

**Bihar Clinical Establishments (Control And Regulation)
(Amendment) Act, 2007**

07 of 2008

[01 February 2008]

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**Bihar Clinical Establishments (Control And Regulation)
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An Act to Amend the Bihar Clinical Establishments (Control and Regulation) Act, 2007 Be it enacted by the Legislature of the State of Bihar in the fifty eighth year of the Republic of India as follows [following]:- * For main Act, See Vol-II, Bihar Local Laws Item 25 Pg. 648. 1. Published in Bihar Gazette (Extra Ordinary) dated, February 1, 2008.

1. Short Title, Extent And Commencement And Application
:-

- (1) This Act, may be called The Bihar Clinical Establishments (Control and Regulation) (Amendment) Act, 2007.
- (2) It shall extend to the whole of the State of Bihar.
- (3) It shall come into force at once.
- (4) It shall not apply to any asylum or mental hospital for mentally retarded patient established or licensed if any, under the Indian Lunacy Act.

2. Substitution Of Section 2(A)14, 2007 :-

Section-2(a) is Amended as follows.-

(1) Secretary, Health -Chairman

(2) Two Doctors nominated by the State Government - Member

3. Amendment Of Section 13 Of The Bihar Act 14, 2007 :-

Section 13 is Amended as follows-Maintains [maintenance]* of registers and records and reporting requirements-The owner, proprietor or the management of every clinical establishment shall maintain such registers and records as may be prescribed. The rates for all various medical services provided by the clinical establishment shall be prominently displayed in front of the establishment. Every clinical establishment shall report the details of name/address of patients treated every day to the Civil Surgeon in the prescribed format on quarterly basis.

* [Appropriate words have been supplied in parenthesis where words in Original Gazette appeared to be incorrect.-Ed.]

4. Amendment Of Section 19 Of The Bihar Act 14, 2007 :-

Section 19 is amended as follows:-A person to be public servant. Every person appointed of acting under this Act, and its provisions shall be deemed to be a public servant within the meaning [meaning]* of the Indian Penal Code (45 of 1860) and Prevention of Corruption Act, 1988 (49 of 1988) Provided that owner, proprietor or member of management of Clinical Establishment and staff, employees skilled or unskilled in employment of Clinical Establishment shall not be deemed to be public servant under this Act.

* [Appropriate words have been supplied in parenthesis where words in Original Gazette appeared to be incorrect.-Ed.]

5. Amendment Of Schedule-A (Ix) Of The Bihar Act 14,2007 :-

Schedule-A (ix) is amended as follows:-No clinical establishment shall run from within the premises of residential accommodation. This provision shall not be applicable for consulting chamber provided the activity is in consonance with any other existing law Governing Regulation of land use and running of commercial establishment from residential accommodation. Provided that restriction under this clause shall apply prospectively to the Clinical Establishments to be set up after come [comming]* into force of

this Act.

* [Appropriate words have been supplied in parenthesis where words in Original Gazette appeared to be incorrect.-Ed.]

6. Amendment Of Schedule-A (Xiii) Of The Bihar Act 14,2007 :-

Schedule-A (xiii) is amended as follows:-The Government also shall notify a set of Desirable rates for various kinds of health for each type of Clinical Establishment shall display desirable rates so notified prominently within the Clinical Establishment.