nominated by the Central Government. - member;
- (n) One member of eminence to be appointed by the Central Government, in the manner as prescribed by the Central Government, from amongst persons of ability, integrity and standing, who have special knowledge and professional experience in such areas including management, law, medical ethics, health research, consumer or patient rights advocacy, science and technology and economics - member.

Search cum Selection Committee for appointment of Chairperson and Members.

5. (1) The Central Government shall, on the recommendation of a Search-cum Selection Committee, appoint the Chairperson and Members referred to in clause (a), (l), (m) and (n) of section 4; the Secretary referred in sub-section 2 of section (8) and the President and whole-time Members referred in sub-section 2 of section 12.
- (2) The Search-cum-Selection Committee shall consist of the following persons, namely:—
- (a) the Cabinet Secretary - Chairperson
 - (b) four nursing & midwifery experts, possessing outstanding qualifications and experience of not less than twenty-five years in the field of nursing & midwifery education, public health nursing

	<p>education and nursing health research, to be nominated by the Central Government - Members;</p> <p>(c) one person, possessing outstanding qualifications and experience of not less than twenty-five years in the field of management or law or economics or science and technology, to be nominated by the Central Government in such manner as may be prescribed - Member; and</p> <p>(d) the Secretary to the Government of India in charge of the Ministry of Health and Family Welfare, to be the Convenor -Member;</p>
	<p>(3) The Central Government shall, within one month from the date of occurrence of any vacancy, including by reason of death, resignation or removal of the Chairperson, Secretary or a Member, or within three months before the end of tenure of the Chairperson, Secretary or Member, make a reference to the Search-cum-Selection Committee for filling up of the vacancy.</p>
	<p>(4) The Search-cum-Selection Committee shall recommend a panel of at least three names for each vacancy.</p>
	<p>(5) The Search-cum-Selection Committee shall, before recommending any person for appointment of the Chairperson or Secretary or member, satisfy itself that such person does not have any financial or other interest which is likely to affect prejudicially her/his functions as such Chairperson or Secretary or Member.</p>
	<p>(6) No appointment of the Chairperson or Secretary or Member of the Commission shall be invalid merely by reason of any vacancy or absence of a member in the Search-cum-Selection Committee.</p>
	<p>(7) Subject to the provisions of sub-sections (3) to (6), the Search-cum-Selection Committee may regulate its own procedure.</p>
Term of office and conditions of service of Chairperson and Members.	<p>6. (1) The Chairperson, Secretary and members nominated under clause (k), (l), (m) and (n) of section 4 shall hold office for a term not exceeding four years, as the Central Government may notify in this behalf, from the date on which they enter upon their office and shall not be eligible for any extension or reappointment:</p> <p>Provided that such person shall be less than 65 years of age at the time of application for the member position</p>
	<p>(2) The term of office of an <i>ex officio</i> Member shall continue as long as she/he holds the office by virtue of which she/he is such Member.</p>
	<p>(3) Where a members nominated to the Commission under clause (k), (l), (m) and (n) of section 4, is absent from three consecutive ordinary</p>

	meetings of the Commission and the cause of such absence is not attributable to any valid reason in the opinion of the Commission, such Member shall be deemed to have vacated the seat.
	(4) The members nominated to the Commission under clauses (k), (l), (m) and (n) of section 4 shall receive such, salaries or travelling and other allowances as may be prescribed by the Central Government.
	(5) Notwithstanding anything contained in sub section (1) of section 6, a member nominated to the Commission under clause (k), (l), (m) and (n) of section 4, may - (a) relinquish her/his office by giving in writing to the Central Government a notice of not less than three months; or (b) be removed from her/his office in accordance with the provisions of section 7: Provided that such person may be relieved from duties earlier than three months or be allowed to continue beyond three months until a successor is appointed if the Central Government so decides.
	(6) The Chairperson and every member of the Commission shall make declaration of her/his assets and her/his liabilities at the time of entering upon her/his office and at the time of demitting her/his office and also declare her/his professional and commercial engagement or involvement in such form and manner as may be prescribed, and such declaration shall be published on the website of the Commission.
Removal of Chairperson and Member of Commission.	7. (1) The Central Government may, by order, remove from office the Chairperson or any other Member, who— (a) has been adjudged an insolvent; or (b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or (c) is incompetent to make decisions if found medically unfit and stands so declared by a competent court; or (d) has acquired such financial or other interest as is likely to affect prejudicially her/his functions as a Member; or (e) has so misused her/his position as to render her/his continuance in office prejudicial to public interest.
	(2) No Member shall be removed under clauses (d) and (e) of sub-section (1) unless she/he has been given a reasonable opportunity of being heard in the matter.
Appointment of Secretary, experts,	8. (1) There shall be a Secretariat for the Commission to be headed by Secretary, to be appointed by the Central Government in accordance with

professionals, officers and other employees of Commission	the provisions of section 5.
	(2) The Secretary of the Commission shall be a person of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in nursing and midwifery from any University with experience of not less than twenty years in the field of nursing and midwifery, out of which at least ten years shall be a nursing & midwifery leader.
	(3) The Secretary shall hold the office for a term of four years and, but shall not be eligible for re-appointment.
	(4) The Secretary shall discharge such functions of the Commission as are assigned to her/him by the Commission and as may be specified by regulations made under this Act.
	(5) The Commission may, for the optimum discharge of its functions under this Act, appoint such officers, and other employees of the Commission other than the Secretary, as it considers necessary, against the posts created by the Central Government as recommended by the Commission.
	(6) The salaries and allowances payable to, and other terms and conditions of service of the Secretary, officers and other employees of the Commission shall be such as may be prescribed.
	(7) The Commission may engage, in accordance with the procedure specified by regulations, such number of experts, consultants and professionals of integrity and outstanding ability, who have special knowledge of, and experience in such fields, including nursing and midwifery education, public health nursing, management, health economics, quality assurance, patient advocacy, nursing research, science and technology, administration, finance, information technology, statistics, nursing informatics, accounts and law, as it deems necessary, to assist the Commission in the discharge of its functions under this Act.
Meetings, etc., of Commission.	9. (1) The Commission shall meet at least once every quarter at such time and place as may be appointed by the Chairperson.
	(2) The Chairperson shall preside at the meeting of the Commission and if for any reason the Chairperson is unable to attend a meeting of the Commission, any other Member being the President of an Autonomous

	Board, nominated by the Chairperson, shall preside over the meeting.
	(3) Unless the procedure to be followed at the meetings of the Commission is otherwise provided by regulations, one-half of the total number of Members of the Commission including the Chairperson shall constitute the quorum and all the acts of the Commission shall be decided by a majority of the members, present and voting and in the event of equality of votes, the Chairperson, or in her/his absence, the President of the Autonomous Board nominated under sub-section (2), shall have the casting vote.
	(4) The general superintendence, direction and control of the administration of the Commission shall vest in the Chairperson.
	(5) No act done by the Commission shall be questioned on the ground of the existence of a vacancy in, or a defect in the constitution of, the Commission.
	(6) A person who is aggrieved by any decision of the Commission except the decision rendered under sub section (6) of section 24 may prefer an appeal to the Central Government against such decision within thirty days of the communication of such decision.
Powers and functions of Commission.	<p>10. (1) It shall be the duty of the Commission to take all such steps as it may think fit for ensuring coordinated and integrated development of education and maintenance of the standards of delivery of services, with periodic revision as specified by the regulations, in all the following areas under this Act and for the purposes of performing its functions, the Commission may:—</p> <ul style="list-style-type: none"> (a) frame policies and regulate standards for the governance of nursing and midwifery education and training and make necessary regulations in this behalf; (b) frame policies for regulating nursing and midwifery institutions, researches, professionals & associates and make necessary regulations in this behalf; (c) provide basic standards of education, physical and instructional facilities, assessment, examination, training, research, continuing professional education, maximum tuition fee payable in respect of various categories, etc. as may be specified by the regulations; (d) provide standards for nursing & midwifery faculty and clinical facility in teaching institutions as may be specified by the regulations; (e) provide for uniform entry examination with common counselling for admission into the nursing and midwifery institutions at the various

- level in the manner as may be specified by the regulations;
- (f) provide for National Exit Test- Nursing & Midwifery for nursing and midwifery professionals for professional practice or entrance into postgraduate level in the manner as may be specified by the regulations;
 - (g) assess the nursing and midwifery requirements in health care, including human resources for clinical care nursing, community health nursing and health care infrastructure and advise the Central Government on matters pertaining thereto;
 - (h) ensure policies and codes to ensure observance of professional ethics in nursing and midwifery profession and to promote ethical conduct during the provision of care by nursing and midwifery professionals, including nursing care associates and midwifery associates;
 - (i) promote, co-ordinate and frame guidelines and lay down policies by making necessary regulations for the proper functioning of the Commission, the Autonomous Boards, the Advisory Council and the State Nursing and Midwifery Commissions;
 - (j) ensure coordination among the Autonomous Boards;
 - (k) take such measures, as may be necessary, to ensure compliance by the State Nursing and Midwifery Commissions of the guidelines framed and regulations made under this Act for their effective functioning under this Act;
 - (l) exercise appellate jurisdiction with respect to the decisions of the Autonomous Boards;
 - (m) perform such other functions as may be entrusted to it by the Central Government or as may be necessary to carry out the provisions of this Act.
- Provided that the Commission may delegate such of its functions to the Autonomous Boards as it may deem necessary.

(2) All orders and decisions of the Commission shall be authenticated by the signature of the Secretary

(3) The Commission may delegate such of its powers of administrative and financial matters, as it deems fit, to the Secretary.

(4) The Commission may constitute sub-committees and delegate such of its powers to such sub-committees as may be necessary to enable them to accomplish specific tasks.

CHAPTER III AUTONOMOUS BOARDS

Constitution
of

11. (1) The Central Government shall, by notification, constitute the

Autonomous Boards.	<p>following autonomous Boards, under the overall supervision of the Commission, to perform the functions assigned to such Boards under this Act, namely: —</p> <p>(a) the Nursing and Midwifery UG Education Board;</p> <p>(b) the Nursing and Midwifery PG Education Board;</p> <p>(c) the Nursing and Midwifery Assessment and Rating Board; and</p> <p>(d) the Nursing and Midwifery Ethics and Registration Board.</p>
	(2) Each Board referred to in sub-section (1) shall be an autonomous body with only nursing and midwifery professionals as President and Members, which shall carry out its functions under this Act subject to the regulations made by the Commission.
Composition of Autonomous Boards.	12. (1) Each Autonomous Board constituted under this section shall consist of a President and two whole-time Members and 4 part-time Members.
	(2) The President and two whole-time Members of each Autonomous Board shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of nursing and midwifery from any University and having experience of not less than fifteen years in such field, out of which at least seven years shall be as a nursing and midwifery leader to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5 in accordance with the procedure specified in that section.
	(3) The two part-time Members of each Board shall be chosen from amongst the Members under clause (k) of section 4 (1), in such manner as may be prescribed.
	(4) The third part-time member of each Board shall be chosen from amongst the Members under clause (l) of section 4 (1), in such manner as may be prescribed.
	(5) The fourth part-time member of each Board, shall be chosen from amongst the nursing & midwifery Members representing the State Nursing and Midwifery Commissions under clause (j) of section 4 (1), in such manner as may be prescribed.
Term of office and conditions of service of President and Members.	<p>13. (1) The President and the two whole-time Members of each Autonomous Board shall hold the office for a term not exceeding four years and shall not be eligible for any extension or re-appointment:</p> <p>Provided that part-time Members of each Autonomous Board shall hold</p>

	<p>the office for a term of two years:</p> <p>Provided further that a member should be less than 65 years of age at the time of application for the member position. The vacancies shall be filled as may be prescribed by the rules.</p>
	<p>(2) The salary and allowances payable to, and other terms and conditions of service of the President and the two whole-time Members of an Autonomous Board shall be such as may be prescribed.</p>
	<p>(3) The provisions of sub-sections (3), (4) and (5) and (6) of section 6 relating to other terms and conditions of service of, and section 7 relating to removal from the office of the Chairperson and Members of the Commission shall also be applicable to the President and Members of the Autonomous Boards.</p>
Advisory Committees of Experts.	<p>14. Each Autonomous Board may constitute such committees of experts, as it considers necessary, for optimum discharge of its functions under this Act.</p>
Staff of Autonomous Boards.	<p>15. The experts, consultants, professionals, officers and other employees appointed under section 8 shall be made available to the Autonomous Boards in such number, and in such manner, as may be specified by regulations by the Commission.</p>
Meetings, etc., of Autonomous Boards.	<p>16. (1) Every Autonomous Board shall meet at least once a month at such time and place as it may appoint.</p>
	<p>(2) All decisions of the Autonomous Boards shall be made by majority of votes of the President and Members.</p>
	<p>(3) Subject to the provisions of section 22, a person aggrieved by any decision of an Autonomous Board may prefer an appeal to the Commission against such decision within thirty days of the communication of such decision and after giving an opportunity of being heard, the Commission shall, within a period of sixty days from the date of such appeal, pass such order as it deems fit.</p>
Powers of Autonomous Boards and delegation of powers.	<p>17. (1) The President of each Autonomous Board shall have such administrative and financial powers as may be delegated to it by the Commission to enable such Board for optimum functioning.</p>
	<p>(2) The President of an Autonomous Board may further delegate any of her/his powers to a Member or an officer of that Board.</p>
Powers and	<p>18. (1) The Nursing and Midwifery UG Education Board shall perform the</p>

functions of
Nursing and
Midwifery
UG Education
Board.

following functions, namely:-

- (a) determine the minimum requirements and standards of nursing and midwifery education and examination at undergraduate level, in accordance with the regulations made under this act and oversee all aspects relating thereto;
- (b) develop competency based dynamic curriculum at undergraduate level -in accordance with the regulations made under this Act, with a view to develop appropriate skill, knowledge, attitude, values and ethics to provide health care, impart nursing and midwifery education and conduct research;

Provided that the competencies shall be aligned with the needs of the national health program, hospital care services, primary health services, community and family health nursing services of the population, in order to ensure optimum healthcare delivery system.

- (c) prescribe the nursing and midwifery qualifications at the undergraduate level, nursing associate qualifications and midwifery associate qualifications and such other particulars as may be specified by regulations;
- (d) frame guidelines for setting up of nursing and midwifery institutions for imparting undergraduate courses, having regard to the needs of the country and the global norms, in accordance with the provisions of the regulations made under this Act;
- (e) determine standards and norms for infrastructure, faculty and quality of education in nursing institutions providing undergraduate nursing and midwifery education in accordance with provisions of the regulations made under this Act;
- (f) facilitate development and training of faculty members for teaching, research as well as international student and faculty exchange programmes relating to undergraduate, nursing and midwifery education; and
- (g) specify norms for compulsory annual disclosures, clinical facilities, faculty, electronically or otherwise, by Nursing and midwifery institutions, in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, the Commission, the State Commissions and the Central Government;
- (h) frame policies and regulate standards for education, training and services of nursing care (including home-based personal care) assistants and make necessary regulations in this behalf;
- (i) regulate the standards and scope of practice of registered nurses, midwives, nursing associates, and midwifery associates who have obtained the nursing and midwifery qualification as prescribed by

	<p>this Board and make necessary regulations in this behalf;</p>
	<p>(2) The Nursing and Midwifery UG Education Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.</p>
<p>Powers and functions of Nursing and Midwifery PG Education Board.</p>	<p>19. (1) The Nursing and Midwifery PG Education Board shall perform the following functions, namely:-</p> <p>(a) determine the minimum requirements and standards of nursing and midwifery education and examination at post graduate level, speciality nursing level, clinical nurse specialist and nurse practitioner in all specialities in accordance with the regulations made under this act and oversee all aspects relating thereto;</p> <p>(b) develop competency based dynamic curriculum at post graduate level, speciality nursing level, clinical nurse specialist and nurse practitioner in all specialities in accordance with the regulations made under this Act, with a view to develop appropriate skill, knowledge, attitude, values and ethics to provide health care, impart nursing and midwifery education and conduct research;</p> <p>Provided that the competencies shall be aligned with the requirements of the clinical nursing services, primary health services, services of nurse practitioners in all specialities, wellness and welfare services & research/evidence based services, of the population, in order to ensure effective healthcare delivery system.</p> <p>(c) prescribe the nursing and midwifery qualifications at the post graduate level, speciality nursing level, clinical nurse specialist level and nurse practitioner in all specialities, including name of the course, entry criteria, duration and such other particulars as may be specified by regulations;</p> <p>(d) frame guidelines for setting up of nursing and midwifery institutions, research and development cell for imparting post graduate courses, speciality nursing courses, clinical nurse specialist courses and nurse practitioner courses in all specialities, in keeping with requirements of the country in accordance with the national and international norms, with the provisions of the regulations made under this Act;</p> <p>(e) determine standards and norms for infrastructure, faculty and quality of education in nursing institutions providing post graduate and speciality nursing, clinical nurse specialist and nurse practitioner in all specialities of nursing and midwifery education in accordance with provisions of the regulations made under this Act;</p>

	<p>(f) facilitate development and training of faculty members for teaching, research as well as international student and faculty exchange programmes of post-graduation, speciality, clinical nurse specialty and nurse practitioner in all specialities of nursing and midwifery education;</p> <p>(g) regulate the standards and scope of practice of registered nurses and midwives having post-graduate nursing and midwifery qualification as prescribed by this Board and make necessary regulations in this behalf;</p> <p>(h) regulate the limited prescribing authority for nurse practitioners who have obtained the requisite nursing and midwifery qualification and qualify such criteria as may be prescribed by this Board by regulations; and</p> <p>(i) specify norms for compulsory annual disclosures, clinical facilities, faculty, electronically or otherwise, by Nursing and midwifery institutions, in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, the Commission, the State Commissions and the Central Government;</p>
	<p>(2) The Nursing and Midwifery PG Education Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.</p>
<p>Powers and functions of Nursing and Midwifery Assessment and Rating Board.</p>	<p>20. (1) The Nursing and Midwifery Assessment and Rating Board shall perform the following functions, namely:—</p> <p>(a) determine the procedure for assessing and rating the nursing and midwifery institutions for their compliance with the standards laid down by the Nursing and Midwifery UG and PG Education Boards, in accordance with the regulations made under this Act;</p> <p>(b) grant permission for establishment of a new nursing and midwifery institution, or to start any course in post-graduation, speciality, clinical nurse specialty and nurse practitioner in all specialities or to increase number of seats, in accordance with the provisions of section 22;</p> <p>(c) carry out inspections of new nursing and midwifery institution for assessing and rating such institutions in accordance with the regulations made under this Act:</p> <p>Provided that the Nursing and Midwifery Assessment and Rating Board may, if it deems necessary, hire and authorise any other inspection agency or accreditation body or persons for carrying out inspections of nursing and midwifery institution for assessing and rating such institutions:</p>

Provided further that where inspection of nursing and midwifery institution is carried out by such inspection agency or accreditation body or persons authorised by the Nursing and Midwifery Assessment and Rating Board, it shall be obligatory on such institutions to provide access to such agency or person;

Provided further that the Nursing and Midwifery Assessment and Rating Board may conduct evaluation and assessment of any nursing and midwifery institution at any time, either directly or through any other expert having integrity and experience of nursing and midwifery profession and without any prior notice and assess and evaluate the performance, standards and benchmarks of such Nursing and midwifery institution.

- (d) make available on its website or in public domain the assessment and ratings of nursing and midwifery institutions at regular intervals in accordance with the regulations made under this Act;
- (e) take such measures, including issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the Commission for withdrawal of recognition, against a nursing and midwifery institution for failure to maintain the minimum essential standards specified by Nursing and Midwifery UG and PG Education Board, in accordance with the regulations made under this Act.

(2) The Nursing and Midwifery Assessment and Rating Board may, in the discharge of its functions, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.

Powers and functions of Nursing and Midwifery Ethics, and Registration Board

21. (1) The Nursing and Midwifery Ethics and Registration Board shall perform the following functions, namely:-
- (a) maintain the Central Register for all registered professionals in accordance with the provisions of section 25;
 - (b) approve or reject applications for registration of nurses, midwives, nurse associates, midwife associates;
 - (c) regulate professional conduct and promote nursing and midwifery ethics in accordance with the regulations made under this Act:

Provided that the Nursing and Midwifery Ethics and Registration Board shall ensure compliance of the code of professional and ethical conduct through the State Nursing and Midwifery Commission in a case where such State Nursing and Midwifery Commission has been conferred power to take disciplinary actions in respect of professional

	<p>or ethical misconduct by nursing and midwifery professionals under this Act</p> <p>(d) develop mechanisms to have continuous interaction with State Nursing and Midwifery Commissions to effectively promote and regulate the conduct of nursing and midwifery professionals;</p> <p>(e) exercise appellate jurisdiction with respect to the actions taken by a State Nursing and Midwifery Commission under section 24.</p> <p>(f) provide for mechanisms for receiving complaints and grievance redressal.</p>
	<p>(2) The Nursing and Midwifery Ethics and Registration Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.</p>
<p>Permission for establishment of new Nursing and/or midwifery college.</p>	<p>22. (1) Notwithstanding anything contained in this Act or any other law for the time being in force, on and from the date of commencement of this Act, -</p> <p>(a) No person shall establish a new nursing and midwifery institution; or</p> <p>(b) No nursing and midwifery institution shall-</p> <ol style="list-style-type: none"> i. Open a new or higher course of study or training including postgraduate course of study or training which would enable students of each course of study or training to qualify for the award of any recognised qualification ii. Increase its admission capacity in any course of study or training; or iii. Admit a new batch of students in any unrecognised course of study or training; <p>except with the previous permission of the Nursing and Midwifery Assessment and Rating Board obtained in accordance with the provisions of this Act:</p> <p>Provided that the qualification granted to a person in respect of a new or higher course of study or new batch without previous permission of the Nursing and Midwifery Assessment and Rating Board shall not be a recognized qualification for the purposes of this Act:</p>
	<p>(2) Every person or nursing and midwifery institution shall, for the purposes of obtaining permission under sub-section (1), submit to the Nursing and Midwifery Assessment and Rating Board a scheme in such form, containing such particulars, accompanied by such fee, and in such manner, as may be specified by regulations.</p>

	<p>(3) The Nursing and Midwifery Assessment and Rating Board shall, having due regard to the criteria specified in section 23, consider the proposal received under sub-section (2) of section 22 and either approve or disapprove such proposal within a period of six months from the date of such receipt:</p> <p>Provided that before disapproving such proposal, an opportunity to rectify the defects, if any, shall be given to the person concerned.</p>
	<p>(4) Where a proposal is approved under sub-section (3), such approval shall be the permission under sub-section (1) to establish new Nursing and midwifery college.</p>
	<p>(5) Where a proposal is disapproved under sub-section (3), or where no decision is taken within six months of submitting a proposal under sub-section (1), the person concerned may prefer an appeal to the Commission for approval of the proposal within fifteen days of such disapproval or, as the case may be, lapse of six months, in such manner as may be specified by regulations.</p>
	<p>(6) The Commission shall decide the appeal received under sub-section (5) within a period of ninety days from the date of receipt of the appeal and in case the Commission approves the proposal, such approval shall be the permission under sub-section (1) to establish a new Nursing and midwifery college and in case the Commission disapproves the Proposal, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within thirty days of communication of such disapproval or, as the case may be, lapse of specified period.</p>
	<p>Explanation.— For the purposes of this section, the term "person" includes a University, trust or any other association of persons or body of individuals, but does not include the Central or State Government.</p>
Criteria for approving or disapproving proposal.	<p>23. While approving or disapproving a proposal under section 22, the Nursing and Midwifery Assessment and Rating Board, or the Commission, as the case may be, shall take into consideration the following criteria, namely:—</p> <ul style="list-style-type: none"> (a) prescribed norms for financial resources; (b) prescribed norms for academic faculty and other necessary facilities have been provided to ensure proper functioning of Nursing and midwifery college or would be provided within the time-limit specified in the proposal based on the standards as prescribed; (c) prescribed norms for hospital facilities have been provided or would be provided within the time-limit specified in the proposal based on

	<p>the standards as prescribed;</p> <p>(d) The permission letter regarding desirability and feasibility of proposing an institution or an increase of seats in the existing college/institution for nursing and midwifery courses has been obtained by the applicant from the respective State Government or the Union Territory Administration</p> <p>(e) In case of proposal for increasing the number of seats - letter of University's permission for increasing the admission capacity in any course of study or training including a postgraduate course of study or training in seats in the existing nursing and midwifery college/institution has been obtained by the nursing and midwifery college/institution from the university to which it is affiliated.</p> <p>(f) such other factors as may be prescribed.</p> <p>Provided that subject to the previous approval of the Central Government, the criteria may be relaxed for the nursing and midwifery colleges which are set up in such areas as may be specified by regulations.</p>
	<p>CHAPTER IV</p> <p>STATE NURSING AND MIDWIFERY COMMISSIONS</p>
<p>Constitution and composition of State Nursing and Midwifery Commission.</p>	<p>24. (1) Every State Government shall, by notification, within one year of the commencement of this Act, constitute a State Nursing and Midwifery Commission, provided if no such State Commission exists in that State by a State Law, for exercising such powers and discharging such duties as may be laid down under this Act.</p>
<p>Functions of the State Nursing and Midwifery Commission</p>	<p>(2) It shall be the duty of the State Commission to take all such steps as it may think fit for ensuring coordinated and integrated development of education and maintenance of the standards of delivery of services under this Act and for the purposes of performing its functions, the State Commission may—</p> <p>(a) enforce the professional conduct, code of ethics and etiquette to be observed by the nursing and midwifery professionals including associates in the State and take disciplinary action including the removal of a professionals' name from the State Register;</p> <p>(b) ensure standards of education, courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment, examination, training, research, continuing professional education as prescribed by the Autonomous Boards;</p>

	<p>(c) enter the name and maintain the State Register for Professionals and State Register for Associates, review applications for registration of the nursing and midwifery professionals in the State and issue registration;</p> <p>(d) issue certification of specialisation or other forms of certification to those who practice the profession of nursing and midwifery</p> <p>(e) Inspect existing nursing and midwifery institutions in the State for ensuring compliance of standards, annual intake in accordance with the seats allotted and graduates annually for submission to the Board; Provided in case of non-compliance State Commissions may impose fine upon the institutions as per regulations.</p> <p>(f) Support the National Commission in executing uniform entry examination with common counselling for admission into the nursing and midwifery institutions at the diploma, undergraduate, postgraduate level under this Act;</p> <p>(g) Support the National Commission in executing uniform exit examination for the nursing and midwifery professionals under this Act within the State or Union Territory;</p> <p>(h) ensure compliance of all the directives issued by the National Commission; and</p> <p>(i) perform such other functions as may be entrusted to it by the State & UT Government or as may be necessary for implementation of the provisions of this Act.</p>
	<p>(3) The State Commission may engage, in accordance with the procedure specified by regulations, such number of experts and professionals of integrity and outstanding ability, who have special knowledge of, and experience in such fields, including nursing and midwifery education, public health nursing, management, health economics, quality assurance, patient advocacy, nursing health research, science and technology, nursing administration, finance, accounts and law, as it deems necessary, to constitute sub committees and delegate such of its powers to such sub-committees to assist the State Commission in the discharge of its functions under this Act.</p>
	<p>(4) Where a State Act confers power upon the State Nursing and Midwifery Commission to take disciplinary actions in respect of any professional or ethical misconduct by a registered nursing and midwifery professional, the State Nursing and Midwifery Commission shall act in accordance with the regulations made, and the guidelines framed, under this Act:</p>

	<p>Provided that till such time as a State Nursing and Midwifery Commission is established in a State, the Nursing and Midwifery Ethics and Registration Board shall receive the complaints and grievances relating to any professional or ethical misconduct against a registered nursing and midwifery professional in that State in accordance with such procedure as may be specified by regulations:</p> <p>Provided further that the Nursing and Midwifery Ethics and Registration Board or, as the case may be, the State Nursing and Midwifery Commission shall give an opportunity of hearing to the nursing and midwifery professional concerned before taking any action, including imposition of any monetary penalty against such person.</p>
	<p>(5) A nursing and midwifery professional who is aggrieved by any action taken by a State Nursing and Midwifery Commission under sub-section (4) may prefer an appeal to the Nursing and Midwifery Ethics and Registration Board against such action within thirty days, and the decision, if any, of the Nursing and Midwifery Ethics, and Registration Board there upon shall be binding on the State Nursing and Midwifery Commission, unless a second appeal is preferred under sub-section (6).</p>
	<p>(6) A nursing and midwifery professional who is aggrieved by the decision of the Nursing and Midwifery Ethics and Registration Board may prefer an appeal to the Commission within thirty days of communication of such decision.</p>
	<p><i>Explanation.</i>—For the purposes of this Act,—</p> <p>(a) “State” includes Union territory and the expressions “State Government” and “State Nursing and Midwifery Commission”, in relation to a Union territory, shall respectively mean the “Central Government” and “Union Territory Nursing and Midwifery Commission”;</p> <p>(b) the expression “professional or ethical misconduct” includes any act of commission or omission as may be specified by regulations.</p>
	<p>CHAPTER V REGISTRATION</p>
Central Register and State Register for Professionals.	<p>25. (1) The Nursing and Midwifery Ethics and Registration Board shall maintain an online and live Central Register containing the name, address, all recognised qualifications possessed by a nursing professional, midwifery professional, nursing associate, midwifery associate and such other particulars as may be specified by regulations.</p>

	(2) The Central Register shall be maintained in such form, including electronic form, in such manner, as may be specified by regulations.
	(3) The manner in which a name or qualification may be added to, or removed from, the Central Register and the grounds for removal thereof, shall be such as may be specified by the regulations.
	(4) The Central Register shall be a public document within the meaning of section 74 of the Indian Evidence Act, 1872 and may be provided by a certified copy provided by the State Commission.
	(5) The Central Register shall be made available to the public by placing it on the website of the Nursing and Midwifery Ethics and Registration Board.
	(6) Every State Nursing and Midwifery Commission shall maintain and regularly update the State Register for Professionals and the State Register for Associates in the specified electronic format and supply a physical copy of the same to the Nursing and Midwifery Ethics and Registration Board within three months of the commencement of this Act.
	(7) The Nursing and Midwifery Ethics and Registration Board shall ensure electronic synchronization of the Central Register, the State Register for Professionals and the State Register for Associates in such a manner that any change in one register is automatically reflected in the other register.
Rights of persons to have registration, to be enrolled in Central Register or State Register for Professionals or State Register for Associates & their obligations thereto.	26. (1) Any person who qualifies the National Exit Test – Nursing & Midwifery held under section 29 shall be granted a registration as Nursing and midwifery Professional and shall have her/his name and qualifications enrolled in the Central Register or the State Register for Professionals, as the case may be, in the manner as specified in the regulations.
	Provided that a person who has been registered in the Nurses Register maintained under the Indian Nursing Council Act, 1947 prior to the coming into force of this Act and before the National Exit Test – Nursing

	<p>& Midwifery becomes operational under sub-section (3) of section 29, shall be deemed to have been registered under this Act and be enrolled in the Central Register maintained under this Act.</p>
	<p>(2) No person who has obtained nursing and midwifery qualification from a nursing and midwifery institution established in any country outside India and is recognised as a nursing and midwifery professional in that country, shall, after the commencement of this Act and the National Exit Test – Nursing & Midwifery becomes operational under sub-section (3) of section 29, be enrolled in the Central Register unless she/he qualifies the National Exit Test – Nursing & Midwifery.</p>
	<p>(3) When a person whose name is entered in the State Register for Professionals or the State Register for Associates' or the Central Register, as the case may be, obtains any title, diploma or other qualification for proficiency in nursing sciences or public health nursing which is a recognised Nursing and midwifery qualification under section 30 or section 31, as the case may be, shall be entitled to have such title, diploma or qualification entered against her/his name in the State Register for Professionals or the State Register for Associates' or the Central Register, as the case may be, in such manner as may be specified by regulations.</p>
	<p>(4) The manner of renewal of registration of registered nurses and midwives, nursing associates and midwifery associates will be in such manner as may be specified by regulations.</p>
Bar to practice.	<p>27. (1) No person other than a person who is enrolled in the State Register for Professionals or the State Register for Associates' or the Central Register and shall—</p> <p>(a) Be allowed to practice Nursing or Midwifery as a qualified Nursing or Midwifery professional or Nursing or Midwifery associate;</p> <p>(b) be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 on any matter relating to nursing:</p> <p>Provided that the Commission shall submit a list of such nursing and midwifery professionals and health care associates and midwifery associates to the Central Government in such manner as may be prescribed:</p> <p>Provided further that a foreign citizen who is enrolled in her/his country as a nursing and midwifery professional in accordance with the law regulating the registration of Nursing and midwifery</p>

	<p>professional in that country may be permitted temporary registration in India for such period and in such manner as may be specified by regulations.</p>
	<p>(2) Any person who contravenes any of the provisions of this section shall be punished with imprisonment or fine or both as per the regulations.</p>
	<p>CHAPTER VI NATIONAL EXAMINATION</p>
National Nursing & Midwifery Eligibility-cum-Entrance Test.	<p>28. (1) There shall be a uniform National Nursing & Midwifery Entrance Test for admission to the undergraduate nursing education in all Nursing and Midwifery institutions, which are governed by the provisions of this Act:</p> <p>Provided that the uniform National Nursing & Midwifery Entrance Test for admission to the undergraduate nursing & midwifery education shall also be applicable to all Nursing and Midwifery institutions governed under any other law for the time being in force.</p>
	<p>(2) The Commission shall conduct the National Nursing & Midwifery Entrance Test in English and in such other languages, through such designated authority and in such manner, as may be specified by regulations.</p>
	<p>(3) The National Nursing & Midwifery Entrance Test shall become operational on such date, within three years from the date of commencement of this Act, as may be appointed by the Central Government, by notification.</p>
	<p>(4) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to undergraduate, postgraduate speciality seats, clinical nurse specialty seats and the Nurse Practitioner course in all speciality, in all the Nursing and Midwifery institutions which are governed by the provisions of this Act:</p> <p>Provided that the designated authority of the Central Government shall conduct the common counselling for Central Government Nursing and Midwifery Institutions and the designated authority of the State & UT Government shall conduct the common counselling for the State/UT Government Nursing and Midwifery Institutions.</p>
	<p>(5) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for</p>

	<p>admission to nursing associate and midwifery associate courses in each state by state commission.</p> <p>Provided that the designated authority of the State & UT Government shall conduct the common counselling for the seats at the State level.</p>
National Exit Test- Nursing & Midwifery.	<p>29. (1) A common final year undergraduate nursing & midwifery examination, to be known as the National Exit Test – Nursing & Midwifery shall be held for granting registration to nurses in the State Register for Professionals or the Central Register, as the case may be.</p>
	<p>(2) The Commission shall conduct the National Exit Test – Nursing & Midwifery through such designated authority and in such manner as may be specified by regulations.</p>
	<p>(3) The National Exit Test- Nursing & Midwifery shall become operational on such date, within five years from the date of commencement of this Act, as may be appointed by the Central Government, by notification.</p>
	<p>(4) Any person with a foreign nursing qualification shall have to qualify National Exit Test- Nursing & Midwifery for the purpose of obtaining registration to practice and for enrolment in the State Register for Professionals or the Central Register, as the case may be in such manner as may be specified by regulations.</p>
	<p>(5) The National Exit Test – Nursing & Midwifery shall be the basis for admission to the postgraduate courses in Nursing and midwifery institutions which are governed under the provisions of this Act or under any other law for the time being in force and shall be done in such manner as may be specified by regulations.</p>
	<p>(6) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to the postgraduate broad-specialty seats in the nursing and midwifery institutions referred to in sub-section (5):</p> <p>Provided that the designated authority of the Central Government shall conduct the common counselling for All India seats and the designated authority of the State Government shall conduct the common counselling for the seats at the State level.</p>
	<p>(7) The Commission shall specify by regulations the manner of conducting a skill based state exit test for nursing and midwifery associates to be conducted by the State Commissions for granting</p>

registration in the State Register for Associates.

CHAPTER VII

RECOGNITION OF NURSING AND MIDWIFERY QUALIFICATIONS

Recognition of Nursing qualifications granted by universities or nursing institutions in India.

30. (1) The Nursing and Midwifery qualification granted by any University or nursing and midwifery institution in India shall be listed and maintained by the Nursing and Midwifery UG and PG Education Boards in such manner as may be specified by regulations and such nursing and midwifery qualification shall be a recognised Nursing and Midwifery qualification for the purposes of this Act.

(2) Any University or nursing and midwifery institution in India which grants an undergraduate or postgraduate or speciality or clinical nurse speciality or Nurse Practitioner course in all specialities of nursing and midwifery qualification not included in the list maintained by the Nursing and Midwifery UG and PG Education Boards may apply to that Board for granting recognition to such qualification.

(3) The Nursing and Midwifery UG and PG Education Boards shall examine the application for grant of recognition to an undergraduate or postgraduate or speciality or clinical nurse speciality or Nurse Practitioner course in all specialities of nursing and midwifery qualification within a period of three months in such manner as may be specified by regulations.

(4) Where the Nursing and Midwifery UG and PG Education Boards decides to grant recognition to a nursing and midwifery qualification, it shall include such qualification in the list maintained by it and also specify the date of effect of such recognition.

(5) An institution or university aggrieved by the decision under subsection (3) may, within thirty days from the communication of such decision, prefer an appeal to the Commission and, after giving an opportunity of being heard, the Commission shall, within a period of sixty days from the date of filing of such appeal, pass such order as it thinks fit.

(6) All Nursing & midwifery qualifications which have been recognised before the date of commencement of this Act and are included in the Part-I and Part-II of the Schedule to the Indian Nursing Council Act, 1947, shall also be recognised Nursing & midwifery qualifications for the purposes of this Act, and shall be listed and maintained by the Nursing and Midwifery UG and PG Education Boards, in such manner as

	<p>may be specified by regulations.</p> <p>(7) Any authority within the States which, being recognised by the State Government in consultation with the State Commission, if any, for the purpose of granting any qualification, grants a qualifications in, not included in the Schedule may apply to the Commission to have such qualification recognised, and the Commission may declare that such qualification, or such qualification only when granted after a specified date shall be a recognised qualification for the purposes of this Act</p>
Recognition of nursing qualifications granted by nursing institutions outside India.	<p>31. (1) Where an authority in any country outside India, which by the law of that country is entrusted with the recognition of nursing and midwifery qualifications in that country, makes an application to the Commission for granting recognition to such nursing and midwifery qualification in India, the Commission may, subject to such verification as it may deem necessary, either grant or refuse to grant recognition to that nursing and Midwifery qualification:</p> <p>Provided that the Commission shall give a reasonable opportunity of being heard to such authority before refusing to grant such recognition.</p>
	<p>(2) A Nursing and Midwifery qualification which is granted recognition by the Commission under sub-section (1) shall be a recognised nursing and midwifery qualification for the purposes of this Act, and such qualification shall be listed and maintained by the Commission in such manner as may be specified by regulations.</p>
	<p>(3) Where the Commission refuses to grant recognition to the nursing and midwifery qualification under sub-section (1), the authority concerned may prefer an appeal to the Central Government against such decision within thirty days of communication thereof.</p>
	<p>(4) Mutual recognition of the qualifications for reciprocal registration of nursing & midwifery professionals between two countries shall be as specified by the regulations.</p>
Withdrawal of recognition granted to Nursing and Midwifery qualification granted by Nursing and midwifery institutions in	<p>32. (1) Where, upon receiving a report from the Nursing and Midwifery Assessment and Rating Board under section 20, or from State Commission or State Government or otherwise, if the Commission is of the opinion that—</p> <p>(a) the courses of study and examination to be undergone in, or the proficiency required from candidates at any examination held by, a University or nursing and Midwifery institution do not conform to the standards specified by the Nursing and Midwifery UG Education Board or the Nursing and Midwifery PG Education Board or</p>

India.	<p>(b) the standards and norms for infrastructure, faculty and quality of education in Nursing and Midwifery institution as determined by the Nursing and Midwifery UG Education Board or the Nursing and Midwifery PG Education Board are not adhered to by any University or Nursing and Midwifery institution, and such University or Nursing and Midwifery institution has failed to take necessary corrective action to maintain specified minimum standards, the Commission may initiate action in accordance with the provisions of sub-section (2):</p> <p>Provided that the Commission shall, before taking any action for suo motu withdrawal of recognition granted to the Nursing and Midwifery qualification awarded by a University or Nursing and Midwifery institution, impose penalty in accordance with the provisions of clause (e) of sub-section (1) of section 20.</p>
	<p>(2) The Commission shall, after making such further inquiry as it deems fit, and after holding consultations with the concerned State Government and the authority of the concerned University or Nursing and midwifery institution, comes to the conclusion that the recognition granted to a Nursing and midwifery qualification ought to be withdrawn, it may, by order, withdraw recognition granted to such qualification and direct the Nursing and Midwifery UG Education Board and the Nursing and Midwifery PG Education Board to amend the entries against the University or Nursing and midwifery institution concerned in the list maintained by that Board to the effect that the recognition granted to such Nursing and midwifery qualification is withdrawn with effect from the date specified in that order.</p>
De-recognition of Nursing and midwifery qualifications granted by Nursing and midwifery institutions outside India.	<p>33. Where, after verification with the authority in any country outside India, the Commission is of the opinion that a recognised Nursing and midwifery qualification which is included in the list maintained by it is to be derecognised, it may, by order, de-recognise such Nursing and midwifery qualification and remove it from the list maintained by the Commission with effect from the date of such order.</p>
Special provision in certain cases for recognition of Nursing and midwifery	<p>34. Where the Commission deems it necessary, it may, by an order published in the Official Gazette, direct that any Nursing & midwifery qualification granted by a Nursing & midwifery institution in a country outside India, after such date as may be specified in that notification, shall be a recognised Nursing & midwifery qualification for the purposes of this Act:</p>

<p>qualifications.</p>	<p>Provided that the equivalence in terms of curriculum as per section 31 (1) is examined.</p> <p>Provided further that practice by a person possessing such qualification shall be permitted only if such person qualifies National Exit Test - Nursing & Midwifery.</p>
	<p style="text-align: center;">CHAPTER VIII THE NURSING AND MIDWIFERY ADVISORY COUNCIL</p>
<p>Nursing & Midwifery Advisory Council</p>	<p>35. (1) The Central Government shall constitute an advisory body to be known as the Nursing and Midwifery Advisory Council.</p>
	<p>(2) The Council shall consist of a Nursing & Midwifery Chairperson and the following members, namely:—</p> <p>(a) The Chairperson of the Commission shall be the ex officio Chairperson of the Council;</p> <p>(b) Every member of the Commission shall be the ex officio members of the Council;</p> <p>(c) The Chairman, University Grants Commission;</p> <p>(d) The Director, National Assessment and Accreditation Council;</p> <p>(e) One member to represent each State and each Union Territory, except the State/Union Territory already represented in the Commission under clause (k) of sub-section (1) of section 4, who is the Dean-Nursing/Principal of a nursing & midwifery institution in that State/Union Territory, to be nominated by that State Government or by the Ministry of Home Affairs in the Government of India in the case of Union Territory ;</p> <p>(f) One member to represent each State and each Union Territory, except the State/Union Territory already represented in the Commission under clause (j) of sub-section (1) of section 4, from amongst the members of the State Nursing & Midwifery Commission, to be nominated by that State Commission;</p>
	<p>36. (1) The Council shall be the primary platform through which the States and Union territories may put forth their views and concerns before the Commission and help in shaping the overall agenda, policy and action relating to Nursing education nursing services, training and research.</p> <p>(2) The Council shall advise the Commission on measures to determine and maintain, and to co-ordinate maintenance of, the minimum standards in all matters relating to nursing education, nursing services, training and research.</p> <p>(3) The Council shall advise the Commission on measures to enhance equitable access to nursing education, nursing services, training and</p>

	research.
	<p>37. (1) The Council shall meet at least once a year at such time and place as may be decided by the Chairperson.</p> <p>(2) The Chairperson shall preside at the meeting of the Council and if for any reason the Chairperson is unable to attend a meeting of the Council, such other member as nominated by the Chairperson shall preside over the meeting.</p> <p>(3) Unless the procedure is otherwise provided by regulations, Two third of the members of the Council including the Chairperson shall form the quorum and all acts of the Council shall be decided by a majority of the members present and voting.</p> <p>(4) The members nominated under clause (e) and (f) of sub-section (2) of section 35 shall hold office for a term not exceeding four years, as the Central Government may notify in this behalf.</p>
	<p>CHAPTER IX</p> <p>GRANTS, AUDIT AND ACCOUNTS</p>
Grants by Central Government.	38. The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Commission grants of such sums of money as the Central Government may think fit.
National Nursing and Midwifery Commission Fund.	39. (1) There shall be constituted a fund to be called "the National Nursing and Midwifery Commission Fund" which shall form part of the public account of India and there shall be credited thereto—
	<p>(a) all Government grants, fees, penalties and charges received by the Commission and the Autonomous Boards;</p> <p>(b) all sums received by the Commission from such other sources as may be decided by it.</p>
	<p>(2) The Fund shall be applied for making payment towards—</p> <p>(a) the salaries and allowances payable to the Chairperson, Secretary and Members of the Commission, the Presidents and Members of the Autonomous Boards, Members of the Advisory Council and the administrative expenses including the salaries and allowances payable to the officers and other employees of the Commission and Autonomous Boards;</p> <p>(b) the expenses incurred in carrying out the provisions of this Act, including in connection with the discharge of the functions of the Commission and the Autonomous Boards.</p>
Audit and Accounts.	40. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

	(2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General of India.
	(3) The Comptroller and Auditor-General of India and any other persons appointed by him in connection with the audit of the accounts of the Commission shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of, and complete access to, records, books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.
	(4) The accounts of the Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Commission to the Central Government which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.
Furnishing of returns and reports to Central Government.	41. (1) The Commission shall furnish to the Central Government, at such time, in such form and in such manner, as may be prescribed or as the Central Government may direct, such reports and statements, containing such particulars in regard to any matter under the jurisdiction of the Commission, as the Central Government may, from time to time, require.
	(2) The Commission shall prepare, once every year, in such form and at such time as may be prescribed, an annual report, giving a summary of its activities during the previous year and copies of the report shall be forwarded to the Central Government.
	(3) A copy of the report received under sub-section (2) shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.
	CHAPTER X MISCELLANEOUS
Power of Central Government to give directions to Commission and	42. (1) Without prejudice to the foregoing provisions of this Act, the Commission, the Autonomous Boards and the Advisory Council shall, in exercise of their powers and discharge of their functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to them from time to time:

Autonomous Boards.	<p>Provided that the Commission, the Autonomous Boards and the Advisory Council shall, as far as practicable, be given an opportunity to express their views before any direction is given under this sub-section.</p> <p>(2) The decision of the Central Government whether a question is one of policy or not, shall be final.</p>
Power of Central Government to give directions to State Governments.	<p>43. (1) The Central Government may give such directions, as it may deem necessary, to a State Government for carrying out all or any of the provisions of this Act and the State Government shall comply with such directions.</p>
Power of Central Commission to give directions to State Commissions.	<p>(2) The Central Commission may give such directions, as it may deem necessary, to a State Commission for carrying out all or any of the provisions of this Act and the State Commission shall comply with such directions.</p>
Information to be furnished by commission and publication thereof.	<p>44. (1) The Commission shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.</p>
	<p>(2) The Central Government may publish, in such manner as it may think fit, the reports, minutes, abstracts of accounts and other information furnished to it under sub-section (1).</p>
Obligation of universities and Nursing and Midwifery institutions.	<p>45. Every University and Nursing and midwifery institution governed under this Act shall maintain a website at all times and display on its website all such information as may be required by the Commission or an Autonomous Board, as the case may be.</p>
Completion of courses of studies in Nursing and Midwifery institutions.	<p>46. (1) Notwithstanding anything contained in this Act, any student who was studying for a degree, diploma or certificate in any Nursing & midwifery institution immediately before the commencement of this Act shall continue to so study and complete her/his course for such degree, diploma or certificate, and such institution shall continue to provide instructions and examination for such student in accordance with the syllabus and studies as existed before such commencement, and such</p>

	<p>student shall be deemed to have completed her/his course of study under this Act and shall be awarded degree, diploma or certificate under this Act.</p>
	<p>(2) Notwithstanding anything contained in this Act, where recognition granted to a Nursing institution has lapsed, whether by efflux of time or by its voluntary surrender or for any other reason whatsoever, such Nursing institution shall continue to maintain and provide the minimum standards required to be provided under this Act till such time as all candidates who are admitted in that Nursing institution complete their study.</p>
<p>Chairperson, Members, officers of Commission and of Autonomous Boards to be public servants.</p>	<p>47. The Chairperson, Members, officers and other employees of the Commission and the President, Members and officers and other employees of the Autonomous Boards shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.</p>
<p>Protection of action taken in good faith.</p>	<p>48. No suit, prosecution or other legal proceeding shall lie against the Government, the Commission or any Autonomous Board or a State Nursing and Midwifery Commission or any Committee thereof, or any officer or other employee of the Government or of the Commission acting under this Act for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.</p>
<p>Cognizance of offences.</p>	<p>49. No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made in this behalf by an officer authorized by the Commission or the Ethics and Registration Board or a State Nursing and Midwifery Commission, as the case may be.</p>
<p>Power of Central Government to supersede Commission.</p>	<p>50. (1) If, at any time, the Central Government is of opinion that —</p> <ul style="list-style-type: none"> (a) the Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or (b) the Commission has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act, the Central Government may, by notification, supersede the Commission for such period, not exceeding six months, as may be specified in the notification: <p>Provided that before issuing a notification under this sub-section, the Central Government shall give a reasonable opportunity to the</p>

	Commission to show cause as to why it should not be superseded and shall consider the explanations and objections, if any, of the Commission.
	<p>(2) Upon the publication of a notification under sub-section (1) superseding the Commission—</p> <p>(a) all the Members shall, as from the date of supersession, vacate their offices as such;</p> <p>(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Commission, shall, until the Commission is re-constituted under sub-section (3), be exercised and discharged by such nursing & midwifery professionals as the Central Government may direct;</p> <p>(c) all property owned or controlled by the Commission shall, until the Commission is re-constituted under sub-section (3), vest in the Central Government.</p>
	<p>(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may,—</p> <p>(a) extend the period of supersession for such further term not exceeding six months, as it may consider necessary; or</p> <p>(b) re-constitute the Commission by fresh appointment and in such case the Members who vacated their offices under clause (a) of sub-section (2) shall not be deemed disqualified for appointment:</p> <p>Provided that the Central Government may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.</p>
	(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before both Houses of Parliament at the earliest opportunity.
Power to make rules.	51. (1) The Central Government may, by notification, make rules to carry out the purposes of this Act.
	(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
	(a) the manner of appointing members of the Commission under clause (h), (i), (j), (k), (l), (m) and (n) of sub-section (1) of section 4;

	(b) the manner of nominating experts by the Central Government under clause (b) and (c) of sub-section (2) of section 5;
	(c) the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members under sub-section (4) of section 6;
	(d) the form and the manner of making declaration under sub-section (6) of section 6.
	(e) the qualifications and experience to be possessed by the Secretary of the Commission under sub-section (2) of section 8;
	(f) the salaries and allowances payable to, and other terms and conditions of service of the Secretary, officers and other employees of the Commission under sub-section (6) of section 8;
	(g) the other powers and functions of the Commission under clause (m) of sub-section (1) of section 10;
	(h) the manner of choosing Members under sub-sections (3), (4) & (5) of section 12;
	(i) the salary and allowances payable to, and other terms and conditions of service of the President and Members of an Autonomous Board under sub-section (2) of section 13;
	(j) the manner of filling up vacancies to the post of President and Members to the Autonomous Boards under sub-section (1) of Section 13;
	(k) the other factors under clause (f) of section 23;
	(l) the manner of submitting a list of Nursing and Midwifery professionals under the first proviso to sub-section (1) of section 27;
	(m) the form for preparing annual statement of accounts under sub-section (1) of section 40;
	(n) the time within which, and the form and the manner in which, the reports and statements shall be furnished by the Commission and the particulars with regard to any matter as may be required by the Central Government under sub-section (1) of section 41;
	(r) the form and the time for preparing annual report under sub-section (2) of section 41;
	(s) the manner of deciding on the continuity of services of the officers and employees of the Indian Nursing Council under sub-section (4) of section 55;

	(u) the manner of continuing the actions taken under the Indian Nursing Council Act, 1947, which are in force as on the date of commencement of this Act, till the date of their expiry for all purposes as per sub-section (5) of section 55;
	(v) the manner of transitory provision of subsidiaries or owned trusts and all the assets and liabilities of the Indian Nursing Council to the Commission as per sub-section(1) of section 56;
	(w) any other matter in respect of which provision is to be made by rules.
Power to make regulations.	52. (1) The Commission may, after previous publication, by notification, make regulations consistent with this Act and the rules made there under to carry out the provisions of this Act.
	(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-
	(a) the functions to be discharged by the Secretary of the Commission under sub-section (4) of section 8;
	(b) the procedure in accordance with which experts, consultants and professionals may be engaged and the number of such experts and professionals under sub-section (7) of section 8;
	(c) the procedure to be followed at the meetings of Commission, including the quorum at its meetings under sub-section (3) of section 9;
	(d) the quality and standards to be maintained in Nursing and Midwifery education under clause (a) of sub-section (1) of section 10;
	(e) the manner of regulating nursing & midwifery institutions, researches, professionals and associates under clause (b) of sub-section (1) of section 10;
	(f) the basic standards of education, physical and instructional facilities, assessment, examination, training, research, continuing professional education, maximum tuition fee payable in respect of various categories, etc. under clause (c) of sub-section (1) of section 10;
	(g) the standards for nursing & midwifery faculty and clinical facility in teaching institutions under clause (d) of sub-section (1) of section 10;

	(h) the uniform entry examination with common counselling for admission into the nursing and midwifery institutions at the various levels under clause (e) of sub-section (1) of section 10;
	(i) the National Exit Test - Nursing & Midwifery for nursing and midwifery professionals for professional practice or for entrance into postgraduate level under clause (f) of sub-section (1) of section 10;
	(j) the code to promote ethical conduct during the provision of care by nursing and midwifery professionals, nursing associates and midwifery associates under clause (h) of sub-section (1) of section 10;
	(k) the manner of functioning of the Commission, the Autonomous Boards, Advisory Council and the State Commissions under clause (j), (k) & (l) of sub-section (1) of section 10;
	(l) the quantum of imprisonment or fine or both under sub-section (2) of section 27;
	(m) the other languages in which and the manner in which the National Nursing & Midwifery Entrance Test shall be conducted under sub-section (2) of section 28;
	(n) the manner of conducting common counselling by the designated authority for admission to the undergraduate and postgraduate, speciality Nursing and midwifery education, clinical nurse specialty and nursing practitioners in all specialities of nursing and midwifery under sub-section (4) of section 28 and sub-section (6) of section 29;
	(o) the manner of conducting common counselling by the designated authority for admission to nursing associate and midwifery associate courses under subsection (5) of section 28.
	(p) the designated authority, and the manner for conducting the National Exit Test- Nursing & Midwifery under sub-section (2) of section 29;
	(q) the manner in which a person with foreign Nursing qualification shall qualify National Exit Test- Nursing & Midwifery under sub-section (4) of section 29;
	(r) the number of, and the manner in which, the experts, consultants, professionals, officers and other employees shall be made available by the Commission to the Autonomous Boards under

	section 15;
	(s) the curriculum at under-graduate level under clause (b) sub-section (1) of section 18;
	(t) the manner of imparting undergraduate courses by Nursing institutions under clause (d) sub-section (1) of section 18;
	(u) the minimum requirements and standards for conducting courses and examinations for undergraduates in Nursing & midwifery institutions under clause (a) sub-section (1) of section 18;
	(v) the nursing and midwifery qualifications at the undergraduate level, nursing associate and midwifery associate qualifications i.e. the name of the course, entry criteria, duration and such other particulars under clause (c) sub-section (1) of section 18;
	(w) the standards and norms for infrastructure, faculty and quality of education at undergraduate level in Nursing & midwifery institutions under clause (e) sub-section (1) of section 18;
	(x) the standards for education, training and services of nursing care (including home-based personal care) assistants under clause (h) of sub-section (1) of section 18;
	(y) the scope of practice of registered nurses, midwives, nurse associates and midwifery associates under clause (i) of sub-section (1) of section 18;
	(z) the standards of Nursing and Midwifery education at the postgraduate level and speciality level, clinical nurse specialty level and nurse practitioner in all specialities under clause (a) sub-section (1) of section 19;
	(aa) the curriculum at postgraduate level, speciality level, clinical nurse specialty level and nurse practitioner in all specialities level under clause (b) sub-section (1) of section 19;
	(bb) the nursing and midwifery qualifications at the post graduate level, speciality nursing level, clinical nurse specialist level and nurse practitioner in all specialities, including name of the course, entry criteria, duration and such other particulars under clause (c) sub-section (1) of section 19;
	(cc) the guidelines for setting up of nursing and midwifery institutions, research and development cell for imparting postgraduate and speciality courses, clinical nurse specialty courses and nurse practitioner in all specialities by Nursing and

	Midwifery institutions under clause (d) sub-section (1) of section 19;
	(dd) the minimum requirements and standards for conducting post-graduate and specialty courses and examinations in Nursing & Midwifery institutions under clause (a) sub-section (1) of section 19;
	(ee) the standards and norms for infrastructure, faculty and quality of education in Nursing & Midwifery institutions conducting postgraduate and speciality Nursing & midwifery education under clause (e) sub-section (1) of section 19;
	(ff) the scope of practice of registered nurses and midwives under clause (g) of sub-section (1) of section 19;
	(gg) the limited prescribing authority for nurse practitioners and other particulars under clause (g) of sub-section (1) of section 19;
	(hh) the procedure for assessing and rating the Nursing & Midwifery institutions under clause (a) sub-section (1) of section 20;
	(ii) the manner of carrying out inspections of Nursing & Midwifery institutions for assessing and rating such clause (c) sub-section (1) of section 20;
	(jj) the manner of conducting, and the manner of empanelling independent rating agencies to conduct, assessment and rating of Nursing & Midwifery institutions under clause (c) sub-section (1) of section 20;
	(kk) the manner of making available on website or in public domain the assessment and ratings of Nursing & Midwifery institutions under clause (d) sub-section (1) of section 20;
	(ll) the measures to be taken against a Nursing & Midwifery Institute for failure to maintain the minimum essential standards under clause (e) sub-section (1) of section 20;
	(mm) the manner of regulating professional conduct and promoting nursing & midwifery ethics under clause (d) sub-section (1) of section 21;
	(nn) the form of proposal, the particulars thereof, the fee to be accompanied and the manner of submitting proposal for establishing new Nursing & Midwifery college or for starting any postgraduate course or for increasing number of seats under sub-

	section (2) of section 22;
	(oo) the manner of making an application to the Commission for approval of the proposal under sub-section (5) of section 22;
	(pp) the areas in respect of which criteria may be relaxed under the proviso to section 23;
	(qq) the manner of taking disciplinary action by a State Nursing and Midwifery Commission for professional or ethical misconduct of registered Nursing & midwifery professional and the procedure for receiving complaints and grievances by Ethics and Registration Board, under sub-section (4) of section 24;
	(rr) the act of commission or omission which amounts to professional or ethical misconduct under clause (a) and (b) of the Explanation to section 24;
	(ss) other particulars to be contained in the Central Register under sub-section (1) of section 25;
	(tt) the form, including the electronic form and the manner of maintaining the Central Register, State Nurses and Midwives Register and the State Register for Associates' under sub-section (2) of section 25;
	(uu) the manner in which any name or qualification may be added to, or removed from, the Central Register, State Nurses and Midwives Register and the State Register for Associates' and the grounds for removal thereof, under sub-section (3), (6) & (7) of section 25;
	(vv) the manner of renewal of registration of registered nurses and midwives, nurse associates and midwife associates under sub-section (4) of section 26;
	(ww) the manner of conducting a skill based state exit test for nursing associates and midwifery associates to be conducted by the State Commissions under sub-section (7) of section 29;
	(xx) the manner of listing and maintaining qualifications granted by a University or Nursing & midwifery institution in India under sub-section (1) of section 30 and sub-section (2) of Section 31;
	(yy) the manner of examining the application for grant of recognition under sub-section (3) of section 30;
	(zz) the manner of preferring an appeal to the Commission for

	grant of recognition under sub-section (5) of section 30;
	(aaa) the manner of including a Nursing and Midwifery qualification in the list maintained by the Board under sub-section (4) of section 30 and sub-section (2) of section 31;
	(bbb) the manner of listing and maintaining Nursing and Midwifery qualifications which have been granted recognition before the date of commencement of this Act under sub-section (6) of section 30;
	(ccc) the manner of mutual recognition of the qualifications for reciprocal registration of nursing & midwifery professionals between two countries under sub-section (4) of section 31;
	(ddd) any other matter in respect of which provision is to be made by regulations.
Rules and regulations to be laid before Parliament.	53. Every rule and every regulation made, and every notification issued, under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification; both Houses agree that the rule or regulation or notification should not be made, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification.
Power to remove difficulties.	54. (1) If any difficulties arise in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it be necessary, for removing the difficulty: Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.
	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each house of Parliament.
Repeal and saving.	55. (1) With effect from such date as the Central Government may appoint in this behalf, the Indian Nursing Council Act, 1947 shall stand repealed and the Indian Nursing Council constituted under sub-section (1) of

	<p>section 3 of the said Act shall stand dissolved.</p> <p>(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect,—</p> <p>(a) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or</p> <p>(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or</p> <p>(c) any penalty incurred in respect of any contravention under the Act so repealed; or</p> <p>(d) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if that Act had not been repealed.</p>
	<p>(3) On the dissolution of the Indian Nursing Council, the person appointed as the President and every other person appointed as the Member of the Indian Nursing Council shall vacate their respective offices and such President and other Members shall be entitled to claim compensation, fees and allowances for the premature termination of term of their office for a period not exceeding 90 days.</p>
	<p>(4) The Central Government shall, by notification, make rules to decide on the continuity of services of the officers and employees who have been, before the dissolution of the Indian Nursing Council, employed on regular or contractual basis by the Indian Nursing Council, in the manner as may be prescribed by the rules.</p>
	<p>(5) Notwithstanding the repeal of the aforesaid enactment, any order made, any licence to practice issued, any registration made, any permission to start new nursing college or to start higher course of studies or for increase in the admission capacity granted, any recognition of nursing qualifications granted, under the Indian Nursing Council Act, 1947, which are in force as on the date of commencement of this Act, shall continue to be in force till the date of their expiry for all purposes, as if they had been issued or granted under the provisions of this Act or the rules or regulations made thereunder.</p>
Transitory provisions.	<p>56. (1) The Commission shall be the successor in interest to the Indian Nursing Council including its subsidiaries or owned trusts and all the assets and liabilities of the Indian Nursing Council shall be deemed to have been transferred to the Commission.</p>
	<p>(2) Notwithstanding the repeal of the Indian Nursing Council Act, 1947, the educational standards, requirements and other provisions of the</p>

Indian Nursing Council Act, 1947 and the rules and regulations made thereunder shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made there under:

Provided that anything done or any action taken as regards the educational standards and requirements under the enactment under repeal and the rules and regulations made thereunder shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force accordingly unless and until superseded by anything done or by any action taken under this Act.

SCHEDULE I
(See section ...)

S. No	Professional category	ISCO Code	Definition
1	Nursing & Midwifery Services Managers (Example - i. Nursing & Midwifery Executives ii. Nursing & Midwifery Managers)	1342	Nursing & Midwifery Service Managers are the professionals, who plan, direct, coordinate and evaluate the provision of nursing & midwifery education, clinical and community health care services in nursing & midwifery institutes, hospitals, clinics, public health agencies and other similar nursing & midwifery organizations. Their tasks include teaching and administration of nursing institute, providing overall direction & management for the service, facility or centre; directing, supervising & evaluating work activities of nursing & midwifery personnel; developing, implementing, monitoring procedure/policy for nursing staff; liaising with other health & welfare service providers etc. and, who have obtained any recognized nursing or midwifery qualification and are registered with the Commission.
2.	Nursing Professional (Example - i. Nurse ii. Nurse Educator or Faculty iii. Public Health Nursing Officer iv. Clinical Nurse Specialist v. Nurse Practitioner)	2221	Nursing Professionals provide nursing education, treatment, support and care services for people who are in need of nursing & midwifery care due to the effects of ageing, injury, illness or other physical or mental impairment, or potential risks to health, according to the practice and standards of modern nursing & midwifery, assume responsibility for the planning and management of the care of patients, including the supervision of other health care workers, working autonomously or in teams with medical doctors and others in the practical application of preventive and curative measures in clinical and community settings, and, who have obtained any recognized nursing qualification and are registered with the Commission.
3.	Midwifery Professional (Example - i. Professional Midwife)	2222	Midwifery Professionals plan, manage, provide and evaluate midwifery care services before, during and after pregnancy and childbirth. They provide delivery care for reducing health risks to women and newborn children according to the practice and standards of modern midwifery, working autonomously or in teams with other health care provider, may conduct research on midwifery practices and procedures, and implement midwifery education activities in clinical and community settings

			and who have obtained any recognized midwifery qualification and are registered with the Commission.
	Nurse Associate (Example - i. Associate Nurse ii. Multi-Purpose Health Workers (Male))	3221	Nursing Associate Professionals provide basic nursing and personal care for people in need of such care due to effects of ageing, illness, injury, or other physical or mental impairment, provide health advice to patients and families; monitor patients' conditions; and implement care, treatment and referral plans usually established by medical, nursing and other health professionals, and who have obtained any recognised nursing associate qualification and are registered with the Commission.
5	Midwifery Associate (Example - i. Auxillary Nurse & Midwife (ANM) ii. Lady Health Visitor (LHV))	3222	Midwifery Associate Professionals work in the community setting and provide basic health care and advice before, during and after pregnancy and childbirth; and implement care, treatment and referral plans usually established by medical, midwifery and other health professionals and who have obtained any recognized midwifery associate qualification and are registered with the Commission.
6.	Nursing Care (including Home-based Personal Care) Assistants	5321 / 5322	Nursing Care (including Home-based Personal Care) Assistants provide direct personal care and assistance with activities of daily living to patients and residents in a variety of health care settings such as hospitals, clinics, residential nursing care facilities and in private homes and other independent residential settings. They generally work in implementation of established care plans and practices under the direct supervision of medical, nursing or other health professionals and associates. Their tasks include assisting patients with personal and therapeutic care needs such as personal hygiene, feeding, dressing, physical mobility and exercise, communication, taking oral medications and changing dressings, positioning, lifting and turning patients, maintaining patients' environmental hygiene standards, proving clients and families with emotional & psychological support, observing patient's condition, responses and behavior and reporting changes to a health professional and who have obtained any recognised health care assistant qualification and are registered with the Commission.