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**ANDHRA PRADESH ACTS AND REGULATIONS,**  
**ETC.**

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The following Act of the Andhra Pradesh Legislature which was reserved by the Governor on the 19<sup>th</sup> December, 1963, for the consideration and assent of the President, received the assent of the President on the 31<sup>st</sup> January, 1964 and the said assent is hereby first published on the 4<sup>th</sup> February, 1964, in the Andhra Pradesh Gazette for general information :

**ACT No. 5 OF 1964**

An Act to extend the Andhra Pradesh ( Andhra Area) Nurses and Midwives Act, 1926 to the whole of the State of Andhra Pradesh and to amend it in its application to that State.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Fifteenth Year of the Republic of India as Follows:-

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|----|--|--|
| 1. | (1) This Act may be called the Andhra Pradesh Nurses and Midwives ( Extension and Amendment ) Act, 1964.   | <b>Short title and Commencement.</b>                           |
|    | (2) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette, appoint.   |  |
| 2. | The Andhra Pradesh (Andhra Area) Nurses and Midwives Act, 1926 (hereinafter referred to as the principal Act), as in force at the commencement of this Act in the whole of the State of Andhra Pradesh except the transferred territories, is hereby extended to, and shall by virtue of such extension be in force in, the transferred territories. | <b>Extension of Act III of 1926 to transferred territories</b> |

Explanation : In this Act, the expression “ transferred territories” means the territories specified in sub-section (I) of section 3 of the States Reorganisation Act, 1956.

**Amendment of long title and preamble**

3. In the long title of, and the preamble to, the principal Act, for the words “ Nurses and Midwives ”, the words “ Nurses, Midwives, Auxiliary Nurse-Midwives and Health Visitors” shall be substituted, and the words “ the Andhra area of ” shall be omitted.

**Amendment of Section 1.**

4. In section I of the principal Act, --
- (i) for sub-section (1), the following sub-section shall be substituted, namely :--
- “ (I) This Act may be called the Andhra Pradesh Nurses, Midwives, Auxiliary Nurse-Midwives and health Visitors Act, 1926.” ;
- (ii) in sub-section (2), the words “ the Andhra area of ” shall be omitted.

**Amendment of Section 2.**

5. In Section 2 of the principal Act, --
- (i) in clause (a), for the words “ Andhra Pradesh Nurses and Midwives Council ”, the words “ Andhra Pradesh Nurses, Midwives, Auxiliary Nurse-Midwives and Health Visitors Council ” shall be substituted ;
- (ii) Clause (b) shall be omitted;
- (iii) in clause (e), the words and figure “or section 6” shall be omitted, and for the words “ either of those sections” the words “ that section” shall be substituted.

**Substitution of New sections for sections 3 and 3-A**

6. For sections 3 and 3-A of the principal Act, the following sections shall be substituted, namely: --

**“Constitution of the Council and the term Of office of members “.**

3.(I) A Council called the Andhra Pradesh Nurses, Midwives, Auxiliary Nurse-Midwives and Health Visitors Council shall be constituted for the State of Andhra Pradesh consisting of ---

- (i) The following thirteen Ex-officio members, namely, --
  - (a) The Director of Medical Services, Andhra Pradesh
  - (b) The Director of Public Health, Andhra Pradesh or his representative
  - (c) The Assistant Director of Medical Services (Nursing), Andhra Pradesh
  - (d) The Nursing Superintendent, Osmania General Hospital, Hyderabad.
  - (e) The Nursing Superintendent, King George Hospital, Visakhapatnam.
  - (f) The Nursing Superintendent, Government General Hospital, Guntur.
  - (g) The Nursing Superintendent, Government General Hospital, Kurnool.
  - (h) The Nursing Superintendent, Government General Hospital, Kakinada.
  - (i) The Nursing Superintendent, Government General Hospital, Warangal.
  - (j) The Nursing Superintendent, Government General Hospital, Tirupati.
  - (k) The Superintendent, Government Maternity Hospital, Hyderabad.
  - (l) The Assistant Special Officer, Indian Medicine Department
  - (m) The Assistant Director of Public Health (Maternity and Child Welfare)
- (ii) The following nine Elected members, namely :-
  - (a) Two registered medical practitioners, one of whom shall be a woman, elected in the prescribed manner by the Andhra Pradesh Medical Council established under the law relating to the registration of practitioners of modern scientific system of medicine for the time being in force in the State.
  - (b) Five registered nurses elected in the prescribed manner by the registered Nurses, Midwives Auxiliary Nurse-Midwives and Health Visitors.
  - (c) One member elected in the prescribed manner by the Trained Nurses Association of India.
  - (d) One member elected by the Examining Board, Nurses Auxiliary of the Christian Medical Association of India (South India Branch).
- (iii) The following five nominated members, namely :-
  - (a) One registered Nurse, one registered Midwife or Auxiliary Nurse-Midwife and one registered Health Visitor nominated by the State Government ;

(b) Two non-officials nominated by the State Government from among persons who are not of the classes referred to above, one of whom shall be a woman.

- (2) The Director of Medical Services, Andhra Pradesh, shall be the President of the Council.
- (3) The members of the Council other than Ex-officio members specified in clause (i) of sub-section (I) shall hold office for a term of three years:

Provided that an outgoing member shall be eligible for re-election or re-nomination.

- (4) Any vacancy in the office of an elected or nominated member of the Council shall be filled in accordance with the provisions of sub-section (I):

Provided that any member elected or nominated to a casual vacancy shall hold office for the residue of the term of his predecessor in whose place he is elected or nominated.

**Acts, etc., of council not to be in validated by informality, vacancy, etc.**

- 3-A. No Act or proceeding of the Council shall be deemed to be invalid by reason only of a defect in its constitution or on the ground that any member was not entitled to hold or continue in such office or by reason of such act or proceeding having been done or conducted during the period of any vacancy in the office of any member of the council ”.

**Substitution of new section for section 5.**

7. For section 5 of the principal Act, the following section shall be substituted, namely:-

**“Registration of Nurses, Midwives, etc.**

5. (1) The Council shall maintain one register each for ---

- (i) Nurses,
- (ii) Midwives,
- (iii) Auxiliary Nurse-Midwives, and
- (iv) Health Visitors,

in such form and containing such particulars as may be prescribed and the names of all Nurses, Midwives, Auxiliary Nurse-Midwives and Health Visitors who are for the time being qualified for registration in the State register under the provisions of the Indian Nursing Council Act, 1947 and who fulfil the conditions prescribed shall be entered in the relevant register.

- (2) Persons, who immediately before the date of commencement of the Andhra Pradesh Nurses and Midwives (Extension and Amendment) Act, 1964, were registered Nurses, Midwives or Health Visitors, as the case may be, under this Act or the Andhra Pradesh (Telangana Area) Nurses, Midwives and health Visitors Registration Act, 1951 and who are qualified for registration under this Act, shall be deemed to have been registered as such under the provisions of this section on that date and their names shall be entered in the relevant register maintained under this section.
- (3) Persons, who were registered as Auxiliary Nurse-Midwives in pursuance of G.O.Ms.No. 655, dated the 8th March, 1961, of the Health, Housing and Municipal Administration Department shall be deemed to have been registered as such under the provisions of this section as if this section were in force on the date on which the said G.O. was issued and their names shall be entered in the relevant register maintained under this section.
- (4) The Council shall be responsible for the due performance of the functions imposed on it by the Indian Nursing Council Act, 1947”.
8. Section 6 of the principal Act shall be omitted **Omission of Section 6.**
9. In section 7 of the principal Act, for the words “or dhai” wherever they occur, the words “Auxiliary Nurse-Midwife or Health Visitor” shall be substituted. **Amendment of Section 7.**
10. In section 8 of the principal Act, -- **Amendment of Section 8.**
- (i) in Sub-Section (1), for the words “or dhai”, the words “Auxiliary Nurse-Midwife, or Health Visitor” shall be substituted:
- (ii) in sub-section (2) -
- (a) in clause (b), for the expression “ the Medical Council established under sub-section (1) of section 5 of the Andhra Pradesh (Andhra Area) Medical Registration Act, 1914”, the words “ the Andhra Pradesh Medical Council established under the law relating to the registration of practitioners of modern scientific system of medicine for the time being in force in the State ” shall be substituted.

(b) In clause (c), for the words “ Nurses and Midwives”, the words “ Nurses, Midwives, Auxiliary Nurse-Midwives and Health Visitors” shall be substituted

**Amendment  
of Section 10.**

11. In section 10 of the principal Act, --

(i) in sub-section (1), the words “ after the expiry of three years from the commencement of this Act” shall be omitted; for the words “ Nurse or Midwife”, in both the places where they occur, the words “ Nurse, Midwife, Auxiliary Nurse-Midwife, or Health Visitor” shall be substituted”, the words “or deemed to be registered “ shall be inserted:

(ii) in sub-section (2) , for the words “ After the expiry of one year from the commencement of this Act, no subsidy shall be paid”, the words “ No subsidy shall be paid”, and for the words “ a dhai other than a registered dhai”, the words “ a person who is not registered under this Act” shall be substituted, and the following proviso shall be added at the end, namely:--

“Provided that in the case of the territories specified in sub-section (i) of section 3 of the States Reorganisation Act, 1956, the Provisions of sub-section (2) shall apply after the expiration of one year from the commencement of the Andhra Pradesh Nurses and Midwives (Extension and Amendment) Act, 1964”.

**Amendment  
of Section 11.**

12. In sub-section (2) of section 11 of the principal Act, --

(i) in clause (b), after the words “ admission to the register”, the words “subject to the provisions of the Indian Nursing Council Act, 1947” shall be added;

(ii) clause (c) shall be omitted;

(iii) in clause (d), for the words “ and dhais” in both the places where they occur, the words “ Auxiliary Nurse-Midwives and Health Visitors” shall be substituted.

**Amendment  
of Section 12.**

13. In sub-section (1) of section 12 of the principal Act, --

(i) in clause (b) and (c), for the words “ and dhais” the words “Auxiliary Nurse-Midwives and Health Visitors” shall be substituted;

- (ii) in clause (d), the words “examinations prescribed for admission to the register and for” shall be omitted.

14. (1) In section 14 of the principal Act,--

**Amendment  
of Section 14.**

- (i) in sub-section (1), for the word “Nurse” wherever it occurs, the words “Nurse or Health Visitor” shall be substituted;
- (ii) in sub-section (2), for the words “or dhai” wherever they occur, the words “or Auxiliary Nurse-Midwives” shall be substituted.

(2) For the marginal note to the said section 14, the following shall be substituted, namely, --

“Penalty for posing as registered Nurse, Health Visitor, Midwife or Auxiliary Nurse-Midwife by a person who is not such.”

15. With effect on and from the date on which the principal Act is brought into force in the transferred territories, the Andhra Pradesh (Telangana Area) Nurses, Midwives and Health Visitors Registration Act, 1951, as in force in the said territories, shall stand repealed:

**Repeals &  
Saving.**

Provided that --

- (i) such repeal shall not effect the previous operation of the Act so repealed;
- (ii) notwithstanding such repeal, until a council is constituted for the whole of the State of Andhra Pradesh in accordance with the provisions of section 3 of the principal Act as amended by this Act, the Council constituted under the principal Act or under the repealed Act, shall continue to function for the respective areas for which it was till then functioning as if it were a Council constituted under the provisions of section 3 of the principal Act as amended by this Act and any vacancy occurring in the said Council shall be filled up in such manner as the State Government may think fit;
- (iii) on the constitution of the Council for the whole of the State of Andhra Pradesh in accordance with the provisions of section 3 of the principal Act as Amended

by this Act, the Councils functioning by virtue of clause (ii) shall stand dissolved and their assets, liabilities, functions and duties shall devolve on the Council so constituted.

**Power to remove difficulties.**

16. If any difficulty arises in giving effect to the provisions of this Act, or of the principal Act in the territories to which the principal Act is extended by this Act, the State Government may, after previous publication, by order in the Andhra Pradesh Gazette, make such provisions or give such directions not inconsistent with the purposes of this Act or of the Principal Act, as appear to them to be necessary or expedient for removing the difficulty.

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