

[Bihar Act 25, 2017]

THE BIHAR MEDICAL (AMENDMENT) ACT, 2017

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ACT

To amend the Bihar Medical Act, 1916 (Bihar Act II, 1916)

Be it enacted by the Legislature of the State of Bihar in the sixty eighth year of the Republic of India as follows:-

1. Short title extent and commencement.— (1) This Act may be called as The Bihar Medical (Amendment) Act, 2017.

(2) It shall extend to the whole of the State of Bihar.

(3) It shall come into force from the date of its publication in the Official Gazette of Bihar.

2. Substitution of section, 3 and 4 of the Bihar Act, II, 1916.— Section-3 and section-4 of the Bihar Medical Act, 1916 shall be substituted by the following respectively:-

3. Establishment of the Bihar Medical Council.— A Council shall be established as The "Bihar Council of Medical Registration and such council shall be a body corporate and have perpetual succession and a common seal and may, by the said name sue and be sued.

4. Constitution of Council.— (1) The said council shall consist of ten members, namely:-

(a) Three members to be nominated by the Government.

(b) Two members to be nominated by Aryabhatta Knowledge University from medical faculty.

(c) One female member to be elected by and from such registered practitioners residing in the State.

(d) Two members to be elected by and from the registered practitioners residing in the State of Bihar; and

(e) Two members to be elected by and from the members of the Bihar Branch of the Indian Medical Association.

(2)(i) The President of the council shall be elected by the members of the council from amongst them and shall hold office for a term for which the members of the council will be elected.

(ii) No act done by the Council shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Council.

(iii) No act of the Council or its officers shall be deemed to be invalid by reason only that the number of members did not, at the time of the performance of such act, amount to the number specified in this section.

3. Saving.—Not withstanding such substitution anything done or any action taken previously under original section 3 and 4 of the act shall not be affected.

By Order of the Governor of Bihar,

MANOJ KUMAR,

Joint Secretary to the Government.

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