The Uttar Pradesh Indian Medicine (Amendment) Act, 1991

Act 22 of 1991

Keyword(s):
Indian Medicine, Controller, Board, Advisory Committee, Ayurvedic, Unani

Amendments appended: 10 of 1994, 10 of 2015
IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Bhartiya Chikitsa (Sanskodhan) Adhiniyam, 1991 (Uttar Pradesh Adhiniyam Sankhya 22 of 1991) as passed by the Uttar Pradesh Legislature and assented to by Governor on August 17, 1991:

THE UTTAR PRADESH INDIAN MEDICINE (AMENDMENT) ACT, 1991

[U.P. Act No. 22 of 1991]
(As passed by the Uttar Pradesh Legislature).

AN ACT

further to amend the United Provinces Indian Medicine Act, 1939.

IT IS HEREBY enacted in the Forty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Utttar Pradesh Indian Medicine (Amendment) Act, 1991.

(2) Section 2 shall be deemed to have come into force on August 28, 1990 and the remaining provisions shall come into force at once.

2. After section 10 of the United Provinces Indian Medicine Act, 1939, hereinafter referred to as the principal Act, the following section shall be inserted, namely:—

"10-A. (1) Where the number of members of the Board for the time being is, for any reason whatsoever, reduced to less than the quorum provided in section 18, the State Government may, by notification, supersede the Board and appoint a Controller for such period not exceeding two years as may be specified in the notification or up to the date of notification under sub-section (4) whichever is earlier.

(2) Upon the appointment of the Controller under sub-section (1),—

(a) all members of the Board including the President and the Vice-President shall, cease to be such members, President or Vice President;

(b) the advisory Committee, if any, appointed under sub-section (1) of section 17 shall stand dissolved;

(c) all members (including the Chairman) of the Faculty, except the Director of Ayurvedic and Unani Services, Uttar Pradesh shall cease to hold office and the Controller, together with the aforesaid Director shall constitute the Faculty;
(d) all powers, functions and duties of the Board, the President and the Vice-President shall be vested in and be exercised, performed and discharged by the Controller and the Controller shall be deemed to be the Board, the President or the Vice-President as the occasion may require.

(3) As soon as may be after the appointment of the Controller the State Government shall take steps to nominate a President and other members under clauses (1) and (2) of sub-section (1) of section 5 and to hold elections of members under clauses (3), (4), (5) and (6) of that sub-section.

(4) As soon as the elections or nominations, as the case may be, of at least such number of members as is required under section 18 for the quorum (including the President) are notified under section 8, the State Government may by notification declare that the Board is reconstituted and thereupon the Controller shall cease to function.”

3. (1) The Uttar Pradesh Indian Medicine (Amendment) (Second) Ordinance, 1991, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1) or by the Uttar Pradesh Indian Medicine (Amendment) Ordinance, 1990, or by the Uttar Pradesh Indian Medicine (Amendment) Ordinance, 1991, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act as if the provisions of this Act were in force at all material times.

By order,
NARAYAN N. D.
Sachiv.
लरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

विधायी परिषिद्ध
वर्ग—1, छात्र (क)
(उत्तर प्रदेश विधिनियम)

लिखित, शाखा, 23 प्रम्ण, 1994
वेशाख 3, 1916 भार. समय

उत्तर प्रदेश सरकार

विधायी अनुपाल-1

संक्या 718/17-वि-1-1(क)14-1994
लिखित, 23 अप्रैल, 1994

अधिपत्य

"भारत का संविधान" के अनुसार, 200 के अधिन राजन्यपाल महोदय ने उत्तर प्रदेश प्रिंसिपल द्वारा पारित उत्तर प्रदेश विधायी विधिनियम (संशोधन) विधेयक, 1994 पर विनियम 22 अप्रैल, 1994 को अनुसूचित प्रयास की और वह उत्तर प्रदेश विधिनियम संख्या 10 तत्त 1994 के बाद में वर्तमान, नवीनता इत्यादि अधिकृत द्वारा प्रकाशित किया गया है।

उत्तर प्रदेश भारतीय चिकित्सा (संशोधन) विधिनियम, 1994
(उत्तर प्रदेश अधिनियम संख्या 10 दत्त 1994)
(जैसा उत्तर प्रदेश प्रिंसिपल द्वारा पारित हुआ)
संशोधन, भारतीय चिकित्सा अधिनियम, 1939 का अनुसार संशोधन करने के लिए,

प्रशासन अधिकार के प्रतिकूल अधिकार के विविध अधिकारियों ने विशेष रूप से अधिकृत अधिनियम बनाना आता है।

1—(1) यह अधिनियम उत्तर प्रदेश भारतीय चिकित्सा (संशोधन) अधिनियम, 1994 का संक्षिप्त नाम और प्रारूप
(2) यह 23 अगस्त, 1992 को प्रकृत द्वारा सम्पन्न जारी किया था।
In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Bhartiya Chikitsa (Sanshodhan) Adhiniyam, 1994 (Uttar Pradesh Adhiniyam Sankhya 10 of 1994) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 23, 1994.

THE UTTAR PRADESH INDIAN MEDICINE (AMENDMENT) ACT, 1994
(U.P. Act No. 10 of 1994)

(As passed by the Uttar Pradesh Legislature)

AN ACT

Further to amend the United Provinces Indian Medicine Act, 1939.

IT IS HEREBY enacted in the Forty-fifth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Indian Medicine (Amendment) Act, 1994.

(2) It shall be deemed to have come into force on August 28, 1992.

2. In section 10-A of the United Provinces Indian Medicine Act, 1939, hereinafter referred to as the principal Act, in sub-section (1), for the words "two years" the words "four years" shall be substituted.

3. Notwithstanding anything contained in the principal Act, the Controller appointed under section 10-A of the principal Act and exercising all powers, performing the functions and discharging the duties of the Board of Ayurvedic and Unani Tibbi Systems of Medicine, Uttar Pradesh immediately before August 28, 1992, shall be deemed to have validly continued to be appointed as Controller until another person is appointed as Controller under the said section and anything done or any action taken by such Controller at any time on or after August 28, 1992 shall be valid as if the provisions of the principal Act as amended by this Act were in force at all material times.

By order,

N. K. NARANG
Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिषिक्त
भाग—1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, बुधवार, 9 सितंबर, 2015
भागपद 18, 1937 शताब्दी

उत्तर प्रदेश शासन
विधायी अनुभाग—1
संख्या 1224/78-वि-1-15-1(क)18-2015
लखनऊ, 9 सितंबर, 2015
अधिसूचना

“भारत का संविधान” के अनुसार 200 के अधीन सवाल पालन महोत्सव ने उत्तर प्रदेश इंडियन मेडिसिन (संगठन) विद्यकर्ता, 2015 पर दिनाक 7 सितंबर, 2015 को अनुभवत प्रस्ताव की और वह उत्तर प्रदेश अधिनियम संख्या 10 सन् 2015 के रूप में सर्वसाधारण की सूचना पर इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश इंडियन मेडिसिन (संगठन) अधिनियम, 2015
[उत्तर प्रदेश अधिनियम संख्या 10 सन् 2015]
(क़ैसा उत्तर प्रदेश विधान मंडल द्वारा पारित हुआ)
संयुक्त प्रान्त भारतीय चिकित्सा अधिनियम, 1939 का अग्रलक्ष संशोधन करने के लिए
अधिनियम

भारत गणराज्य के विधायिक वर्ष में निर्णयित अधिनियम बनाया जाता है।

1-यह अधिनियम उत्तर प्रदेश इंडियन मेडिसिन (संगठन) अधिनियम, 2015 का अनुवाद नाम जाएगा।
Dated Lucknow, September 9, 2015

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Indian Medicine (Sanshodhan) Adhiniyam, 2015 (Uttar Pradesh Adhiniyam Sankhya 10 of 2015) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 7, 2015:

THE UTTAR PRADESH INDIAN MEDICINE (AMENDMENT) ACT, 2015

[UP. ACT NO. 10 OF 2015]

(As passed by the Uttar Pradesh Legislature)

AN ACT

further to amend the United Provinces Indian Medicine Act, 1939.

IT IS HEREBY enacted in the Sixty-sixth Year of the Republic of India as follows:

I. This Act may be called the Uttar Pradesh Indian Medicine (Amendment) Act, 2015.
2. In section 39 of the United Provinces Indian Medicine Act, 1939, in sub-section (4), after clause (c) the following clause shall be inserted, namely:—

"(d) The registered practitioners of Ayurvedic or Unani System of Medicine holding the qualifications mentioned in the Second Schedule to the Indian Medicine Central Council Act, 1970 (Act no. 48 of 1970) shall be eligible to practice the modern system of medicine known as allopathic medicine to the extent of training they have received in the system and notified by the State Government along with the Ayurvedic or Unani Medicine in which they are registered in the State Register."

STATEMENT OF OBJECTS AND REASONS

In all districts of the State, especially in remote rural areas, there is scarcity of doctors of modern system of medicine (M.B.B.S. degree holders) to provide cheap and quality medical facility. Whereas large number of doctors of Indian System of Medicine (Ayurvedic and Unani degree holders) are available there. Ayurvedic and Unani doctors are banned to prescribe modern medicine due to which patient could not get such treatment as are necessary for their quick recovery. It has therefore become necessary that with some legal protective measures, Ayurvedic and Unani doctors should be authorised to practice modern medicine, so that in rural areas in odd/preliminary/emergency conditions patient may get immediate and effective treatment.

Keeping in view of the aforesaid situation it has been decided to amend the United Provinces Indian Medicine Act, 1939 (U.P. Act no. X of 1939) to provide for authorising Ayurvedic and Unani doctors to practice the modern system of medicine known as allopathic medicine to the extent of training they have received in the system and notified by the State Government along with the Ayurvedic or Unani Medicine in which they are registered in the State Register.

The Uttar Pradesh Indian Medicine (Amendment) Bill, 2015 is introduced accordingly

By order,

ABDUL SHAHID
Pramukh Sachiv.