

Obligations of Public Authorities



MANUAL UNDER

RIGHT TO INFORMATION ACT, 2005

The Hard-Copy of 17 Manuals is available at our Office

English Version

**Act, Rules & Regulations of C.H.S.M Punjab are available on council website
(www.punjabhomoeopathiccouncil.in)**

**COUNCIL OF HOMOEOPATHIC SYSTEM OF MEDICINE PUNJAB
S.C.O. NO. 3027-28, (IIND FLOOR) SECTOR-22-D, CHANDIGARH**

Introduction

- I. In order to promote transparency and accountability in the working of every Public authority and to empower the citizens to secure access to information under the control of each public authority, the Government of India have enacted "The Right to Information Act, 2005", (RTI Act) which came into Force on 15.06.2005. In accordance with the provisions of section 4(1) (b) of this Act, Council of Homoeopathic System of Medicine Punjab has brought out this manual for Information and guidance of the stakeholders and the general public.
- II. Section 4 of RTI Act 2005
 1. Every Public Authority shall:-
 - a) Every Public Authority shall maintain all its records duly catalogued and indexed in a manner
 - b) 17 Manuals
 - c) Publish all relevant facts while formulating important policies or announcing the decisions which affect public informed
 - d) Provide reasons for its administrative or quasi-judicial decisions to affected persons
 2. Every Public Authority shall provide as much information Suo -motu to the Public at regular intervals through various means of communication, including the internet (Clause b of Sub-Section 1)
 3. Every Information shall be disseminated widely (Sub-Section 1)
 4. All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible
- III. The purpose of this manual is to inform the general public about Authority's organisational set-up, functions and duties of its officers and employees, records and documents available with it
- IV. This manual is aimed at the public in general and users of the services, and Provides information about the schemes, projects and programmes being implemented by the Authorities.

Index

S.no	Details of Information	Page no
1	1st Manual: Particulars of the Public Authority	6
1.1	Name and address of the organization	6
1.2	Head of the organization	6
1.3	Key Objectives	6
1.4	Functions and duties	6
1.5	Organization chart	6
2	2nd Manual: Powers & duties of officers & employees	7
2.1	Powers and duties of officers (administrative, financial & judicial)	7
2.2	Powers and duties of other employees	7
2.3	Rules/orders under which powers and duties are derived	7
3	3rd Manual: Procedure followed in decision making	8
3.1	Process of decision making	8
3.2	Final decision making authority	8
3.3	Related provisions, acts, rules etc	8
3.4	Time limit for taking a decision, if any	8
3.5	Channels of supervision and accountability	8
4	4th Manual: Norms for discharge of functions	8
4.1	Nature of functions/services offered	8
4.2	Norms/standards for functions / service delivery	8
4.3	Time-limits for achieving the targets	8
4.4	Reference document prescribing the norms	8
5	5th Manual: Rules, regulations, instructions, manuals and records under its control/ used by employees while discharging functions	9
5.1	Title and nature of the record / manual / instruction Gist of contents	9
6	6th Manual: Categories of documents held by the Authority or which are under its control	9
6.1	Title of the document	9
6.2	Category of document	9
6.3	Custodian of the document	9
7	7th Manual: Arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation thereof	9
7.1	Relevant rule, circular etc	9
7.2	Arrangements for consultation with or representation by the members of the public in policy formulation / policy implementation	9
8	8th Manual: Boards, Councils, Committees and Other Bodies constituted as part of the Public	10-11
8.1	Name of the Board, Council, committee etc	10
8.2	Composition Powers & functions	11
8.3	Whether their meetings are open to the public?	11
8.4	Whether the minutes of the meeting are open to the public	11
8.5	Place where the minutes if	11
8.6	Open to the public are available?	11
9	9th Manual: Directory of Officers and employees	11
9.1	Name and designation	11

9.2	<i>Telephone, fax and email ID</i>	11
10	10th Manual: Monthly Remuneration received by officers & employees including system of compensation	11-12
10.1	<i>Name and designation of the employee</i>	11-12
10.2	<i>Monthly remuneration</i>	11-12
10.3	<i>System of compensation as provided by in its regulations</i>	11-12
11	11th Manual: Budget allocated to each agency including all plans, proposed expenditures and reports on disbursements made etc.	12-13
11.1	<i>Total Budget for the Public Authority</i>	12-13
11.2	<i>Budget for each agency and plan & programmes</i>	12-13
11.3	<i>Proposed expenditures</i>	12-13
11.4	<i>Revised budget for each agency, if any</i>	12-13
11.5	<i>Report on disbursements made and place where the related reports are available</i>	12-13
12	12th Manual: Manner of execution of subsidy programmes	13
12.1	<i>Name of the programme or activity</i>	13
12.2	<i>Objective of the program</i>	13
12.3	<i>Procedure to avail benefits</i>	13
12.4	<i>Duration of the programme/scheme</i>	13
12.5	<i>Physical and financial targets of the program</i>	13
12.6	<i>Nature/scale of subsidy/amount allotted</i>	13
12.7	<i>Eligibility criteria for grant of subsidy</i>	13
12.8	<i>Details of beneficiaries of subsidy program (Number, Profile etc.)</i>	13
13	13th Manual: Particulars of recipients of concessions, permits or authorisation granted by the Public Authority	14
13.1	<i>Concessions, permits or authorizations granted by Public Authority</i>	14
13.2	<i>For each concessions, permit or authorization granted</i>	14
13.3	<i>Eligibility criteria</i>	14
13.4	<i>Procedure for getting the concession/grant and/or permits or authorizations</i>	14
13.5	<i>Name and address of the recipients given concessions/ permits or authorizations</i>	14
13.6	<i>Date of award of concessions/ permits or authorizations</i>	14
14	14th Manual: Information available in electronic form	14
14.1	<i>Details of information available in electronic form</i>	14
14.2	<i>Name/title of the document/record/other information</i>	14
14.3	<i>Location where available</i>	14
15	15th Manual: Particulars of facilities available to citizens for obtaining information	15
15.1	<i>Name & location of the facility</i>	15
15.2	<i>Details of information made available</i>	15
15.3	<i>Working hours of the facility</i>	15
15.4	<i>Contact Person & contact details (phone, fax, email)</i>	15
16	16th Manual: Names, designations and other particulars of public information officers	15
16.1	<i>Name and designation of the Public Information Officer, Assistant Public Information Officer (s) & Appellate Authority Address, telephone numbers and email ID of each designated official</i>	15
17	17th Manual: Any other useful information	16-21
17.1	<i>Citizen's charter of the public authority</i>	16
17.2	<i>Grievance redressal mechanisms</i>	16
17.3	<i>Details of applications received under RTI and information provided</i>	16
17.4	<i>List of completed schemes / projects / programmes</i>	16
17.5	<i>List of schemes/projects/programmes underway</i>	16
17.6	<i>Details of all contracts entered into including name of the contractor, amount of contract and period of</i>	16

	<i>completion of Contract</i>	
17.7	<i>Any other Information (Annexure-A – Act, Rules & Regulations)</i>	16-21
18	Reasons for administrative or quasi-judicial decisions taken; communicated to affected persons	21
19	Important policies or decisions which affect public	21
20	<i>(Annexure-A – Act, Rules & Regulations)</i>	22-122

1st Manual: Particulars of the Public Authority

1.1 **Name and address of the organization:-** Council of Homoeopathic System of Medicine Punjab
S.C.O. No. 3027-28, IIInd Floor, Sector – 22 – D, Chandigarh

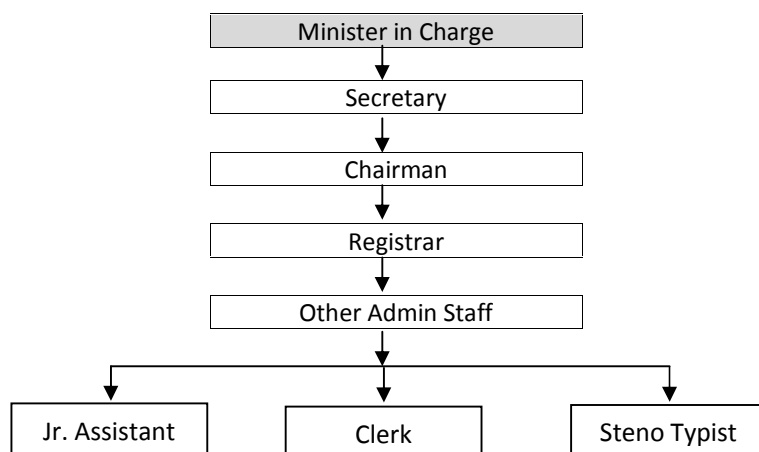
1.2 **Head of the organization:** Chairman

1.3 **Key Objectives:** The State Council constituted under Section-3 of the Punjab Homoeopathic Practitioners Act, 1965 for carrying out the provisions of this Act. Its main function to regulate the qualification and to provide for the registration of practitioners of the Homoeopathic System of Medicine in the State of Punjab.

1.4 Functions and duties:

- To hold qualifying examination and other examination, to appoint examiners and other staff to assist them, to fix their fees, remuneration and allowances and to declare the result of the examination;
- To grant degrees, diplomas or certificates;
- To award stipends, scholarships, medals, prizes and other rewards;
- To prepare, publish and prescribe text books and to publish statement of prescribed courses of study;
- To found and maintain a library;
- To recommend schemes for post-graduate training and research in the Homoeopathic System;
- To appoint any Committee or Board of studies as may be necessary and to lay down their constitution, duties and functions;
- To exercise such other powers and performs such other functions as may be specified in this Act, or in the rules or regulation made thereunder or as the State Government may by notification direct for carrying out the purposes of this Act

1.5 Organization chart:



2nd Manual: Powers and duties of officers and employees**2.1 Powers and duties of officers (Administrative, financial and judicial):**

Sr.No.	Name of the Post	Powers (administrative, financial & judicial)	Duties
1.	Chairman	<ul style="list-style-type: none"> ➤ Administrative control. ➤ Head of the Council/ Committee Meeting etc. ➤ Sanctioning Authority in Financial Matter. ➤ To control all the service related matters of the office of Council of Homoeopathic System of Medicine Punjab 	<ul style="list-style-type: none"> ➤ Administrative control. ➤ Head of the Council/ Committee Meeting etc. ➤ Sanctioning Authority in Financial Matter. ➤ To control all the service related matters of the office of Council of Homoeopathic System of Medicine Punjab
2.	Registrar	<ul style="list-style-type: none"> ➤ Administrative control. ➤ Attending of meetings etc. ➤ To control all the Budget related functions. ➤ To exercise the power of Registrar of the Council under various rules & instructions. ➤ All function relating to accounts. Budget, financial sanctions & all duties of the D.D.O. for Council. ➤ To control the C.P.F. Accounts of the Council. ➤ To control all the service related matters of the office of Council of Homoeopathic System of Medicine Punjab ➤ To check the attendance of the staff. 	<ul style="list-style-type: none"> ➤ Administrative control. ➤ Attending of meetings etc. ➤ To control all the Budget related functions. ➤ To exercise the power of Registrar of the Council under various rules & instructions. ➤ All function relating to accounts. Budget, financial sanctions & all duties of the D.D.O. for Council. ➤ To control the C.P.F. Accounts of the Council. ➤ To control all the service related matters of the office of Council of Homoeopathic System of Medicine Punjab ➤ To check the attendance of the staff.

2.2 Powers and duties of other employees:

Sr.No.	Name of the Post	Powers (administrative, financial & judicial)	Duties
1.	Junior Assistant/ Clerk/ Steno Typist	To dispose of all the cases of the subject allotted to him and to maintain/preserve all the record relating to his/her seat.	To dispose of all the cases of the subject allotted to him and to maintain/preserve all the record relating to his/her seat.

2.3 Rules/orders under which powers and duties are derived: The State Government has framed the Punjab Homoeopathic Practitioners (General) Rules, 1973, Punjab Homoeopathic Practitioners Regulations, 1974, (and its Amendment) Regulations, 1979

3rd Manual: Procedure followed in decision making

- 3.1 **Process of decision making:** All cases initiated by Junior Assistant/ Clerk/ Steno Typist forwarded to Registrar and financial/administrative matters for Final Decision by Chairman/Council.
- 3.2 **Final decision making authority:** Chairman
- 3.3 **Related provisions, acts, rules etc:** Punjab Homoeopathic Practitioners (General) Rules, 1973, Punjab Homoeopathic Practitioners Regulations, 1974, (and its Amendment) Regulations, 1979
- 3.4 **Time limit for taking a decision, if any:** N.A
- 3.5 **Channels of Supervision and accountability:** The work of the junior officers is being supervised by the seniors in hierarchy.

4th Manual: Norms for discharge of functions

- 4.1 Nature of functions/services offered
- 4.2 Norms/Standards for functions/service delivery
- 4.3 Time limit for achieving the targets
- 4.4 Reference documents prescribing the norms

Sr.No.	4.1) Nature of functions/services offered	4.2) Norms/Standards for functions/service delivery	4.3) Time limit for achieving the targets	4.4) Reference documents prescribing the norms
1.	Registration/ Verification of Homoeopathic Practitioners etc.	Within Fifteen Days and for practitioners from other states on receipt of verification from the concerned state.	Within Fifteen Days and for practitioners from other states on receipt of verification from the concerned state.	N.A
2.	Receipt/dispatch/type work	On day to day basis	On day to day basis	N.A
3.	To process all types of payments like salary, TA Bills, Medical bills, procurements of medicine, equipment etc. and other contingencies expenditure like telephone, electricity etc., maintenance of accounts, preparation of annual financial statements, maintenance of CPF, . accounts of the employees	On day to day basis.	On day to day basis.	N.A

5th Manual: Rules, regulations, instructions, manual and records under its control/used by employees while discharging functions

5.1 Title and nature of the record/manual/instructions Gist of contents:

Sr.no	Title	Nature	Gist of Content
1	Service Rules	Rules	Covering the service conditions and rules formulated by the Government.

- ❖ Punjab Homoeopathic Practitioners Act, 1965. Punjab Homoeopathic Practitioners (General) Rules, 1973, Punjab Homoeopathic Practitioners (Recognition of Institutions) Regulations, 1974, Punjab Homoeopathic Practitioners (Election) Rules, 1975, Punjab Homoeopathic Practitioners (General) (First Amendment) Rules, 1976, Punjab Homoeopathic Practitioners (First Amendment) Regulations, 1979 and Punjab Homoeopathic Practitioners (Amendment) Bill, 1993.

6th Manual: Categories of documents held by the Authority or which are under its control

Name of the Document	Procedure to obtain the Document	Held by/Under control of
1. Service books and Personnel files	Approach Registrar/Public Information Officer except personal information	Registrar
2. Cash Book		
3. Bill Book		
4. Vouchers of Cash, Bank and Journals		
5. Salary Register		
6. Correspondence with various Govt. Departments		
7. Leave Record of Employees		
8. Attendance Registers		
9. Diary/ Dispatch Registers		

7th Manual: Arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation thereof

- 7.1 Relevant rules, circular etc: N.A
- 7.2 Arrangements for consultation with or representation by the members of the public in policy formulation/policy formulation: N.A

8th Manual: Boards, Councils, Committees and other bodies constituted as part of the public**8.1 Name of the Board, Council, Committee etc.**

S.No	Name of the Council.	Member Name	Designation	Address	Contact Details (Email, Phone, Fax, Mobile)
1.	COUNCIL OF HOMOEOPATHIC SYSTEM OF MEDICINE PUNJAB	Dr. Ranbir Singh Josan	Chairman	Josan Homoeopathic Hospital Fatehpur Rajputan, Amritsar	99151-93234
2.		Dr. Tejinder Pal Singh	Member	92-B, B.R.S. Nagar Ludhiana	94172-51200
3.		Dr. Paramjeet Singh Ranu	Member	Ranu Homoeopathic Hospital, Near Telephone Exchange, Raikot, Distt. Ludhiana	98880-71530
4.		Dr. Satish Kumar Rana	Member	Amritsar Road, Facing Tehsil Complex, Kapurthala	98724-98427
5.		Dr. Mohan Singh Dhillon	Member	Majha Homoeo Clinic, Shaheed Bhagat Singh Market, Zira, Distt. Ferozepur.	94176-46676
6.		Dr. Mohinder Singh	Member	Oriental Hospital, Opp.Blue Fox, Near Rose Garden, Bhatinda	98554-81965
7.		Dr. Umesh Wadhwa	Member	# 19/362,Dr.Hira Singh Road, Ghumar Mandi	98145-14314

				Ludhiana	
8.		Dr. Suresh Kant	Member	Sadar Bazar, Tapa, Distt. Sangrur	94173-25983
9.		Dr. Pardeep Kumar Saha	Member	New Hira Nagar, Hoshiarpur	97797-46606
10.		Dr. Navneet Kaur Sawhney	Member	H.No.586, Gali No.5, Ward No.3, Mehal Mubarik, Sangrur	98156-50643

8.2 **Composition powers and functions:** As per Act, Rules and Regulation of the Council

8.3 **Whether their meetings are open to public?** No

8.4 **Whether the minutes of meeting are open to the public:** No

8.5 **Place where the minutes if:** No

8.6 **Open to the public is available?** No

9th Manual: Directory of Officers and employees

9.1 Name and designation

9.2 Telephone, fax and email ID

Name	Designation	Tel (Office)	Mobile	FAX	Email
Dr. Ranbir Singh Josan	Chairman	0172-2706368 2707875	9915193234	--	chsmpunjab@gmail.com
Dr. Manjit Kaur Mohi	Registrar	0172-2706368 2707875	9878098181	--	chsmpunjab@gmail.com
Sh. Sohan Singh	Junior Asstt.	0172-2706368 2707875	8146470066	--	chsmpunjab@gmail.com
Sh. Yogesh Chawla	Clerk	0172-2706368 2707875	8146400938	--	chsmpunjab@gmail.com
Smt. Pardeep Kumari	Steno Typist	0172-2706368 2707875	9041846930	--	chsmpunjab@gmail.com
Sh. Tarsem Lal	Driver	0172-2706368 2707875	7696032261	--	chsmpunjab@gmail.com

Sh. Dinesh Kumar	Peon	0172-2706368 2707875	9417760262	--	--
Sh. Satpal	Chowkidar-cum-Sweeper	0172-2706368 2707875	9463192741	--	--

10th Manual : Monthly Remuneration received by officers and employees including system of compensation

- 10.1 Name and designation of the employee
 10.2 Monthly remuneration
 10.3 System of compensation as provided by in its regulations

Employee Name	Designation	Monthly Remuneration (Net Payable)	Compensation/ Compensatory Allowance	The procedure to determine the Remuneration as given in the Regulation
Dr. Manjit Kaur Mohi	Director Medical Education & Research additional charge Registrar	Additional Charge	--	--
Sh. Sohan Singh	Junior Assistant	32551-00	Nil	Remuneration are as per pay scale of Govt. of Punjab adopted by Council of Homoeopathic System of Medicine Punjab and Service Rules of the Council
Sh. Yogesh Chawla	Clerk	31209-00	Nil	-do-
Smt. Pardeep Kumari	Steno Typist	31109-00	Nil	-do-
Sh. Tarsem Lal	Driver	30237-00	Nil	-do-
Sh. Dinesh Kumar	Peon	25125-00	Nil	-do-
Sh. Satpal	Chowkidar-cum-Sweeper	17015-00	Nil	-d0-

11th Manual: Budget allocated to each agency including all plans, proposed expenditure and reports on disbursements made etc.

- 11.1 Total Budget for the Public Authority: N.A.
 11.2 Budget for each agency and plan & programmes: N.A.
 11.3 Proposed expenditures:

Sr.No.	Head Account	Proposed expenditure (01.04.15 to 31.03.16)
	Pay of Establishment (including arrear of D.A. & Increment)	2250000-00
	Provident Fund (Contributory)	560000-00

Contingencies		
1	Meeting fee to the Members of the Council and T.A. to the Members and Staff Members.	10000-00
2	Postage	10000-00
3	Printing & Stationery Charges	00-00
4	Telephone charges (including Internet & Website)	20000-00
5	Rent of office Building	315828-00
6	Litigation fee	50000-00
7	Miscellaneous (electricity repair)	2000-00
8	Honorarium payable to Chairman	45500-00
9	T.A. Paid to Chairman	34320-00
10	Mobile Allowance Paid to Chairman	6500-00
11	Telephone Allowance paid to Chairman	13000-00
12	Car Maintenance allowance paid to Chairman	30000-00
13	Liveries for class IV employees	5000-00
Other Charges		
1	Water & Electricity charges	72000-00
2	Entertainment & Refreshment charges	5000-00
3	Loan & Advance/Wheat Loan to class IV employees & festivals advance as per State Government	30000-00
4	Repair of Motor vehicle, Insurance, Diesel/Petrol	3000-00
5	Permanent Advance	6000-00
6	Purchase of Computer, Printer, FAX & Computer Accessories & Repair of Computer	2000-00
7	Medical Reimbursement	5000-00
8	Audit Fee	25000-00
Total		3500148-00

11.4 Revised budget for each agency, if any: No

11.5 Report on disbursements made and place where the related reports are available: N.A.

12th Manual: Manner of execution of subsidy programmes

12.1 Name of the programme or activity: N.A.

12.2 Objective of the program: N.A.

12.3 Procedure to avail benefits: N.A.

12.4 Duration of the programme/scheme: N.A.

12.5 Physical and financial targets of the program: N.A.

12.6 Nature/scale of subsidy/amount allotted: N.A.

12.7 Eligibility criteria for grant of subsidy: N.A.

S.No.	Name of the	Objective of the	Procedure to avail	Duration of the	Physical and	Nature/ scale of	Eligibility criteria for
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	programme or activity	programme	benefits	programme/scheme	financial targets of the program	subsidy/amount allotted	grant of subsidy
N.A	N.A	N.A	N.A	N.A	N.A	N.A	N.A

12.8 Detail of beneficiaries of subsidy program (Number, Profile etc.): N.A.

13th Manual: Particulars of recipients of concessions, permits or authorization granted by the Public Authority

- 13.1 **Concessions, permits or authorizations granted by Public Authority:** N.A.
- 13.2 **For each concession, permit or authorization granted:** N.A.
- 13.3 **Eligibility criteria:** N.A.
- 13.4 **Procedure for getting the concession/ grant and/or permits or authorizations:** N.A.
- 13.5 **Name and address of the recipients given concessions/ permits or authorizations:** N.A.
- 13.6 **Date of award of concessions/ permits or authorizations:** N.A.

S.No.	Concessions, permits or authorizations granted by Public Authority	Eligibility criteria	Procedure for getting the concession/ grant and/ permits or authorizations	Name and address of the recipients given concessions/ permits or authorizations	Date of award of concessions/ permits or authorization	For each concession, permit or authorization granted
N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

14th Manual: information available in electronic form

- 14.1 **Detail of information available in electronic form:** Punjab Homoeopathic Practitioners Act, 1965. Punjab Homoeopathic Practitioners (General) Rules, 1973, Punjab Homoeopathic Practitioners (Recognition of Institutions) Regulations, 1974, Punjab Homoeopathic Practitioners (Election) Rules, 1975, Punjab Homoeopathic Practitioners (General) (First Amendment) Rules, 1976, Punjab Homoeopathic Practitioners (First Amendment) Regulations, 1979 and Punjab Homoeopathic Practitioners (Amendment) Bill, 1993
- 14.2 **Name/title of the document/record/other information:**
- Act, Rules and Regulation of the council
 - List of Members and Employees of the Council
 - All Forms issued by the Council and detail of fee
 - Directory of Practitioners (Part-A, Part-B)
- 14.3 **Location where available:**

Council of Homoeopathic System of Medicine Punjab website: www.punjabhomoeopathiccouncil.in

15th Manual: Particulars of facilities available to citizens for obtaining information15.1 **Name & location of the facility:** Council has not any library15.2 **Detail of information made available:** N.A15.3 **Working hours of the facility:** N.A15.4 **Contact person & contact detail (Phone, fax, email):** N.A**16th Manual: Names, designation and other particulars of public information officers**

16.1 Name and designation of the Public Information Officer, Assistant Public Information Officer (s) & Appellate Authority Address, telephone numbers and email ID of each designated official

S.No.	Name	Designation	Address	Tel (Office)	Mobile	Fax	Email
1.	Dr. Ranbir Singh Josan (Appellate Authority)	Chairman	CHSM Punjab SCO No. 3027-28, Sector-22, D, Chandigarh	0172-2706368	99151-93234	--	chsmpunjab@gmail.com
2.	Dr. Manjit Kaur Mohi (PIO)	Registrar	-do-	-do-	98780-98181	--	-do-
3.	Sh. Yogesh Chawla (APIO) Smt. Pardeep Kumari (APIO)	Clerk Steno Typist	-do-	-do-	81464-00938 90418-46930	--	-do-

17th Manual: Any other useful information17.1 **Citizen's charter of the public authority:** N.A17.2 **Grievance redressal mechanisms:** N.A17.3 **Detail of application received under RTI and information provided:**

Year	Application Received	Information Provided	Pending
2014	9	9	0
2015	4	3	1

17.4 **List of completed schemes/ projects/ programmes:** N.A17.5 **List of schemes/ projects/ programmes underway:** N.A17.6 **Detail of all contracts entered into including name of the contractor, amount of contract and period of completion of contract:-**

S.No.	Project/ Scheme/ Programmes Name	Detail of Project	Name of Contractor	Amount of Contract	Completion of Contract/ Duration
N.A	N.A	N.A	N.A	N.A	N.A

17.7 **Any other information:**

Annexure A: Punjab Homoeopathic Practitioners Act, 1965. Punjab Homoeopathic Practitioners (General) Rules, 1973, Punjab Homoeopathic Practitioners (Recognition of Institutions) Regulations, 1974, Punjab Homoeopathic Practitioners (Election) Rules, 1975, Punjab Homoeopathic Practitioners (General) (First Amendment) Rules, 1976, Punjab Homoeopathic Practitioners (First Amendment) Regulations, 1979 and Punjab Homoeopathic Practitioners (Amendment) Bill, 1993.

Form 'A'

Form of application for seeking information under the Right to Information Act, 2005

I.D.No _____
(For official use)

To
The Public Information Officer,
Authority Name
City

- 1. Full Name of the Applicant _____
- 2. Father's/Spouse's name _____
- 3. Permanent Address _____
- 4. Correspondence Address _____
- 5. Particulars of information required
 - a. Subject matter of information*: _____
 - b. The period to which the information relates** _____
 - c. Specify details of information required _____
 - d. Whether information is required by post or in person _____
(The actual postal charges shall be included in providing information)
 - e. In case by post (Ordinary, Registered or Speed post.) _____
- 6. Is this information not made available by the Public Authority under voluntary disclosure?

- 7. Do you agree to pay the required fee? _____
- 8. Have you deposited application fee? (If yes, details of such deposit)

- 9. Whether belongs to Below Poverty Line category? If yes, have you furnished the proof of the same with applicant?
Place :
Date :

Full Signature of the applicant and Address
E-mail address, if any.....
Tel. No. (Office).....
(Residence).....

Note: - (i) Reasonable assistance can be provided by the competent authority in filling up the Form A.
(ii) Please ensure that the Form A is complete in all respect and there is no ambiguity in providing the details of information required.

ACKNOWLEDGEMENT OF APPLICATION IN FORM –A

I.D No _____

Dated: _____

1. Received an application in Form A from Shri/Ms. _____ resident of _____ under the Right to Information Act, 2005.
2. The information is proposed to be given normally within 30 days from the date of receipt of application and in case it is found that the information asked for cannot be supplied, the rejection letter shall be issued stating reason thereof.
3. The applicant is advised to contact Shri. _____ between 11 A.M to 1 P.M.
4. in case the applicant fails to turn up on the scheduled date(s), the Competent Authority shall not be responsible for delay, if any
5. The applicant shall have to deposit the balance fee, if any, with authorized person before collection of information.

Signature and Stamp of the
Public Information Officer
PICT

Dated.....

E-mail address: _____
Web-site: _____
Tel. No : _____

=====

Form 'B'
TRANSFER OF APPLICATION FORM

From _____

Date:

To,

Sir / Madam,

Please refer to your application; I.D. No. _____ dated _____ addressed to the
Undersigned regarding supply of information on _____

2. The requested information does not fall within the jurisdiction of this Corporation and,
Therefore, your application is being referred herewith to Shri _____

3 This is supersession of the acknowledgement given to your on _____

Yours faithfully,

Public Information Officer.

E-mail address: _____

Web-site: _____

Tel. No. _____

=====

Form 'C'
Rejection Order
[See rule 8&9]

From _____

Dated:

To,

Sir/ Madam,

Please refer to your application; I.D. No. _____ dated _____ addressed to the undersigned regarding supply of information on _____

2. The information asked for cannot be supplied due to following reasons: -

i).....

ii).....

3. As per Section 7 (8) of Right to Information Act, 2005, you may file an appeal to the Appellate authority within 30 days of the issue of this order.

Yours faithfully,

Public Information Officer.

E-mail address: _____

Web-site: _____

Tel. No. _____

=====

FORMAT OF REGISTER TO BE MAINTAINED BY THE COMPETENT AUTHORITY

I. D N. o	Name and Address of Applicant	Date of Receipt of Application in Form A	Type of Information asked	Particulars of fees deposited			Status of Disposal of Application			
				Amt.	Recpt no.	Date	Information		Application	
							Sup plied	Part ially Sup plied	Rej ected	Returne d to Applica nt

18 Publish all relevant facts while formulating important policies or announcing the decisions which affect public: The facts of important programmes/policies/decisions are published in the Council’s website – www.punjabhomoeopathiccouncil.in

19 Provide reasons for its administrative or quasi-judicial decisions to affected persons: All major decisions taken by the Council.

GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS

The Punjab Homoeopathic Practitioners
Act, 1965

(PUNJAB ACT 16 OF 1965)
(As amended upto 31st August, 2009)



2004

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THE PUNJAB HOMOEOPATHIC PRACTITIONERS ACT, 1965

Section	CONTENTS	Page
PART-I		
PRELIMINARY		
	Short title, extent and commencement.	1
	Definitions.	2
A.	Construction of certain references in their application.	3
PART-II		
ESTABLISHMENT, CONSTITUTION AND INCORPORATION OF COUNCIL AND REGISTRATION OF PRACTITIONERS		
3	Establishment, constitution and incorporation of Council.	3
	Election of members.	4
	Nomination of member in default of election.	4
6	Term of office.	5
7	Vacancies.	5
	Resignation.	5
	Disabilities for continuing as member.	6
8	Disqualification.	6
8-A.	Removal of members	7
	Vacancies, etc., not to invalidate proceedings of Council	7
9	Time and place of meetings of Council.	7
10	Procedure at meetings of Council.	7
11	Registrar.	8
12	Duties of the Registrar.	8
13	Registration.	9
13-A.	Renewal of registration.	11

17.	Appeal to the Council from the decision of the Registrar and other powers of the Council.	..	12
18.	Qualified practitioners certificate.	..	12
19.	Notice of death.	..	12
20.	Inspection of Institutions.	..	12
21.	Qualifying examinations.	..	13
21-A.	Powers and functions of Council.	..	14
22.	Removal of institution authorised to hold qualifying examinations.	..	15
23.	Exemption from serving on inquests.	..	15
24.	Allowances payable to members.	..	15
25.	Fees received by the Council.	..	15
26.	Publication of list of practitioners.	..	15
27.	Control of State Government.	..	15
28.	Prohibition to practise of persons not registered.	..	16
29.	False assumption of degree, etc., to be an offence.	..	16
30.	Penalty.	..	16
31.	Conferring, granting or issuing degree, diploma, etc., by unauthorised person or institution.	..	16
32.	Court competent to try offences under this Act and cognizance of offences.	..	16
33.	Power to amend Schedule-I.	..	19

PART-III

DISPUTES REGARDING ELECTIONS

34.	Definitions.	..	17
35.	Election petitions.	..	17
36.	Presentation of petitions.	..	17
37.	Contents of petition.	..	18
38.	Procedure on receiving election petition.	..	18
39.	Power to withdraw and transfer petitions.	..	18

(ii)

'THE PUNJAB HOMOEOPATHIC PRACTITIONERS ACT, 1965

(Punjab Act 16 of 1965)

[Received the assent of the President of India on the 18th June, 1965, and first published for general information in the Punjab government Gazette (Extraordinary), Legislative Supplement dated the 25th June, 1965.]

Year	No.	Short title	Whether repealed or otherwise affected by legislation.
1	2	3	4
1965	16	The Punjab Homoeopathic Practitioners Act, 1965.	G.O.J. S.O. 1301, dated 28th March, 1969 A.O. of 1970. ² Amended Punjab Act 11 of 1974. ³ Amended by Punjab Act 40 of 1976 ⁴ Amended by Punjab Act 9 of 1981 ⁵ Amended Punjab Act 1 of 1993.

An Act to regulate the qualifications and to provide for the registration of practitioners of the Homoeopathic System of Medicine in the State of Punjab.

Be it enacted by the Legislature of the State of Punjab in the Sixteenth Year of the Republic of India as follows :

PART-I

PRELIMINARY

1. (1) This Act may be called the Punjab Homoeopathic Practitioners Act, 1965.

Short title, extent and commencement.

[(2) It extends to the State of Punjab, the State of Haryana, the Union Territory of Chandigarh and the territories transferred to the Union Territory of Himachal Pradesh under section 5 of the Punjab Reorganisation Act, 1956.]

1. For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, 1964, page 158.

2. For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, 1974, page 1681.

3. For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, dated 9th September, 1976, page 1765.

4. For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, dated 27th January, 1981, page 113.

5. For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, dated 12th March, 1993, page 618.

6. Substituted by Government of India, S.O. No. 1301 dated the 28th March, 1969

(3) It shall come into force on such date as the State Government may by notification appoint in this behalf.

2. In this Act, unless the context otherwise requires,—

- (1) "Chairman" means the Chairman of the Council;
- (2) "Council" means a Council of Homoeopathic system of Medicine, established and constituted under section 3;
- (3) "Homoeopathic System" means the Homoeopathic System of Medicine founded by Dr. Hahnemann, and includes the allied system of Bio-chemistry founded by Dr. Schussler and the expressions Homoeopathic and Bio-chemic shall be construed accordingly;
- (4) "Inspector" means an Inspector appointed under subsection (1) of section 20;
- (5) "member" means a member of the Council and includes the Chairman;
- (6) "Practitioner" means a person who practises the Homoeopathic System;
- (7) "prescribed" means prescribed by rules or regulations made under this Act;
- (8) "qualifying examination" means the examination held for the purpose of granting a degree, diploma or certificate conferring the right of registration under this Act;
- (9) "Register" means the register of practitioners maintained under section 15;
- (10) "registered practitioner" means a practitioner whose name is for the time being entered in the Register;
- (11) "Registrar" means the Registrar appointed under section 14; and
- (12) "regulations" means regulations made under this Act.

2-A. *Construction of certain references in their application.*—

(1) In the application of the Act to the Union Territory of Chandigarh or the transferred territories, any reference therein to the State Government shall be construed as a reference to the Administrator of the Union Territory of Chandigarh or the Administrator of the Union Territory of Himachal Pradesh as the case may be.

(2) Section 55 shall not apply in relation to the Union Territory of Chandigarh but shall apply to the State of Haryana and the transferred territory with the modification that for the words "each House of the State Legislature" the words "the Legislative Assembly" and for the words "both House agree" at both the places where they occur, the words "Legislative Assembly agrees" shall be substituted).

1. Substituted by Government of India, S.O. No. 1301, dated the 28th March, 1959, Schedule.
2. Inserted by ibid.

PART-II

ESTABLISHMENT, CONSTITUTION AND INCORPORATION OF COUNCIL AND
REGISTRATION OF PRACTITIONERS

3. (1) The State Government may, as soon as may be, by notification establish a Council to be called, "The Council of Homoeopathic System of Medicine, [***] for the purpose of carrying out the provisions of this Act. Establishment, constitution and incorporation of Council

(2) The Council shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power to acquire, hold and dispose of property, and to contract, and may by that name sue and be sued

(3) The Council shall consist of eleven members [***] of whom--

(a) three members shall be nominated by the State Government, one of them, if possible, being a person connected with such institutions as are referred to in Schedule-I; and

(b) eight members of whom not less than four shall be persons holding a degree, diploma or certificate in the Homoeopathic System from such institutions as are referred to in Schedule-I, shall be elected by the registered practitioners from amongst themselves:

[Provided that no person shall be so elected unless he is a resident of Punjab.]

(4) The Chairman of the Council shall be nominated by the State Government from amongst the members and shall hold office during the pleasure of the State Government.

(5) The eight members mentioned in clause (b) of sub-section (3) shall in the case of [the first Council to be constituted after the commencement of the Council of Homoeopathic System of Medicine, Punjab (Reconstitution and Reorganisation) Order, 1969], be nominated by the State Government from amongst the practitioners who are eligible to be registered practitioners, and such members shall be deemed to have been duly elected under clause (b) of sub-section (3):

Provided that not less than four of such members shall be persons holding a degree, diploma or certificate in Homoeopathic System from such institutions as are referred to in Schedule-I.

1. The word "Punjab" omitted by Government of India, S.O. 1301 dated the 28th March, 1969, Schedule.

2. The words "residing in Punjab" omitted by Punjab Act 46 of 1976, section 2.

3. Added by the Act *ibid*, section 2.

4. Substituted for the words "first council to be constituted" by Government of India, S.O. 1301 dated the 28th March, 1969, Schedule.

{(5-A) Notwithstanding anything contained in this Act, as from the commencement of the Punjab Homoeopathic Practitioners (Amendment and Validation) Act, 1981, the State Government shall reconstitute the Council in the manner laid down in sub-section (5-B).

(5-B) All the members of the Council to be reconstituted under sub-section (5-A) shall be nominated by the State Government :

Provided that eight members shall be nominated from amongst such persons who are registered practitioners or are eligible to be registered as such :

Provided further that out of these eight not less than four shall be persons holding a degree, diploma or certificate in Homoeopathic System of Medicine from any of the institutions referred to in Schedule-I.

(5-C) The term of the members nominated to the Council reconstituted under sub-section (5-A) shall be two years from the date on which first meeting of the Council is held or till the election or nomination of their successors is notified under sub-section (6), whichever is earlier.

(5-D) The Council reconstituted under sub-section (5-A) may review any order passed by the Council at any time before the commencement of the Punjab Homoeopathic Practitioners (Amendment and Validation) Act, 1981 :

Provided that no such order shall as a result of review, be modified or rescinded unless a reasonable opportunity of being heard has been given to the person concerned.]

(6) Every election or nomination of member and every vacancy in the office of a member shall be notified by the State Government in the Official Gazette.

Election of
members.

4. The election of practitioners entitled to be members of the Council under clause (b) of sub-section (3) of section 3 shall be held at such time and place and in such manner as may be prescribed.

No action of
member in default
of election.

5. If any of the members is not elected under clause (b) of sub-section (3) of section 3, the State Government may, notwithstanding anything contained in that sub-section, nominate such registered practitioner as it deems fit, and the practitioner so nominated shall for the purposes of this Part be deemed to have been duly elected under that clause.

Validation.

1. Substituted by Punjab Act 9 of 1981, section 2 and shall be deemed to have come into force on the 2nd day of December, 1980.

Section 3 of the Punjab Act 9 of 1981 reads as under :

3. Notwithstanding anything contained in this Act, anything done or any action taken or purporting to have been done or taken by the Council as it existed immediately before the 4th day of January, 1979, during the period commencing on the 4th day of January, 1979, and ending on the commencement of this Act under the provisions of the principal Act or the rules made thereunder shall be deemed to be valid and effective and accordingly no such thing or action shall be called into question in any court of law.

6. (1) Save as otherwise provided, the term of office of elected and nominated members shall be five years commencing from the date on which the first meeting of the Council is held after the members are elected under sub-section (3) of section 3 : Terms of office.

[Provided that the term of office of members nominated to the first Council constituted after the commencement of the Council of Homoeopathic System of Medicine, Punjab (Reconstitution and Reorganisation) Order, 1969, shall be four years from the date on which the first meeting of such Council is held.]

(2) An outgoing member shall continue in office until the election or nomination of his successor as the case may be.

(3) The outgoing member shall be eligible for re-nomination or re-election.

7. (1) If a vacancy occurs in the office of a member due to death, resignation, removal or disability of such member or otherwise, it shall be filled in the same manner as is provided in section 3. Vacancies.

(2) Any person nominated or elected to fill the vacancy shall, notwithstanding anything contained in section 6, hold office only so long as the member in whose place he is nominated or elected would have held office if the vacancy had not occurred.

8. Any member may at any time resign his office by letter addressed to the Chairman and such resignation shall take effect from the date on which it is accepted by the Council : Resignation

Provided that the Chairman may resign his office by letter addressed to the State Government and his resignation shall take effect from the date on which it is accepted by the State Government.

1. Substituted by Punjab Act 11 of 1974, section 2. It shall be deemed to be substituted with effect from 5th February, 1971.

Section 6 of this Act reads as under :-

6. Notwithstanding anything contained in this Act, anything done or any action taken by the first Council constituted after the commencement of the Council of Homoeopathic System of Medicine, Punjab (Reconstitution and Reorganisation) Order, 1969, at any time before the commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1974, shall be deemed to be as valid and effective as if the same had been done by a Council whose term had not expired and accordingly no such action or thing shall be held into question merely on the ground that the term of the aforesaid Council had expired before the commencement of the aforesaid Act. Validation

Disabilities for continuing as members

9. If any member during the period for which he has been nominated or elected—

- (a) absents himself without such reasons, as may in the opinion of the Council, be sufficient, from three consecutive meetings of the Council; or
- (b) becomes subject to any of the disqualifications mentioned in section 10; or
- (c) being a legal practitioner, appears in any suit or proceeding, civil or criminal, against the Council; or
- (d) obtains any employment under the Council or has without the previous sanction of the State Government acquired directly or indirectly by himself or by a partner any share or interest in any contract made with, by, or on behalf of, the Council ;

the Council may declare his office to be vacant :

Provided that in a case falling under clause (b), the Council shall declare the office to be vacant.

Disqualifications.

10. No person—

- (a) who is a minor or an undischarged insolvent; or
- (b) who has been adjudicated by a competent court to be of unsound mind; or
- (c) whose name has been removed from the Register; or
- (d) who has been sentenced by a Court to imprisonment for an offence which, in the opinion of the Council, involves moral turpitude or indicates such a defect of character as would render the entry or continuance of his name in the Register undesirable, the sentence not having been subsequently reversed in appeal or revision, or remitted by an order which the State Government is empowered to make in that behalf; or
- (e) who has been found guilty, by a majority of two-third, of the members of the Council present and voting at the meeting thereof, of infamous conduct in any professional respect after enquiry by the Council at which an opportunity has been given to such person to be heard in his defence either personally or through a representative; or

(f) who is a dismissed servant of the Government or any local authority;

shall be eligible for being elected or nominated a member.

[10-A. The State Government may, by notification, remove any member who, in its opinion, has been guilty of misconduct in the discharge of his duties. Removal of members.

Provided that before the State Government notifies the removal of any member, the reasons for his proposed removal shall be communicated to him and he shall be given an opportunity of tendering an explanation in writing.]

11. No act done, or proceeding taken, under this Act by the Council shall be invalid merely on the ground— Vacancies, etc., not to invalidate proceedings of Council.

- (a) of any vacancy or defect in the Constitution of the Council; or
- (b) of any defect or irregularity in election or nomination of a person acting as a member thereof; or
- (c) of any defect or irregularity in such act or proceeding, not affecting the merits of the case.

12. The Council shall meet at such time and place and every meeting of the Council shall be summoned in such manner as may be prescribed by regulations. Time and place of meetings of Council.

Provided that until such regulations are made it shall be lawful for the Chairman to summon every meeting of the Council at such time and place as he may deem expedient by letter addressed to each member separately.

13. (1) The Chairman, and in the absence of the Chairman, a person elected by the members present from amongst themselves, shall preside at a meeting of the Council. Procedure at meetings of Council.

(2) All questions at a meeting of the Council shall be decided by the votes of the majority of the members present and voting and, in the case of an equality of votes, the Chairman for the time being may, in addition to his vote as a member of the Council, exercise a second or a casting vote.

(3) Three members shall form a quorum at a meeting of the Council :

Provided that if a meeting is adjourned for want of quorum, no quorum shall be necessary at the next meeting called for transacting the same business.

Registrar.

14. (1) The Council shall, with the previous approval of the State Government, appoint a Registrar who shall receive such salary and allowances and be subject to such conditions of service as may be prescribed.

(2) The Chairman may, from time to time, grant leave to the Registrar and the Council may appoint a person to act in his place.

(3) Any person duly appointed to act as a Registrar shall be deemed to be the Registrar for all the purposes of this Act.

(4) Any order of the Council appointing, punishing or removing the Registrar from office shall not be passed without the previous approval of the State Government.

(5) The Council may appoint such other officers and servants as may be necessary for carrying out the purposes of this Act :

Provided that the number and designation of such officers and servants and their salaries and allowances shall be subject to the previous approval of the State Government.

(6) The Registrar and any other officer or servant appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

(7) The Registrar shall be the Secretary of the Council and shall act as Executive Officer of the Council.

Duties of the Registrar.

15. (1) Subject to the provisions of this Act and the rules made thereunder and subject to any general or special order of the Council, it shall be the duty of the Registrar to keep the Register.

(2) The Register shall be kept in such form as may be prescribed and shall contain the name, address and qualifications of every registered practitioner together with the dates on which such qualifications were acquired. The Register shall be divided into the following two parts :-

Part-A--containing the names of practitioners referred to in sub-section (1) of section 16 ; and

Part-B--containing the names of practitioners referred to in sub-section (2) of section 16.

(3) The Registrar shall keep the Register correct as far as possible and may from time to time enter therein any material alteration in the address or qualification of the practitioners. The names of the registered practitioners, who

ie or whose names are directed to be removed from the Register under sub-section (3) of section 16, shall be removed from the Register.

(4) A registered practitioner shall, on payment of such fees as may be prescribed, be entitled to have entered in the Register any degrees, diplomas or certificates or other qualifications in Homocopathy or other recognised medical degrees, diplomas or certificates which he may obtain.

(5) For the purpose of this section, the Registrar may write by registered post to any registered practitioner at the address which is entered in the Register to enquire whether he has ceased to practise or has changed his residence and, if no answer is received to such letter within six months, the Registrar may remove the name of such practitioner from the Register :

Provided that if the Council is satisfied, on the application of such practitioner, that he has not ceased to practise, the Council may direct that the name of such practitioner be re-entered in the Register.

16. (1) Every person, who possesses any qualification mentioned in Schedule-I, shall, subject to the provisions contained in this Act and on payment of the prescribed fees, be entitled to have his name entered in Part A of the Register subject to such conditions as the Council may, by regulations, specify. Registration

(2) Every person who has passed Matriculation or an equivalent examination of a recognised University or Board, and who, within a period of six months from the date of commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1974, proves to the satisfaction of the Registrar that immediately before such commencement he was not less than twenty-five years of age and had been in continuous practice as a practitioner for a period of not less than five years, shall, on payment of the prescribed fees, be entitled to have his name entered in Part-B of the Register subject to such conditions as the Council may, by regulations, specify :

Provided that a person who does not possess the educational qualifications referred to above shall also be registered by the Council with the prior approval of the State Government, on payment of the prescribed fees and subject to the aforesaid conditions, if he, within the aforesaid period of six months proves that immediately before the commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1974, he was not less than thirty-five years of age and had been in continuous practice as a practitioner for a period of not less than fifteen years.

1- Substituted by Punjab Act 11 of 1974, section 3.

Explanation. For the purposes of this section, the expression "recognised University or Board" means :—

- (i) any University or Board incorporated by law in any of the States of India; or
- (ii) in the case of a certificate obtained as a result of an examination held before the 15th August, 1947, the Punjab, Sind or Dacca University; or
- (iii) any other University or Board which is declared by the State Government to be a recognised University or Board for the purposes of this section.

[(2-A) Every person who within a period of six months from the date of commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1976, proves to the satisfaction of the Registrar that—

- (i) he had passed Matriculation examination or language examination of Budhimani in Punjabi, Rattan in Hindi, Prajna in Sanskrit, Adib in Urdu or Munshi in Persian or an examination equivalent to or higher than any of the aforesaid examinations, from a recognised University or Board at any time before the commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1974; and
- (ii) he was not less than twenty-five years of age and had been in continuous practice as a Practitioner for a period of not less than five years on the date of commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1974;

shall, on payment of the prescribed fees, be entitled to have his name entered in Part-B of the Register subject to such conditions as the Council may, by regulations, specify.]

(3) No person—

- (a) who is registered under the Punjab Medical Registration Act, 1916, or the Punjab Ayurvedic and Unani Practitioners Act, 1963, shall be eligible for registration under sub-section (1) or sub-section (2) unless and until he ceases to be registered under those Acts; or

1. Inserted by Punjab Act 40 of 1976, section 4

(b)

(4) Who whose case is not rules or regulations to the Council for

(5) The been convicted Procedure, 1898* opinion of the Council who has been found of the Council, in Register.

(6) The name of the payment of such

[16-A. as may be prescribed date of commencement Act, 1993, and the years' period was period

(7) If the within the period removed from the

Provided may be prescribed, after the expiry of later than two months satisfied that the registration within

Now see Code of Civil Inserted by Punjab

(b) who is registered under sub-section (1) or sub-section (2), shall continue to be a registered practitioner under this Act, if subsequent to such registration under the Punjab Medical Registration Act, 1916, or the Punjab Ayurvedic and Unani Practitioners Act, 1963.

(4) Where an application for entry in the Register is made by a person whose case is not clearly covered by sub-section (1) or sub-section (2) or by the rules or regulations made under this Act, the Registrar shall refer his application to the Council for such decision as the Council may deem fit.

(5) The Council may direct that the name of any practitioner who has been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1898*, which discloses such defect of a moral character as is, in the opinion of the Council, sufficient to make him unfit to practise his profession or who has been found, after due inquiry, guilty of conduct which is, in the opinion of the Council, infamous in any professional respect, shall be removed from the Register.

(6) The Council may, on sufficient cause being shown, also direct that the name of the practitioner so removed shall be re-entered in the Register on payment of such fees as may be prescribed.

[16-A. (1) Every registered practitioner shall, on payment of such fees, as may be prescribed, get his registration renewed within three months from the date of commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1993, and thereafter, he shall get his registration renewed after every five years' period, within a period of one month of the expiry of the five years' period.

Renewal of registration.

(2) If the registered practitioner fails to get his registration renewed within the period specified in sub-section (1), his name shall thereafter stand removed from the Register :

Provided that the Registrar may, on payment of such additional fee as may be prescribed, entertain an application for the renewal of registration even after the expiry of the period specified for renewal in sub-section (1), but not later than two months after the expiry of the period referred to above, if he is satisfied that the applicant was prevented by sufficient cause from renewal of registration within time.]

*Now see Code of Criminal Procedure, 1973 (Act 2 of 1974).

1. Inserted by Punjab Act 1 of 1993, section 2



Appeal to the Council from the decision of the Registrar and other powers of the Council.

17. (1) Any person aggrieved by the decision of the Registrar regarding registration of any person or any entry in the Register may appeal to the Council.

(2) Such appeal shall be filed with, and shall be heard and decided by, the Council in the manner prescribed.

(3) The Council may, on its own motion or on the application of any person, after due and proper enquiry and after giving an opportunity to the person concerned of being heard, cancel or alter any entry in the Register, if in the opinion of the Council such entry was fraudulently or incorrectly made.

Qualified practitioner certificate.

18. Notwithstanding anything in any law for the time being in force --

(a) the expression 'legally qualified medical practitioner' or 'duly qualified medical practitioner' or any word importing a person recognised by law as a medical practitioner or member of medical profession shall in all Acts for other provisions having the force of law in Punjab and relating to matters in List II or List III of the Seventh Schedule to the Constitution of India, includes a practitioner registered in Part-A of the Register;

(b) a certificate required by any Act to be issued by any medical practitioner or medical officer shall be valid if such certificate has been signed and issued by a practitioner registered in Part-A of the Register;

Provided that a certificate of illness may also be signed and issued by any practitioner registered in Part-B of the Register;

(c) a practitioner registered in Part-A of the Register shall be eligible to hold any appointment as a medical officer in any Homoeopathic Dispensary or Hospital supported by or receiving a grant from the State Government and treating patients according to the homoeopathic system or in any public establishment, body or institution dealing with such system.

Notice of death.

19. Every Registrar of Deaths on receiving notice of the death of a registered practitioner shall forthwith transmit by post to the Registrar a certificate under his own hand of such death with the particulars of time and place of death and may charge the cost of such certificate and transmission as an expense of his office.

Inspection of institutions.

20. (1) The Council may appoint such number of Inspectors to inspect the institution and their examinations as it may deem fit and such Inspectors shall be paid such fee as may be prescribed.

(2) Such Inspectors shall, in accordance with any general or special directions of the Council given from time to time, inspect the institutions established by or affiliated to the Council and report to the Council in regard to the courses of study pursued and training imparted at every institution which they inspect and on any other matters with regard to which the Council may require them to report.

21. (1) The Council shall by regulations---

Qualifying ex-
aminations.

- (a) recognise institutions as required under paragraph (2) of Schedule-I;
- (b) prescribe the course of training and qualifying examinations including the examinations prior to qualifying examination;
- (c) provide that instruction and examinations shall as far as possible be given or held in the languages specified in the regulations.

(2) A qualifying examination shall be an examination in the Homoeopathic System held for the purpose of granting a diploma, degree or certificate conferring the right of registration under this Act by [the Council or by] any of the Institutions which on the recommendations of the Council may be specified by the State Government by notification as being authorised to hold a qualifying examination.

(3) It shall be the duty of the Council to secure the maintenance of an adequate standard of proficiency for the practice of Homoeopathic System. For the purpose of securing such a standard, the Council shall have authority to call on the governing body or authorities of any institution giving instruction in the Homoeopathic System and on any examining body authorised or desirous of being authorised under sub-section (2)--

- (a) to furnish such particulars as the Council shall require of and course of study prescribed by regulations or examination held by such body or authority or in any school or college thereof with reference to the grant of any qualifications; and
- (b) to permit Inspectors appointed by the Council from amongst the registered practitioners in this behalf to attend and be present at all or any of the qualifying examinations.

1. Added by Punjab Act 11 of 1974, section 4

(4) An Inspector shall not interfere with the conduct of any examination, but it shall be his duty to report to the Council of his opinion as to the sufficiency or insufficiency of every examination which he attends and any other matter in relation to such examination on which the Council may require him to report.

(5) Every qualifying examination and every prior examination leading up to it held by the bodies or institutions authorised under this section shall be inspected by the Inspector at least once in two years and more frequently if the Council so directs.

(6) The Council shall forward a copy of every such report to the body which held the examination in respect of which the said report was made and shall also forward a copy of such report, together with any observations thereon made by the said body, to the State Government.

Powers and
functions of
Council

[21-A. Subject to the provisions of this Act, the powers and functions of the Council shall be -

- (a) to hold qualifying examinations and other examinations, to appoint examiners and other staff to assist them, to fix their fees, remunerations and allowances and to declare the results of the examinations;
- (b) to grant degrees, diplomas or certificates;
- (c) to award stipends, scholarships, medals, prizes and other rewards;
- (d) to prepare, publish and prescribe text books and to publish statement of prescribed courses of study;
- (e) to found and maintain a library;
- (f) to recommend schemes for post-graduate training and research in the Homoeopathic System;
- (g) to appoint any Committee or Board of studies as may be necessary and to lay down their constitution, duties and functions;
- (h) to exercise such other powers and perform such other functions as may be specified in this Act, or in the rules or regulation made thereunder or as the State Government may by notification direct for carrying out the purposes of this Act.

1. Added by Punjab Act 11 of 1974, section 5.

Explanation.—The Committee or the Board of studies referred to in clause (g) may have such persons as their members as are not members of the Council.]

22. If it appears to the State Government on the report of the Council that the courses of study and examinations prescribed by any of the institutions specified in the notification under section 21 are not such as to secure the maintenance of an adequate standard of proficiency for the practice of Homoeopathic System, it shall be lawful for the State Government by notification to direct that the said institution shall be removed from the said notification and shall not be authorized to hold a qualifying examination.

Exemption from the provisions of section 21

Provided that before any direction for the removal of an institution from the said notification is made under this section, the Council shall require the institution to take steps within such time as it thinks fit to provide that the courses of study and examinations prescribed by the institution are of an adequate standard.

23. Notwithstanding anything in any other law for the time being in force, every registered practitioner shall be exempted, if he so desires from serving on any inquest under the Code of Criminal Procedure, 1898*.

Exemption from serving on an inquest

24. There shall be paid to the members for attending meetings of the Council such travelling and other allowances as may be prescribed.

Allowance payable to members

25. All moneys received by the Council as fees under this Act shall be applied for the purposes of this Act in accordance with the rules made thereunder.

Application of moneys received

26. (1) The Registrar shall every five years, on or before a date to be fixed by the Council, cause to be printed and published a correct list of the names and qualifications of all practitioners for the time being entered in the Register and the dates when such qualifications were acquired.

Publication of list of practitioners

(2) In any proceeding it shall be presumed that every person entered in such list is a registered practitioner and that any person not so entered is not a registered practitioner.

27. If at any time it appears to the State Government that the Council has neglected to exercise, or has exceeded or abused, any of the powers conferred upon it by or under this Act or has neglected to perform any of the duties imposed upon it by or under this Act, the State Government may, communicate the particulars of such neglect, excess or abuse to the Council and if the Council fails to remedy such neglect, excess or abuse within such time as may be fixed by the

Control of state Government

*Now see the Code of Criminal Procedure, 1973 (Act 2 of 1974).

State Government in this behalf, the State Government may, for the purpose of remedying such neglect, excess or abuse cause any of the powers and duties of the Council to be exercised and performed by such agency and for such period as the State Government may think fit.

Prohibition to practice of persons not registered.

28. No person, other than a practitioner registered under this Act, shall practise or hold himself out, whether directly or by implication, as practising or as being prepared to practise the Homoeopathic System.

Falsely assumption of degree, etc., to be an offence.

29. Whosoever voluntarily and falsely assumes or uses any title or description or any addition to his name implying that he holds a degree, diploma, or certificate conferred, granted or issued by any of the institutions specified in the notification made under section 21, or that he is qualified to practise the Homoeopathic System, or that he is a registered practitioner, shall on conviction be punishable with fine which may extend to two hundred and fifty rupees for the first offence and with fine which may extend to five hundred rupees for every subsequent offence.

Penalty

30. Any person who acts in contravention of the provisions of section 28 shall, on conviction, be punishable with fine which may extend to two hundred rupees.

Conferring, granting or issuing of any degrees, diplomas, etc., by an unregistered person or institution.

31. (1) No person, other than an association or institution recognised or authorised by the Council under this Act, shall confer, grant or issue or hold himself or itself out as entitled to confer, grant or issue any degree, diploma, certificate or other document stating or implying that the holder, grantee, or recipient is qualified to practise the Homoeopathic System.

(2) Whoever contravenes the provisions of sub-section (1) shall, on conviction, be punishable with fine which may extend to five hundred rupees and if the person so contravening is an association, every member of such association, who, knowingly and wilfully authorises or permits the contravention shall, on conviction, be punishable with fine which may extend to two hundred rupees.

Court competent to try offences under this Act and the offence of

32. (1) No court other than the court of a Judicial Magistrate of 1st class shall take cognizance of or try an offence under this Act.

(2) No court shall take cognizance of any offence under this Act except on a complaint in writing of an officer empowered by the State Government in this behalf.

Power to amend Schedule-I

33. The State Government may by notification amend Schedule-I, to add thereto or omit therefrom any qualification, and thereupon such Schedule shall be deemed to have been amended accordingly.

PART-III

DISPUTES REGARDING ELECTIONS

34. In this Part, unless the context otherwise requires,—

- (a) "agent" means any person appointed in writing by a candidate at an election to be his agent for the purposes of his election with the written consent of such person;
- (b) "candidate" means a person who has been or claims to have been duly nominated as a candidate at an election, and any such person shall be deemed to have been a candidate as from the time when, with the election in prospect, he began to hold himself out as a prospective candidate;
- (c) "Corrupt practice" means any of the practices specified in Schedule-II;
- (d) "costs" means all costs, charges and expenses of, or incidental to, a trial of an election petition;
- (e) "election" means an election to fill the office of a member;
- (f) "electoral right" means the right of a person to stand or not to stand, as, or to withdraw from being, a candidate or to vote or refrain from voting at an election; and
- (g) "pleader" means any person entitled to appear and plead for another in a civil court, and includes an Advocate.

35. No election of a member shall be called in question except by an election petition presented in accordance with the provisions of this Part.

36. (1) Any registered practitioner may within a period of thirty days from the date on which the election of any member is notified under sub-section (6) of section 3 and on furnishing the prescribed security in the prescribed manner, present on one or more of the grounds specified in sub-section (1) of section 48 to the prescribed authority an election petition in writing against the election of such member.

(2) The election petition shall be deemed to have been presented to the prescribed authority—

- (a) when it is delivered to the prescribed authority—
 - (i) by the person making the petition; or
 - (ii) by a person authorised in writing in this behalf by the person making the petition; or

(b) when it is sent by registered post and is delivered to the prescribed authority.

Contents of petition.

37. (1) An election petition:

- (a) shall contain a concise statement of the material facts on which the petitioner relies;
- (b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and date and place of the commission of each such practice; and
- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Act V of 1908), for the verification of pleadings.

Provided that where the petitioner alleges any corrupt practice the petition shall also be accompanied by the affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

Procedure on withdrawing election petition.

38. If the prescribed security is not furnished in the prescribed manner or the petition is not presented within the period specified in section 36, the prescribed authority shall dismiss the petition:

Provided that the petition shall not be dismissed without giving the petitioner an opportunity of being heard.

Power to withdraw or transfer petition.

39. Any authority empowered in this behalf by the State Government may, at any stage after notice to parties and for reasons to be recorded, withdraw any election petition pending before a prescribed authority and transfer it for trial to another prescribed authority, and upon such transfer that prescribed authority shall proceed with the trial from the stage at which it was withdrawn:

Provided that such authority may, if it thinks fit, recall and re-examine any of the witnesses already examined.

Procedure before the prescribed authority.

40. (1) Subject to the provisions of this Act and of any rules thereunder, every election petition shall be tried by the prescribed authority.

nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908 (Act V of 1908), to the trial of suits :

Provided that the prescribed authority shall have the discretion to refuse for reasons to be recorded to examine any witness or witnesses, if it is of the opinion that their evidence is not material for the decision of the petition or that the party tendering such witness or witnesses is doing so on frivolous grounds or with a view to delay the proceedings.

(2) The provisions of the Indian Evidence Act, 1872 (Act I of 1872), shall, subject to the provisions of this Act, be deemed to apply in all respects to the trial of an election petition.

41. Any appearance, application or act before the prescribed authority may be made or done by the party in person or by a pleader duly appointed to act on his behalf:

Provided that it shall be open to the prescribed authority to direct any party to appear in person whenever the prescribed authority considers it necessary.

42. The prescribed authority shall have the powers which are vested in a court under the Code of Civil Procedure, 1908 (Act V of 1908), when trying a suit in respect of the following matters:

- (a) discovery and inspection;
- (b) enforcing the attendance of witnesses and requiring the deposit of their expenses;
- (c) compelling the production of documents;
- (d) examining witnesses on oath;
- (e) granting adjournments;
- (f) reception of evidence taken on affidavit; and
- (g) issuing commissions for the examination of witnesses;

and may summon and examine *suo motu* any person whose evidence appears to it to be material and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1973* (Act V of 1973.)

Explanation.—For the purpose of enforcing the attendance of witnesses the local limits of the jurisdiction of the prescribed authority shall be the limits of the State of Punjab.

*Now see the Code of Criminal Procedure, 1973 (Act 2 of 1974).

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Documentary evidence.

43. Notwithstanding anything in any enactment to the contrary, no document shall be inadmissible in evidence at the trial of an election petition on the ground that it is not duly stamped or registered.

(2) A authority shall

(a)

Secrecy of voting not to be infringed.

44. No witness or other person shall be required to state for whom he has voted at an election.

Answering of criminal questions and certificate of indemnity.

45. (1) No witness shall be excused from answering any question as to an matter relevant to a matter in issue in the trial of an election petition up to the ground that the answer to such question may criminate or may tend to criminate him, or that it may expose or may tend to expose him to any penalty or forfeiture:

(b)

Provided that -

(a) a witness who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the prescribed authority; and

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(b) an answer given by a witness to a question put by or before the prescribed authority shall not, except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against him in any civil or criminal proceeding.

(c)

(2) When a certificate of indemnity has been granted to any witness it may be pleaded by him in any court and shall be a full and complete defence to or against any charge under Chapter IX-A of the Indian Penal Code (Act XLV of 1860), arising out of the matter to which such certificate relates, but it shall not be deemed to relieve him from any disqualification, in connection with any election, imposed by this Act or any other Law.

48.

Expenses of witnesses.

46. The reasonable expenses incurred by any person in attending to give evidence may be allowed by the prescribed authority to such person, and shall, unless the prescribed authority otherwise directs, be deemed to be part of the costs.

Dismissal of the petition by the prescribed authority.

47. (1) When an election petition has not been dismissed under section 38, the prescribed authority shall inquire into the election petition and at the conclusion of the inquiry shall make an order--

(a) dismissing the election petition; or

(b) setting aside the election.

(2) At the time of making an order under sub-section (1) the prescribed authority shall also make an order---

(a) where any charge is made in the petition of any corrupt practice having been committed at the election, recording---

(i) a finding whether any corrupt practice has or has not been proved to have been committed at the election and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practice and the nature of that practice; and

(b) fixing that total amount of costs payable, and specifying the persons by and to whom costs shall be paid :

Provided that a person who is not a party to the petition shall not be named in the order under sub-clause (ii) of clause (a) unless---

(i) he has been given notice to appear before the prescribed authority and to show cause why he should not be so named; and

(ii) if he appears in pursuance of the notice, he has been given an opportunity of cross-examination any witness who has already been examined by the prescribed authority and has given evidence against him, of calling evidence in his defence and of being heard.

48. (1) If the prescribed authority is of the opinion---

(a) that on the date of his election the elected person was not qualified or was disqualified, to be elected under this Act; or

(b) that any corrupt practice has been committed by the elected person or his agent or by any other person with the consent of the elected person or his agent; or

(c) that any nomination has been improperly rejected; or

(d) that the result of the election, in so far as it concerns the elected person, has been materially affected---

(i) by the improper acceptance of any nomination; or

(ii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void; or

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(iii) by any non-compliance with the provisions of this Act or of any rules made under this Act, the prescribed authority shall set aside the election of the elected person.

(2) When an election has been set aside under sub-section (1), a fresh election shall be held.

Abatement of election petition.

49. An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners.

Costs and payment thereof out of security deposits and return of such deposits.

50. (1) Costs including pleaders' fee shall be in the discretion of the prescribed authority.

(2) If in any order as to costs under the provisions of this Part there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible, out of the security deposit made by such party under this Part, or an application made in writing in that behalf within a period of one year from the date of such order to such authority as may be empowered in this behalf by the State Government by the person in whose favour the costs have been awarded.

(3) If there is any balance left of the security deposit under this Part after payment under sub-section (2) of the costs referred to in that sub-section, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of one year, the whole of the said security deposit may, on an application made in that behalf in writing to the authority referred to in sub-section (2) by the person by whom the security has been deposited or if such person dies after making such deposit, by the legal representative, of such person, be returned to the said person or to his legal representatives, as the case may be.

Execution of orders as to costs.

51. Any orders as to costs under the provisions of this Part may be produced before the principal civil court within the local limits of whose jurisdiction any person directed by such order to pay a sum of money has his place of residence or business and such court shall execute the order or cause the same to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit :

Provided that where any such cost or any portion thereof may be recovered by an application made under sub-section (2) of section 50, no application shall lie under this section within a period of one year from the date of such order unless it is for the recovery of the balance of any costs which have been left unrealised after an application has been made under that sub-section owing to the insufficiency of the amount of the security deposit referred to in that sub-section.

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52. The corrupt practices specified in Schedule-II shall entail disqualification for membership of the Council for a period of five years counting from the date on which the finding of the prescribed authority as to such practice has been given :

Corrupt practices
entailing
disqualification

Provided that the State Government may, for reasons to be recorded, remove the disqualification or reduce the period thereof.

PART-IV
MISCELLANEOUS

53. (1) The State Government may, by notification and after previous publication, make rules to carry out all or any of the purposes of this Act.

Rules

(2) In particular, and without prejudice to the generality of the foregoing power, the State Government may make rules for all or any of the following matters, namely :--

- (a) the time at which and the place and manner in which election shall be held under section 4;
- (b) the salary, allowances and other conditions of service of the Registrar under section 14;
- (c) the form of the Register and the particulars to be entered therein under section 15;
- (d) the fees chargeable for registration, registration certificates, re-entries of a removed name and alteration of entries in the Register;
- (e) the manner in which appeals against the decision of the Registrar shall be heard by the Council under section 17;
- (f) the travelling and other allowances payable to members under section 24;
- (g) the application of fees under section 25;
- (h) the furtherance of any of the objects of the Council;
- (i) the form of the certificate of registration mentioning therein the Part in which the registered practitioner is registered;
- (j) the amount of security to be furnished and the manner in which it is to be furnished as required by sub-section (1) of section 36;

- (k) the authority to whom election petitions may be presented and by whom such petitions may be inquired into and decided under Part-III;
- (l) the form of affidavit required to accompany the petition under sub-section (1) of section 37; and
- (m) any other matter which may be prescribed.

Regulations.

54. (1) The Council may, with the previous sanction of the State Government, make regulations not inconsistent with this Act or the rules made under section 53 for all or any of the following matters, namely: -

- (a) the time and place at which the Council shall hold its meetings under section 12;
- (b) the salary, allowances and other conditions of service of officers and servants of the Council, other than the Registrar, under section 14;
- (c) the conditions for registration referred to in sub-section (1), [(2) and (2-A)] of section 16;
- (d) the course of study for training and qualifying and other examinations;
- (e) the admission of students to the bodies or institutions authorised under section 21;
- (f) the language in which the examinations shall be conducted and instruction shall be imparted;
- (g) the conditions under which students shall be admitted to the degree, diploma or certificate course and to the qualifying and prior examinations;
- (h) the conditions of appointment of examiners and the conduct of examinations; and
- (i) all other matters which may be necessary for the purposes of carrying out the objects of this Act.

(2) All regulations shall be published in the Official Gazette.

1 Substituted by Punjab Act 49 of 1976, section 5

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(3) The State Government may by notification cancel any regulation :

Provided that in submitting regulations under clauses (d) and (h) for sanction of the State Government under this section, the Council shall send a copy of its proceedings relating to the passing of such regulations and shall state the number of its members who have voted for or against such regulations or not voted in respect of such regulations :

Provided further that in sanctioning the regulations due consideration shall be given to the opinion of the members as expressed in the said proceedings.

55. Every rule made under section 53 and every regulation made under section 54 shall be laid as soon as may be after it is made before [***] the State Legislature while it is in session for a total period of ten days which may comprise in one session or in two successive sessions, and if before the expiry of the sessions in which it is so laid or the session immediately following [the Legislature] agree in making any modification in the rule or regulation, as the case may be, or [the Legislature] agree that such rule or regulation should not be made, the rule or regulation 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.

Rules as laid before Legislature

1. Omitted by A.O. of 1970.
2. Substituted for the words "both houses" by *ibid*

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SCHEDULE-I

[See section 3(3) and (5), 16(1), 21(1)(a) and 33]

Persons who are entitled to have their names entered in Part-A of the Register of Homoeopaths :—

- (1) Homoeopaths who have passed the final examinations held by the Council of the Homoeopathic System of Medicine, Punjab.
- (2) Homoeopaths who have passed an examination from a Homoeopathic Institution in the State or outside it :

Provided that for the purposes of examination such an institution is recognised by the Council [with the prior approval of the State Government and subject to such conditions as the State Government may deem fit to impose].

- (3) Homoeopaths who have been registered by a State Council or Board of Homoeopathic System of Medicine established by law anywhere in the Indian Union by virtue of their having passed a qualifying examination from any of the recognised institutions of such Council or Board.

SCHEDULE-II

[See sections 34(c) and 52]

The following shall be deemed to be corrupt practices for the purposes of section 52 :—

- (1) Bribery, that is to say :—
 - (A) any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his agent of any gratification, to any person whomsoever, with the object, directly or indirectly of inducing—
 - (a) a person to stand or not to stand as, or to withdraw from being, a candidate at an election; or
 - (b) a voter to vote or refrain from voting at an election, or as a reward to—
 - (i) a person for having so stood or not stood, or for having withdrawn his candidature; or

1. Substituted by Punjab Act 49 of 1976, section 6.

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- (ii) a voter for having voted or refrained from voting; and
 - (B) the receipt of, or agreement to receive, any gratification, whether as a motive or a reward—
 - (a) by a person for standing or not standing as, or for withdrawing from being a candidate; or
 - (b) by any person whosoever for himself or any other person for voting or refraining from voting, or inducing or attempting to induce any voter to vote or refrain from voting, or any candidate to withdraw his candidature.
- Explanation.*—For the purposes of this clause, the term "Gratification" is not restricted to pecuniary gratifications or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of, any election.
- (2) Undue influence, that is to say, any direct or indirect interference or attempts to interfere on the part of the candidate or his agent, or of any other person with the consent of the candidate or his agent, with the free exercise of any electoral right :
- Provided that
- (a) without prejudice to the generality of the provisions of this clause, any such person as is referred to therein who—
 - (i) threatens any candidate or a voter or any person in whom a candidate or such voter is interested, with injury of any kind and including social ostracism and excommunication or expulsion from any caste or community ;
 - (ii) induces or attempts to induce a candidate or a voter to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure;
- shall be deemed to interfere with free exercise of the electoral right of such candidate or a voter within the meaning of this clause;
- (b) a declaration of public policy, or a promise of publication or the mere exercise of legal right without intent to interfere with an electoral right shall not be deemed to be interference within the meaning of this clause.

(3) The appeal by a candidate or his agent or by any other person with the consent of a candidate or his agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to, religious symbols or the use of, or appeal to, national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.

(4) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language, by a candidate or his agent or any other person with the consent of a candidate or his agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.

(5) The publication by candidate or his agent or by any other person with the consent of a candidate or his agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(6) The hiring or procuring whether on payment or otherwise or any vehicle by a candidate or his agent or by any other person with the consent of a candidate or his agent, for the conveyance of any voter (other than the candidate himself, the members of his family or his agent), to or from any polling station provided or a place fixed for the poll :

Provided that the hiring of a vehicle by a voter or by several voters at their joint costs for the purpose of conveying him or them to and from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause, if the vehicle so hired is a vehicle not propelled by mechanical power :

Provided further that the use of any public transport vehicle by any voter at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Ex) vehicle used propelled by vehicles or (7) procure by a candidate furtherance service of the other State

17

Published in the Punjab Government Gazette, Legislative
Supplement, dated the 24th August, 1973]

HEALTH and FAMILY PLANNING DEPARTMENT

Notification

The 16th July, 1973

No. G.S.R.75/P.A.16/65/S.53/73.—With reference to Punjab Government notification No. G.S.R. 14/P.A. 16/65/S.53/73, dated the 13th February, 1973, as published in Punjab Government Gazette dated 23rd February, 1973, and in exercise of the powers conferred by section 53 of the Punjab Homoeopathic Practitioners Act, 1965, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following Rules, namely :—

RULES

1. (1) These rules may be called the Punjab Homoeopathic Practitioners (General) Rules, 1973. Short title and commencement.
- (2) They shall come into force on the date of their publication in the official Gazette.
2. In these rules, unless the context otherwise requires— Definitions.
 - (a) 'Act' means the Punjab Homoeopathic Practitioners Act, 1965 ;
 - (b) 'form' means the forms appended to these rules ;
 - (c) 'section' means a section of the Act.
3. (1) Every person entitled to have his name entered in Part 'A' Register of the Register under sub-section (1) of section 16 or in Part "B" of the Register under sub-section (2) of the aforesaid section shall, if he is so desirous make an application to the Registrar in form "A" along with a fee of fifty rupees. He shall also furnish, along with his application, such documents as may be necessary to establish his claim for being registered in Part "A" or Part "B" of the register, as the case may be. Section 16 and (a).
- (2) The Registrar, may after examining the application, require the applicant to furnish such other information or documents and within such time as he may specify.
- (3) If the Registrar, on receipt of the application under sub-rule (1) or on receipt of further information or documents required from the applicant under sub-rule (2) and after making such further enquiry as he may deem proper is satisfied that the applicant is entitled to get his name entered in part "A" or part "B" of the Register, as the case may be, he shall enter his name accordingly but if he is not so satisfied he shall refer the application to the Council for such decision as the Council may deem fit :
Provided that no order rejecting any application shall be passed without giving the applicant an opportunity of being heard.
- (4) A practitioner whose name is entered in the register under sub-section (1) or sub-section (2) of section 16 shall be issued a Registration

Provided that the Council shall, before passing any order under sub-section (5) of section 16, give the practitioner concerned an opportunity of being heard.

8. A registered practitioner whose name is removed from the register by the Registrar under sub-section (5) of section 15 or by the Council under sub-section (5) of section 16, shall on receipt of an intimation of such removal forthwith surrender his registration certificate to the Registrar.

9. (1) Any practitioner whose name is removed from the Register by the Registrar under sub-section (5) of section 15 or by the Council under sub-section (5) of section 16 and who is desirous of getting his name re-entered, under the proviso to sub-section (5) of section 15 or as the case may be, under sub-section (6) of section 16, may make an application addressed to the Chairman.

(2) Each such application shall be in writing, stating the grounds on which the application is made and shall also be accompanied by a certificate of two registered practitioners regarding the identity of the applicant.

10. (1) The list of practitioners referred to in sub-section (1) of section 26 shall be posted at a conspicuous place outside the office of the Council and the fact of its having been printed and so posted shall be given adequate publicity in such newspaper or newspapers having wide circulation in the State of Punjab, as the Council may decide.

(2) In the case of practitioners registered in part "B" of the Register, the list shall, instead of indicating the qualification of the practitioner, indicate the system in which he is carrying on his practice.

11. (1) Every appeal preferred to the Council under section 17 of the Act shall be addressed to the Chairman.

(2) Every appeal shall be deemed to have been duly presented, if the same is sent by registered post, or is delivered personally or through an agent authorised in writing by the appellant, in the office of the Council.

(3) Every appeal shall be accompanied by a certified copy of the order appealed against and shall contain the following particulars:—

- (a) the date of the order against which the appeal is preferred;
- (b) the grounds of the appeal briefly but clearly set out.

12. (1) If the appeal is not preferred in the manner laid down in the preceding rule it shall be summarily rejected.

(2) If the appeal is not rejected under sub-rule (1), the Council shall decide the same after giving the appellant, and where the appeal is against the order of the Registrar passed in relation to any person other than the appellant, after giving such person an opportunity of being heard. Every decision of the Council shall be communicated to the Registrar who shall give effect to the same.

13. (1) The Register shall be divided into the following two parts:—

- (a) Part A containing the names of practitioners referred to in sub-section (1) of Section 16; and
- (b) Part B containing the names of practitioners referred to in sub-section (2) of section 16.

20. The members of the Council shall be entitled to draw the following Travelling allowance by Road admissible to members. Section 24 and 53(2)(f).

Motor Car	Motor Cycle/ Scooter	Other means of conveyance	Single seat in a bus or taxi
0.45 P per kilometer	0.15 P per kilometer	0.25 P per kilometer	0.15 P per kilometer

Provided that the members of the Council shall have to obtain previous approval of the Chairman for undertaking journeys by Motor Car/Scooter/ Motor Cycle :

Provided further that members travelling by bus on routes declared shortest by the State Government, shall be entitled to draw T. A. at the rates mentioned in column No. 4 of the above statement.

21. All moneys payable to the Council shall be received on behalf of the Council by the Registrar or any other employees of the Council authorised by him in writing in this behalf, and shall be deposited in the State Bank of India or the day following that on which these are received :

Provided that the Registrar may keep with him an amount not exceeding two hundred rupees as Imprest Money. Section 25 and 53(1).

22. All moneys received or spent on behalf of the Council shall, without any reservation be brought to the accounts of the Council in the General Cash Book to be maintained in Form "C" under the direct supervision of the Registrar and in his absence under the supervision of an employee of the Council authorised by him in writing. Section 53(1).

23. (1) The Registrar shall in the month of July each year cause to be prepared statement of the income and expenditure of the preceding financial year ending 31st March and draw the attention of the Council to such matter as appear to him to be necessary for being brought to the notice of the Council. Preparation of Statement of income and expenditure. Section 25 and 53(1).

(2) The statement referred to in sub-rule (1) shall be caused to be prepared by the Registrar under the direction of the Committee appointed by the Council for this purpose.

24. (1) The Registrar, shall, in the month of October each year or on such date as the Chairman may fix cause to be prepared an estimate of the income and expenditure of the Council for the year commencing on the 1st of April, of the next ensuing year and shall submit the same to the Council. Preparation of estimate. Section 25 and 53(1).

(2) The estimates shall make provision for the fulfilment of the liabilities of the Council and for effectively carrying out the purposes of the Act.

(3) The Council shall consider the estimate submitted to it under sub-rule (1) and may sanction the same without any alteration or subject to such alteration as it may deem fit.

7

FORM "A"

[(See Rule No. 3(1)]

(Application for Registration under Section 16 of the Punjab Homoeopathic Practitioners Act, 1965)

To

The Registrar,
Council of Homoeopathic System of Medicine, Punjab,
Chandigarh.

Sir,

I am to request you to please register my name as a Homoeopathic Practitioner in Part A/B of the Register maintained under the Punjab Homoeopathic Practitioners Act, 1965. Necessary particulars concerning my case are given below for information and record.

Dated..... 19

Signature of applicant.

PARTICULARS OF THE APPLICANT

Note.—All cuttings in the application form must be signed by the applicant himself.

- 1. Name of the applicant (in block letters)
- 2. (a) Married name, if any (to be filled in block letters by married women only)
- 3. Father's/Husband's name
- 4. Place where practising/will practise
 Village/Mohalla.....
Post Office..... Tehsil.....
 Police Station..... District.....
 State.....
- 5. Date of Birth
- 6. (a) System in which practising
- (b) Academic qualifications

AFFIDAVIT

Ison/daughter of Shri.....
 resident of village/Mohalla.....
 Post Office.....Police Station.....
Tehsil.....District.....
 and practising/to practise at village/Mohalla.....
 Post Office.....Police Station.....
 Tehsil.....District.....State.....

solemnly declare as follows :-

- (a) That I have not been convicted and sentenced by a Criminal Court to imprisonment for any offence involving a moral turpitude.
- (b) That I have not been adjudicated by a competent court to be of unsound mind.
- (c) That my name has not been removed from the Register of Practitioners maintained by any State Council/Board or Parishad for professional misconduct.
- (d) That I have gone through the Punjab Homoeopathic Practitioners Act, 1965, and rules framed thereunder and I promise to abide by the provisions of the said Act and rules.
- (e) That I am not Registered under the Punjab Medical Registration Act, 1916 or Punjab Ayurvedic and Unani Practitioners Act, 1963, in the State of Punjab.

I solemnly declare and affirm that the contents given in my application or registration and in paras (a) to (e) above are true and correct to the best of my knowledge and belief. I further declare on oath that nothing relevant has been concealed.

Dated..... 19 (Signature of the applicant)

Note.—The affidavit is to be attested by an Oath Commissioner or a Magistrate, First Class.

Attested :

Signature of the attesting authority.....
 Name in full block letters.....
 Designation.....
 Place.....
 Date.....

11

APPENDIX "B"

[See Rule No. 3(4)]

No.....

Registration Certificate

(Seal)

of

Council of Homoeopathic System of Medicine, Punjab

I certify that Shri....., son/daughter of..... Shri..... has been registered in part..... of the Register maintained under the Punjab Homoeopathic Practitioners Act, 1965, as Homoeopathic Practitioner on..... at Chandigarh.

Qualifications.....

Date of birth.....

Address.....

Notes.—1. This certificate entitles the holder to practise Homoeopathic System of Medicine within the State of Punjab only.

2. This Certificate remains evidence of Registration only until the publication of printed Register for the year..... 19.....

REGISTRAR:

Place of common seal.

IMPORTANT NOTICE

Every registered practitioner should be careful to send to the Registrar immediate notice of any change in his name or address as required under rule 4 and also answer all inquiries that may be sent to him by the Registrar in regard thereto, in order that his correct address may be duly inserted in the Register. Otherwise under section 15 (5) of the Punjab Homoeopathic Practitioners Act, 1965 (Act No. 16 of 1965), the name of such practitioner is liable to be removed from the Register.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHIA 21, 1896 SAKA) 417

PUNJAB GOVERNMENT

HEALTH DEPARTMENT

Notification

The 2nd July, 1974

No. G.S.R.77/P.A.16/65/S.54/74.—In exercise of the powers conferred by Section 54 of the Punjab Homoeopathic Practitioners Act, 1965 (Act No. 16 of 1965) and with the previous sanction of the State Government, the Council of Homoeopathic System of Medicine, Punjab, hereby makes the following regulation governing its functioning, namely :—

1. (i) These regulations may be called the Punjab Homoeopathic Practitioners Regulation, 1974. Short title and commencement.

(ii) These shall come into force at once.

2. In these Regulations, unless the context otherwise requires,— Definitions.

(a) "Act" means the Punjab Homoeopathic Practitioners Act, 1965 ;

(b) "Government" means the Government of the State of Punjab.

(c) "Section" means a section of the Act.

(d) "Service" means the service of the Council .

(e) Words and expressions used in these regulations but not defined shall have the meaning assigned to them in the Act.

3. (1) The Council shall ordinarily meet twice in a year in the months of April and October, at such time as may be fixed by the Chairman ; provided that the Chairman, may, whenever he thinks fit, and shall, upon the written request of not less than four members, call a special meeting. Time and place at which Council shall hold its meetings under section 12.

(2) The meeting of the Council shall be convened by the Chairman and shall be held at Chandigarh ; provided that the Chairman may, in public interest, hold the meeting at any place within the State of Punjab.

4. (1) Every person entitled to have his name entered in Part "A" of the Register under sub-section (1) of section 16 or in Part "B" of the Register under sub-section (2) of the aforesaid section shall, if he is desirous of having his name entered in Part "A" or Part "B" of the Register, as the case may be, make an application to the Registrar in the form obtainable from the office of the Council on payment of Rs 2 along with the fee prescribed under the Rules. He shall also furnish alongwith his application such documents including certificate, if any, of having passed Matriculation or its equivalent examination, as may be sufficient to establish his claim for being registered in Part "A" or Part "B" of the Register, as the case may be. Registration of Practitioners

418 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

- Course of training and qualifying examination.
5. The Course of training and qualifying examination for award of various certificates, diplomas and degrees shall be as specified in Appendix 'D' to these regulations. The qualifications of the students for admission to the bodies or institutions authorised under section 21 shall be Higher Secondary with Science subjects with not less than 60 percent of marks, preference will, however, be given to students who have passed F.Sc. (Medical) or pre-medical examination with not less than 50 percent marks.
- Language in which the examination shall be conducted and instructions shall be imparted.
6. The examination shall be conducted and instructions shall be imparted in one or more of the following languages :—
- (i) English.
 - (ii) Punjabi.
 - (iii) Hindi.
- Examination Fee.
7. The examination fee for each examination conducted under these regulations shall be rupees fifty five only ; provided that the Council may charge late fee amounting to rupees five for application received late but within a period of fifteen days of the expiry of last date for the receipt of application for appearing in the examination ; provided further that in other connected matters, the regulations or bye-laws prevalent in the Punjabi University, Patiala, shall be followed *mutatis mutandis*.
- Condition of appointment of Examiners and conduct of Examination.
8. The Council shall as far as may be, follow conditions of appointment of examiners and the procedure in regard to the conduct of examination, as may be applicable, under the rules and regulations of Punjabi University, Patiala.
- Number and Character of Posts.
9. The Service shall comprise the posts shown in Appendix "A" to these regulations :
- Provided that nothing in these regulations shall effect the inherent right of the Council to add to or reduce the number of such posts or to create new posts with different designations and scales of pay, whether permanently or temporarily, subject to the previous approval of the State Government.
- Nationality, domicile and character of candidate appointed to service.
10. (1) No candidate shall be appointed to the Service unless he is—
- (a) a citizen of India, or
 - (b) a subject of Sikkim, or
 - (c) a subject of Nepal, or
 - (d) a subject of Bhutan, or
 - (e) a Tibetan refugee who came over to India before permanently settling in India, or
 - (f) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African countries of Kenya, Uganda and the

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 419

United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India; provided that a candidate belonging to categories (c), (d), (e) and (f) shall be a person in whose favour a certificate of eligibility has been given by the Government of India and if he belongs to category (f), the certificate of eligibility will be issued for a period of one year, after which such a candidate will be retained in service subject to his having acquired Indian citizenship.

(2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Council or other recruiting authority of the Council and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

(3) No person shall be recruited to the Service by direct appointment, unless he produces a certificate of character from the principal academic officer of the university, college, school, or institution last attended, if any, and similar certificates from two responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

11. No person—

- (a) who has entered into or contracted a marriage with a person having a spouse living, or Disqualification for appointment.
- (b) who, having a spouse living, has entered into or contracted a marriage with any person.

shall be eligible for appointment to the Service :

Provided that the Council may, if satisfied that such a marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this regulation.

12. (1) No person shall be recruited to the Service by direct appointment if he is less than seventeen years or more than twenty-seven years of age on such date as may be specified by the Council while inviting applications for such recruitment: Age.

Provided that the appointing authority may, for reasons to be recorded in writing, relax the upper age limit for a category or class of persons :

(2) In the case of candidates belonging to Scheduled Castes, Scheduled Tribes and Backward Classes, the upper age limit shall be such as may be fixed by the Punjab Government from time to time in respect of recruitment to services under the Government.

13. All appointments to the posts in the Service shall be made by the Council. Appointing Authority.

14. No person shall be appointed to a post in the Service by direct appointment unless he possesses the educational qualifications specified in column No. 5 of Appendix "A" in respect of that post. Qualifications for appointment

4307 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

Method of Appointment 15. (1) All appointments to the Service shall be made in the following manner, namely :—

(a) In the case of Head Assistant—

- (i) By promotion from amongst Accountants and Assistants who have an experience of working on either or both of these post for a minimum period of five years, or
- (ii) by transfer from Government, Semi-Government, or
- (iii) by direct appointment.

(b) In the case of Accountant.—

- (i) By promotion from amongst the Assistants and Stenographers who have an experience of working on either or both of these posts for a minimum period of five years ; or
- (ii) By transfer from Government, Semi-Government ; or
- (iii) By direct appointment.

(c) In the case of Assistants—

- (i) By promotion from amongst the Clerks who have an experience as Clerks for a minimum period of five years ; or
- (ii) By transfer from Government, Semi-Government ; or
- (iii) By direct appointment.

(d) In the case of Stenographers—

- (i) By promotion from amongst the Steno-typists who have an experience of working on the post of Steno-typist for a minimum period of two years ; or
- (ii) By transfer from Government, Semi-Government Offices ; or
- (iii) By direct recruitment.

(e) In the case of Cashier, Clerks, Store-Keepers—

- (i) By direct appointment, or
- (ii) By transfer from Government, Semi-Government Offices.

(f) In the case of Daftri, Peon or Chowkidar-cum-Sweeper—

- (i) By direct appointment.

(2) All appointments to the posts by promotion shall be made on the basis of seniority-cum-merit and no member shall have any right or promotion on the basis of seniority alone.

PUNJAB GOVT GAZ, JULY 12, 1974 (ASADHA 21, 1896 SAKA) 421

(3) In the case of posts for which recruitment by promotion is provided in these regulations, 50% of the total number of such posts shall be filled up by promotion and 50% by other modes of recruitment.

16. The members of the service shall be entitled to such scales of pay and allowances as may be authorised by Government from time to time for its own employees of the same class. The scales of pay admissible at present are given in Appendix "A" to these regulations. Salary of the members of service.

17. In respect of leave and all other matters not expressly provided for in these regulations, the employees of the Council shall be governed by Punjab Civil Service Rules, Volume I, Part I, as may be applicable to Government Servants of the same status. Leave and other conditions of service.

18. The employees of the Council will be required to subscribe towards Provident Fund in accordance with the Provident Fund Regulations of the Council as specified in Appendix "B" to these regulations. Provident Fund.

19. The employees of the Council shall be entitled to the benefit of Medical Reimbursement of all the medical charges incurred upon them or any member of their family in accordance with the rules framed by the Government for its own employees of the same status. Benefits of Medical Reimburse-ment.

20. Every employee of the Council shall be entitled to a gratuity equal to one month's salary last drawn by him at the time of his retirement for each complete year of service under the Council. Gratuity.

Provided that if an employee, who is subscriber to the Fund, dies during his service, his family shall be paid as gratuity such sum as shall when added to the amount of contribution made by the Council towards his fund and the interest thereon be equal to ---

- (a) 'two months' emoluments of the employee, if his death occurs during the first year of service ;
- (b) 'six months' emoluments of the employee, if his death occurs after one year's service, but before the completion of 5 years service ; and
- (c) twelve months' emoluments of the employee, if his death occurs after five years service.

Note.--(1) The term "emoluments" for the purposes of this regulation means emoluments as defined in Rule 6.19(a) of Punjab Civil Service Rules, Volume II.

Note.--(2) The term "Family" for the purpose of this regulation means ---

- (a) In case of male employee, the wife and children of such employee and widow and widows and children of the deceased son of the employee, and would also include either or both of parents residing with and wholly dependent upon the employee.

422 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

- (b) In the case of female employee, the husband and children of such employee and widow and widows and children of the deceased son of the employee and would also include either or both of parents residing with and wholly dependant upon the employee.
- Compensatory Allowance.** 21. The Council shall pay compensatory allowance to its employees at the rate as may be applicable to Punjab Government servants of the same status from time to time.
- Other benefits.** 22. The employees will also be entitled to such other benefits as may be sanctioned by the Council from time to time in addition to the above, with the prior approval of the Punjab Government.
- Age of retirement.** 23. The employees of the Council shall retire on reaching the age of fifty-five years, provided that an extension for a period upto three years but not exceeding one year at a time may be allowed by the Council in special cases.
- T.A. and D.A.** 24. For journeys undertaken by the employees of the Council within or outside the State of Punjab with the permission of the Registrar or the Chairman, the employees will be paid T.A. and D.A. in accordance with the Punjab Civil Service Rules, Vol. III (Travelling Allowances Rules) as may be applicable to the Government employees of the same status.
- Assignment of duties.** 25. The duties of the staff shall be assigned by the Registrar.
- Allotment of residential accommodation to the staff.** 26. The employees of the Council may be allotted such residential quarters as may be available by the Council according to their status on payment of rent prescribed for Punjab Government employees. In the alternative, the employees will be paid house-rent allowance at the rates admissible to Punjab Government employees.
- Powers to relax.** 27. When the Council is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provision of these regulations with respect to any class or category of persons.
- Probation of persons appointed to service.** 28. (1) Persons appointed to a post in the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited otherwise :

Provided that—

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation.
- (b) in the case of an appointment by transfer, any period of work in equivalent or higher rank, prior to appointment to the Service may, in the discretion of the Council, be allowed to count towards the period of probation ; and
- (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation, but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

PUNJAB GOVT GAZ. JULY 12, 1974 (ASADHA 21, 1896 SAKA) 423

(2) If, in the opinion of the Council the work or conduct of a person during the period of probation is not satisfactory, it may—

(a) if such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment ; and

(b) if such person is recruited otherwise—

(i) revert him to his former post ; or

(ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

(3) On the completion of the period of probation of a person, the Council may—

(a) if his work or conduct has, in its opinion, been satisfactory,—

(i) confirm such person from the date of his appointment if appointed against a permanent vacancy ; or

(ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy ; or

(iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy ; or

(b) if his work or conduct has not been in its opinion, satisfactory,—

(i) dispense with his services, if appointed by direct appointment or if appointed otherwise, revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit ; or

(ii) extend his period of probation and thereafter pass such orders as it could have passed on the expiry of his first period of probation ;

Provided that the total period of probation, including extension, if any, shall not exceed three years.

29. The seniority *inter se* of members of the Service shall be determined separately for each of the sections shown in Appendix "A" by the length of continuous service on a post in that very section : Seniority of members of Service.

Provided that in the case of members recruited by direct appointment, the order of merit determined by the Council or other recruiting authority, as the case may be, shall not be disturbed in fixing the seniority :

Provided further that in the case of two members appointed on the same date, their seniority shall be determined as follows :—

(a) a member recruited by direct appointment shall be senior to a member recruited otherwise ;

- (b) a member appointed by promotion shall be senior to a member appointed by transfer ;
- (c) in the case of members appointed by promotion or transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and
- (d) In the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given a member who was drawing a higher rate of pay in his previous appointment, and if the rates of pay drawn are also the same, then by their length of service in those appointments ; and if the length of such service is also the same, an older member shall be senior to a younger member.

Note (1)—This rule shall not apply to members appointed on purely provisional basis pending their passing the qualifying test.

Note (2)—In the case of members whose period of probation is extended under regulation 28, the date of appointment for the purpose of this rule shall be deemed to have been deferred to the extent the period of probation is extended.

Discipline, penalties and appeals.

30. (i) In matters relating to discipline, punishment and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.

(ii) The authority, empowered to impose penalties and appellate authority thereunder in respect of the members of the Service shall be as specified in Appendix 'B' to these regulations.

Liability for vaccination and revaccination.

31. Every member of the Service shall get himself vaccinated or re-vaccinated as and when the Council so directs by a special or general order.

Oath of allegiance.

32. Every member of the Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

Serial No. Des of

1

1 Head Assis

2 Acco

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5 Casl

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PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 425

APPENDIX "A"

COUNCIL OF HOMOEOPATHIC SYSTEM OF MEDICINE, PUNJAB
Annexure No. 1 (See Regulation No. 9 and 14)

Serial No.	Designation of Post	No. of Post	Scale of Pay	Prescribed qualifications
1	2	3	4	5
1	Head Assistant	One	Rs 300—25—500/25—550	(i) Graduate with two years experience as Accountant or Stenographer
2	Accountant	One	225—15—360/20—500	(i) B. Com. with five years experience (ii) Security of Rs 500
3	Assistants	Two	160—10—280/15—400	(i) Matric (ii) Knowledge of Punjabi, Hindi upto Matric Standard
4	Stenographer	One	160—10—280/15—400	(i) Matric (ii) Knowledge of Punjabi, Hindi upto Matric Standard (iii) Speed in Shorthand @ 100 W.P.M. and Type 40 W.P.M. both in English and Punjabi
5	Cashier	One	160—10—280/15—400	(i) Matric (ii) Knowledge of Punjabi and Hindi upto Matric Standard. (iii) Security of Rs 500.
6	Clerks	Four	110—4—130/5—180/ 6—210/8—250	(i) Matric (ii) Knowledge of Punjabi, Hindi upto Matric Standard (iii) Speed of Type-writing @ 30 W.P.M. both in English and Punjabi
7	Daftri	One	75—3—90/3—105	(i) Knowledge of reading and writing both Punjabi and Hindi (ii) Must have knowledge of book binding
8	Peons	Two	70—2—80/3—95	(i) Reading and writing knowledge of Punjabi and Hindi (ii) Experienced hands to be preferred
9	Chowkidar-cum-Sweeper	One	70—2—80/3—95	(i) Reading and writing knowledge of Punjabi and Hindi. (ii) Experienced hand to be preferred
10	Mali (Part-Time)	One	Rs 35 P.M. or such pay as may be fixed by Government from time to time for part-time employees working for two hours daily	Nil

26 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 18A96 SA)

APPENDIX "B"
(See Regulation 30)

Serial No.	Designation of the official	Nature of penalty/ or order	Authority empowered to impose penalty or pass order	Appellate Authority
1	All members of the Service of the Council	(i) Censure ; (ii) Withholding of his promotions ; (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to Council by negligence or breach of orders ; (iv) withholding of increments of pay (v) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Council's employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay ; (vi) reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Council's employee to the time-scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or Service from which the Council's employee was reduced and his seniority and pay on such restoration to that grade, post or service ; (vii) compulsory retirement ; (viii) Removal from service which shall not be disqualification for future employment under the Council (ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Council	Council	Government

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 427

APPENDIX No. C

PROVIDENT FUND REGULATIONS

(See Regulation No. 18)

1. (a) "Interest" means the interest accrued on the balance of a subscriber to the Provident Fund Calculated as if such balance were a deposit in the Savings Bank ;
 - (b) "salary" means monthly salary and includes special pay, if any, but does not include travelling allowance, conveyance allowance or other such allowance ;
 - (c) "Saving Bank" means the Post Office Saving Bank, State Bank of India or a subsidiary of the State Bank of India ;
 - (d) "servant" includes every servant of the Council who holds a substantive or temporary post under the Council ;
 - (e) "subscriber" means a servant who is required or permitted to subscribe to the Provident Fund by the Council.
 - (f) "Fixed Deposit Account" means a Fixed Deposit Account in any branch of the State Bank of India, State Bank of Patiala, or any other Bank in India functioning as a subsidiary to the State Bank of India or functioning under the supervision or control of Reserve Bank of India.
2. Every servant whose salary is not less than Rs 70 per mensem appointed or promoted on or after the date on which the Council may, by a resolution, decide to establish and maintain a Provident Fund Account, shall be required to subscribe to such Provident Fund at the rate of 10 per cent of the salary. Any servant appointed or promoted to such office before the date of resolution may subscribe to such fund, if the Council, so permits: Provided that the Council may allow any servant appointed or promoted to an office of which salary is less than seventy rupees a month, to subscribe to the Provident Fund in accordance with these regulations.
3. (i) Every subscription to a Provident Fund shall be recovered by means of a deduction of the amount of such subscription from each salary bill of the subscriber : Recovery of bill of the subscriber :
- Provided that in calculating the deduction to be made, fraction of a rupee shall be ignored.
- (ii) Notwithstanding anything contained in these regulations no servant shall be permitted to subscribe to the Provident Fund while he is absent on carried leave except during the first 120 days of the leave.
4. The Council shall contribute to the Provident Fund of each subscriber an amount equal to the amount of his subscription : Provided that— Council contribution to the Provident Fund.
- (a) If a subscriber, who is required or permitted to subscribe to a Provident Fund for the first time on or after the date on which he started subscribing towards the Provident Fund, resigns from

428 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

the service of the Council except on account of illness or any other cause which the Council may consider to be sufficient, he shall—

- (i) be entitled to half the contribution made to his provident fund by the Council and the interest accrued thereon if he has completed five years of service ;
 - (ii) not be entitled to get any subscription made to his provident fund by the Council or interest thereon if he has not completed five years service.
- (b) If a subscriber is dismissed from service, the Council may withhold the whole or any part of the contribution made to his Provident Fund by the Council and the interest thereon.

Ledger Accounts, Subscription.

5. (i) The Council shall maintain a Provident Fund ledger in Form P.F.1 appended to these regulations in which separate portion shall be assigned to each subscriber and the amount of such subscription, the amount of the Council's contribution and the monthly balance on which interest is to be calculated shall be entered therein each month.

(ii) The amount of interest accrued on the balance at the credit of a subscriber shall be calculated at the end of each year or when the account is closed to the nearest paise on the lowest balance excluding the fraction of a rupee at the credit of the subscriber between the close of the fourth day and the last day of each month.

(iii) At the end of the each year the Council shall furnish each subscriber with a statement in Form P.F.2 appended to these regulations, showing the balance at his credit at the beginning of the year, the amounts added there to by way of subscriptions and contributions and the interest accrued during the year and the balance at the credit of his account at the end of the year.

Payment of subscriptions and contributions to be made monthly to the post office saving Bank, State Bank of India or State Bank of Patiala Saving Account.

6. (i) The Council shall open an account to be called the Council of Homoeopathic System of Medicine, Punjab, employees Provident Fund Account with the Post Office or State Bank of India or State Bank of Patiala or any of its subsidiary Bank. As soon as may be at the beginning of each month and if possible before the fourth day of each month, the amount of all subscription and contribution recoveries made under the provisions of these regulations shall be paid into such account.

(ii) Before a cheque is drawn of subscription and contributions, a bill shall be prepared on the Councils' voucher form and submitted with the relevant salary and establishment bill for signature to the authorised office of the Council. The Council shall make the payment of the subscriptions and contributions on a single bill by way of single cheque.

General Rules of withdrawal.

7. No sum shall be withdrawn from the Provident Fund Account except—

- (a) under the provisions of sub-regulation (I) of Regulations 8 and 9 for the purpose of making an advance to a subscriber, or ;
- (b) under the provisions of regulation 10 when a subscriber's account is to be closed for payment to the subscriber or his heirs.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 429

8. (i) With the sanction of the Council, any subscriber may up to the Advances. limit of the amount shown at the credit of his account in column 6 of the Provident Fund Ledger, be granted as advance from the Provident Fund of the amount not exceeding three times the amount of his salary for either of the following purposes :—

- (a) to pay expenses incurred in connection with illness of the subscriber or member of his family ; or
- (b) to pay expenses in connection with marriages, funeral or other ceremonies which by the religion of the subscriber, it is incumbent upon him to perform and in connection with which it is obligatory that the expenditure shall be incurred ; Provided that no such advance shall be sanctioned unless the pecuniary circumstances of the subscriber are such that the indulgence is, in the opinion of the Council, absolutely necessary.

(ii) The amount of advance shall be repayable in not more than twenty four equal instalments as may be fixed by the Council when sanctioning the advance and such instalments shall be recovered in the manner provided in regulation 3.

(iii) The amount of advance shall be recorded in column 5 of the Provident Fund Ledger and a note shall be made in column 8 of the Provident Fund Ledger as regards the number of instalments by which the advance is recoverable. Each month the amount of advance, as recovered, shall be shown in red ink in column No. 2 of the Ledger and in column 7 shall be entered the amount of balance of the advance outstanding. The amount of the interest last calculated on the monthly outstanding balance shall be recovered from the subscriber in the month, following which the last instalment of the advance is recovered which shall be added to the interest calculated on the monthly balances shown in column 6 at the end of the year.

(iv) If under the provisions of clause (a) or clause (b) of the proviso to regulations 4, the whole or any portion of the Council's contributions is to be withheld when a subscriber's account is closed and if such account is closed, any portion of an advance made to such subscriber is still outstanding, the amount of the advance outstanding plus the amount of the interest last calculated on the monthly outstanding balances of the advance shall be added to the amount shown at the credit of the account in column 6 for the purpose of calculating the Council's share of the total credit of the account.

9. (a) The amount of subscriptions with interest thereon outstanding Payment to the credit of subscriber in the fund may be withdrawn to meet payments towards Insurance.

(b) The Policy shall be—

- (i) such as is legally assignable to the Chairman ;
- (ii) one affected by the subscriber himself on his own life.

(c) The Chairman shall not make any payments on behalf of the subscriber to the Insurance Company nor shall he take steps to keep the policy alive. The Chairman can demand and scrutinise at any time, the premium

430 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

receipts showing that such payments have actually been made to the insurance company. In the event of subscriber not furnishing the same, the Chairman shall make the necessary deductions from the subscriber's pay for deposits in his fund.

Notes—

- (i) When a subscriber proposes to convert his policy into paid up, it is necessary to see that the paid up value of the policy is not less than the amount of premia diverted from the fund. If the paid up value is less than the total of sums withdrawn from the funds for premium payments, the subscriber shall forthwith be required to pay the difference into the fund. If, however, a subscriber proposes to have a new policy in place of the paid up one, the new policy shall be assigned to the Chairman.
- (ii) When a subscriber proposes to surrender the policy he should pay the surrender value of the policy into his fund account and if the surrender value be less than the total of the sums diverted from the funds for premium payments, he should also pay the difference into the fund.
- (d) If a policy assigned to the Chairman matures before the subscriber quits the service, the subscriber shall pay to the fund the whole or any amount withdrawn (with interest accrued thereon) from the fund for premium payments.
- (e) The following procedure shall be observed with regard to assignment of Life Insurance Policies :—
 - (i) The assigned policy shall be delivered to the Chairman within three months of withdrawal of any sum for the purpose of making premium payments and it shall be accompanied by a certificate from the subscriber to the effect that no prior assignment of the policy exists. The Chairman shall also satisfy independently of the fact by direct reference to the Insurance Company.
 - (ii) The notice of the assignment of policy shall be given by the subscriber to the Insurance Company and acknowledgement of the notice of the Insurance Company shall be sent by the subscriber to the Chairman within three months of the date of assignment.
 - (iii) The Chairman may reassign the policy to the subscriber for the purpose mentioned in Notes (i) and (ii) under clauses (c) and (d) above subject to the conditions mentioned therein.
 - (iv) The assignment of a policy under this regulation shall be endorsed on the policy and shall be in the following form :—

"I hereby assign unto the Chairman of the Council of Homoeopathic System of Medicine, Punjab, the policy of assurance as security for payment of all sums which under clause (a) of Regulation 9, I may hereafter become liable to pay to the Council's Provident Fund".

- Withdrawals. Closing of account.
10. (i) When a subscriber dies, the amount shown to the credit of his account in column 6 of the Provident Fund Account Ledger plus interest

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 431

accrued to date shall be withdrawn from the Savings Bank and payment of such amount shall be made—

- (a) to his widow or widows or children, if any, in such proportions as during his life-time he may have declared it to be payable. If he has made no such declaration—
- (b) as to one moiety to his widow or in equal shares to his widow or widows and as to the other moiety in equal shares to his children or if he has left only a widow or widows to such widow or widows in equal shares and if he has left only children, to such children in equal shares and failing both widows and children—
- (c) to his legal heirs.

EXPLANATIONS :

For the purpose of sub-clause (i) subscriber's posthumous child shall be considered to be a member of his family at the time of his death and if born alive shall be treated in the same way as a surviving child born before the subscriber's death.

(ii) Subject to the provisions of regulation 7 when a subscriber ceases to be a servant of the Council, the amount shown in the credit of his account in column 6 of the Provident Fund Ledger plus interest accrued to date shall be withdrawn and paid to him :

Provided that—

- (a) if he is transferred otherwise than temporarily to the service of another local body which maintains a Provident Fund or when having been transferred temporarily from the service of another local body he reverts to such service, the amount withdrawn shall be paid to such other local body ; and
- (b) if he is transferred temporarily to the service of another local body the amount shown to the credit of his account in column 6 of the Provident Fund Ledger shall not be withdrawn but shall remain to the credit of his account.
- (3) Notwithstanding anything contained in sub-regulation (i) or sub-regulation (2) no amount shall be withdrawn for payment to a subscriber or his heirs under the provisions of these sub-regulations unless such payment can be made immediately:

Provided that if such payment cannot be made within one year, if the amount at the credit of the subscriber's Provident Fund Account is rupees ten or less, or within three years, if such amount is more than ten rupees, the Council shall withdraw such amount and credit it to the current account of its own.

(4) When an account is closed under provisions of this regulation a line shall be drawn in red ink across the page below the last entry in the Provident Fund Ledger Account and the number and date of the voucher with which the amount at the credit of the account is deposited in the Savings Bank shall be recorded below the line.

11. Notwithstanding anything contained in Regulation 10, if any sum Recovery of is due from a subscriber to the Council at the time when the account is closed, arrears, the Council may deduct the amount of such sum before making the payment under regulation 10.

432 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

COUNCIL OF HOMOEOPATHIC SYSTEM OF MEDICINE, PUNJAB,
CHANDIGARH

FROM P.F.I.

(See Regulations 5 and 6)

Provident Fund Ledger

No. of Account Name of subscriber

Year	Sub- scription	Deposit Contri- bution	Total	Withdrawals	Monthly balance on which interest is to be calculated	Monthly balance of withdrawals of which loss of interest is to be calculated	Remarks
------	-------------------	------------------------------	-------	-------------	--	---	---------

1	2	3	4	5	6	7	8
---	---	---	---	---	---	---	---

Opening balance							
April, 19							
May, 19							
June, 19							
July, 19							
August, 19							
September, 19							
October, 19							
November, 19							
December, 19							
January, 19							
February, 19							
March, 19							

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 433

COUNCIL OF HOMOEOPATHIC SYSTEM OF MEDICINE, PUNJAB, CHANDIOARI

FORM P.F.2

(See Regulation 5)

Subscriber's Annual Account

Name of subscriber _____ Contributory Provident Fund

Balance at the credit of the Account on 31st March, 19

Subscriptions and contributions received during the year

Interest accrued

Amount of interest on balance of advance

Total

Amount of interest outstanding

Balance as it stood on 31st March, 197

Any representation with regard to the correctness of the Account which subscriber may wish to make should be made in writing within one month from the date noted below to the Registrar.

Dated _____

Accountant

Registrar

434 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

APPENDIX "D"

(See Regulation No. 5)

DIPLOMA IN HOMOEOPATHIC MEDICINE
AND SURGERY

(1) Diploma course shall be of four years duration. The first two academic years shall be occupied in the study of preclinical subjects and Homoeopathic subjects and shall be termed as Intermediate Diploma in Homoeopathic Medicine and Surgery. This will be followed by further study of 2 years on clinical and allied subjects, termed as the final Diploma in Homoeopathic Medicine and Surgery.

(2) No candidate shall be permitted to study the final Diploma in Homoeopathic Medicine and Surgery course unless he has passed the Intermediate Diploma in Homoeopathic Medicine and Surgery examination.

(3) After passing the final Diploma in Homoeopathic Medicine and Surgery examination, the candidate will be awarded the diploma in Homoeopathic Medicine and Surgery.

(4) The Intermediate and final Diploma in Homoeopathic Medicine and Surgery examination shall be conducted by the State Homoeopathic Council according to the approved regulations.

II. Admissions to Homoeopathic Medical Course.—No candidate shall be allowed to begin the medical curriculum unless he has—

- (i) attained the age of sixteen years at the time of admission or will complete such age on the 1st of October of the year of his admission in the Intermediate Diploma in Homoeopathic Medicine and Surgery Course.
- (ii) passed the Matriculation or Secondary School final examination or any other examination of equivalent standard approved by Council.

III. Period of Study.—The Diploma in Homoeopathic Medicine and Surgery course will consist of the following three parts :—

- (i) Preliminary Science subjects (One year).
- (ii) Intermediate Diploma in Homoeopathic Medicine and Surgery (2 years).
- (iii) Final Diploma in Homoeopathic Medicine and Surgery (2 years).

One year training in Science subjects shall be conducted concurrently with the Intermediate Diploma in Homoeopathic Medicine and Surgery course.

1. Preliminary Science subjects.—(i) Except those who possess qualification of the Higher Secondary examinations or higher, with science subjects, shall undergo this training for the period of one year concurrently with the other subjects of the Intermediate Diploma in Homoeopathic Medicine and Surgery course.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 435

(ii) The training shall be given in Physics, Chemistry and Biology and these subjects shall be of the standard prescribed for Higher Secondary School or Pre-University course obtainable in the State. The examination shall be held at the end of first year.

(iii) The examinations shall consist of written paper only and candidates securing a minimum of 40 per cent marks shall be declared successful.

(iv) Except those exempted as in para (i) above, other students will have to pass the science subjects before they are allowed to appear at the Intermediate Diploma in Homoeopathic Medicine and Surgery examinations. However, a student who has not passed in the Science subject at the end of the first year may be promoted to the second year of the Intermediate Diploma in Homoeopathic Medicine and Surgery Examination.

2. Intermediate Diploma in Homoeopathic Medicine and Surgery Course—

(i) The following subjects shall be included in the curriculum and examinations. In the teaching of these subjects stress shall be laid on fundamental and basic principles of Science (details shall be avoided)—

- (a) Anatomy (Human).
- (b) Physiology (Human).
- (c) Materia Medica including Homoeopathic Pharmacy.
- (d) Organon (Principles and philosophy of Homoeopathy).

(ii) The Schedule of teaching these subjects and the examinations shall be as detailed at annexure I.

(iii) (A) The Practical examination in Anatomy shall relate to identification of dissected parts, viscera and bones of the practical examination in Physiology shall consist of :—

- (a) Identification of histological specimens.
- (b) Use of common Physiological instruments.
- (c) Examination of urine (Microscopical, Physical, Chemical).
- (d) Examination of blood (Total and differential blood cell count, Haemoglobin Estimation, E.S.R.).

(iv) The course in Materia Medica shall cover 50 drugs detailed in the syllabus.

(v) The course in the Organon shall cover all the aphorisms but the detailed study and examination shall be limited to section 1 to 145.

(vi) The curriculum and details of syllabus shall be as indicated in Annexure I.

3. Final Diploma in Homoeopathic Medicine and Surgery Course.—

(i) The following subjects shall be included in the curriculum and examinations :—

- (a) Practice of Medicine, including Homoeopathic therapeutics.
- (b) Homoeopathic Materia Medica, Therapeutics and Repertory

436 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA

- (c) Organon of Medicine, Principles and Philosophy of Homoeopathy, Chronic diseases, their peculiar nature and Homoeopathic cure ;
- (d) Surgery including Homoeopathic therapeutics ;
- (e) Obstetrics and Gynaecology, including Paediatrics and Homoeopathic therapeutics ;
- (f) General Pathology, Microbiology, Virology and Parasitology ;
- (g) Medical jurisprudence including Toxicology ;
- (h) Preventive and Social medicine including Family Planning.
- (ii) The schedule of teaching of these subjects and the examination shall be as detailed at Annexure I.
- (iii) The Final Diploma in Homoeopathic Medicine and Surgery Course may be divided into 2 parts. Part I subjects shall be covered during the first year only and Part II subjects during the second year.
- (iv) The subjects of examination for the two parts shall be as follows :—
- Part I—
- (a) Medical jurisprudence including Toxicology ;
- (b) Preventive and Social Medicine and Family Planning ;
- (c) General Pathology, Microbiology, Virology and Parasitology.
- Part II—
- (a) Practice of Medicine ;
- (b) Homoeopathic Materia Medica, Therapeutics and Repertory ;
- (c) Organon of Medicine, Principles and Philosophy of Homoeopathy ;
- (d) Surgery ;
- (e) Obstetrics and Gynaecology.
- (v) The Curriculum and details of syllabus shall be as detailed in Annexure I.
- (vi) The practical instructions shall cover the following :—

Subject	Minimum regular period of attendance
(a) Clinical Laboratory work, Urine, Blood, Stool CSF, etc.	15 lecture demonstrations/practicals.
(b) Normal labour	3 cases.
(c) Surgery (identification of common surgical instruments bandaging, manipulation etc.)	15 lecture demonstrations.
(vii) Clinical teaching in—	
(i) Medical ward	30 lecture demonstrations.
(ii) Surgical ward	30 lecture demonstrations.
(iii) Gynae ward	30 lecture demonstrations.
(iv) Medical outdoor	3 months.
(v) Surgical outdoor	3 months.
(vi) Gynae outdoor	3 months.

N.B.—During the period of practical training, the candidate shall prepare and submit of his own 6 medical and 6 surgical cases from the respective wards.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 437

4. Examinations.—Examinations are to be conducted with a view to ascertain the candidates' knowledge in fundamental and basic principles of the subject. Examination of details shall be scrupulously avoided.

(i) The Intermediate Diploma in Homoeopathic Medicine and Surgery examination shall be held after completion of 2 years of study.

(ii) The final Diploma in Homoeopathic Medicine and Surgery examination shall be of 2 parts and shall be held at the end of four years of study and Part II examination shall be held at least 2 years after the candidate passes the Intermediate Diploma in Homoeopathic Medicine and Surgery examination.

(iii) Part I of the Diploma in Homoeopathic Medicine and Surgery examination may be taken at the end of 3rd year or thereafter also either separately or together with Part II of the final Diploma in Homoeopathic Medicine and Surgery at the end of 4th year or thereafter.

(iv) Pass Marks in each subject shall be 45 percent in aggregate with a minimum of 40 per cent in written, and 40 percent in oral and practical.

(v) (a) A candidate who has passed only in one subject in the Intermediate Diploma in Homoeopathic Medicine and Surgery examination, shall appear in all the subjects again including the one in which he had passed earlier.

(b) If a candidate has passed in at least two subjects and has also obtained at least 25 percent in the remaining subjects, he may appear only in that or those subjects in which he has failed in the last examination and need not appear in all the subjects.

(vi) On each such occasion of reappearing in the Intermediate Diploma in Homoeopathic Medicine and Surgery examination, the candidate shall produce a certificate from the Head of the Institution that he has pursued a further course of study at the college in the subjects in which he appears.

(vii) No candidate shall be allowed to appear in the Intermediate Diploma in Homoeopathic Medicine and Surgery examination for more than four times.

(viii) Attendance condition.—The candidate should have attended not less than 75 per cent of the lectures imparted and practicals undertaken together, in each subject at the college for the full course of study but not less than the number stipulated at Annexure-I before he becomes eligible for the examination of the Council.

(ix) The examination fee payable, remuneration to examiners shall be set up by the Examining Authority i.e. Council.

Note.—In all the Diploma in Homoeopathic Medicine and Surgery examination ten per cent of the total marks allotted subject-wise shall be earmarked for the college periodicals, tests as assigned by the teacher for each subject and the marks secured thereby shall be added to all the subjects of the examination by the Council.

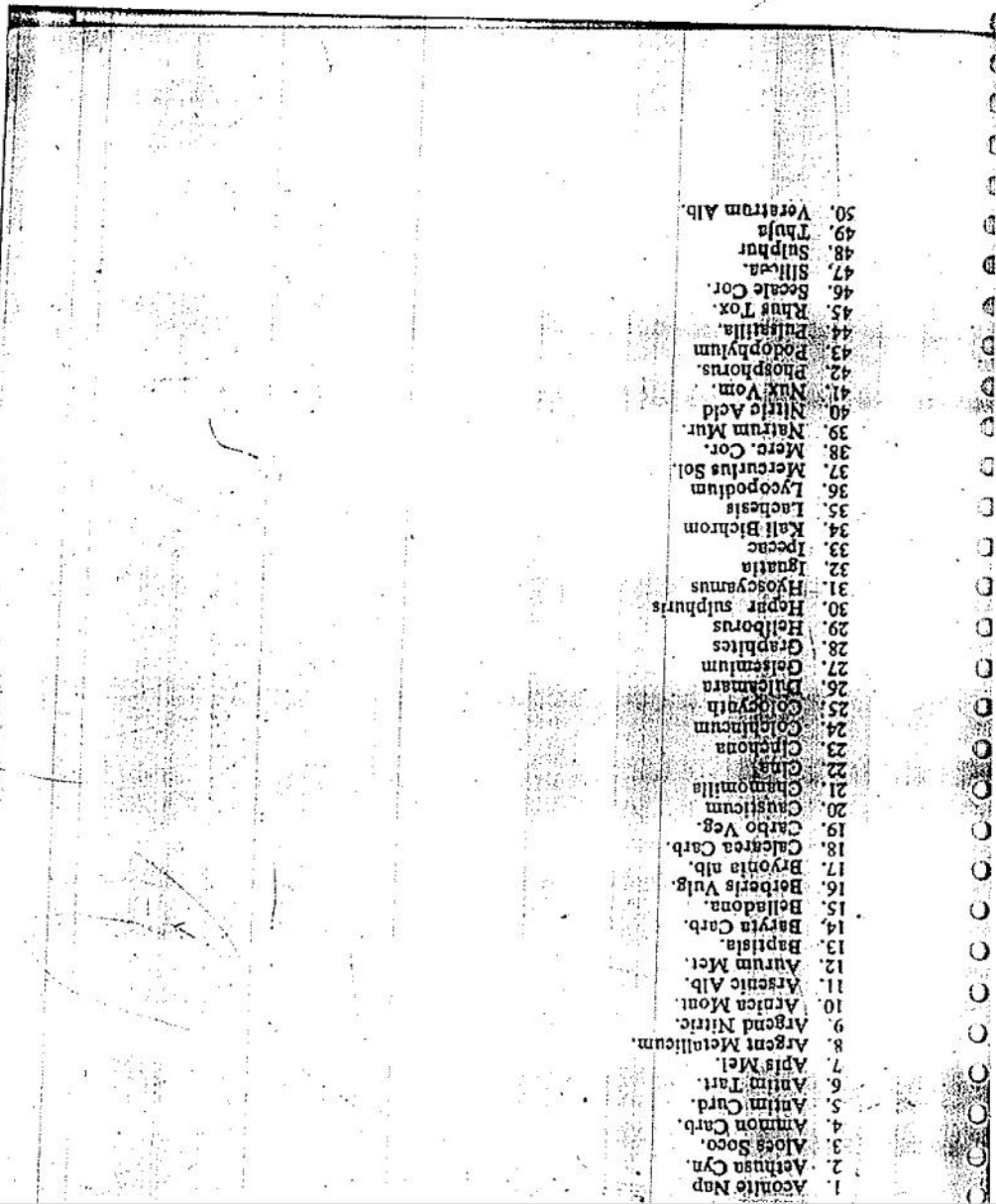
438 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

ANNEXURE-I

Detail of lecture and marks for the D.H.M.S. examination

	Lectur- es No.	Demon- stra- tion No.	Practi- cal	No. of papers in theory	Maximum Marks			Total
					Written	Oral	Practi- cal	
Intermediate D.H.M.S.								
1. Anatomy	150	..	100	2	200	50	50	300
2. Physiology	150	..	100	2	200	50	50	300
(a) Materia Medica	250	..	..	..	..	..	..	..
(b) Pharmacy	20	..	20	2	200	50	50	300
4. Organon and Philosophy	250	..	..	2	200	100	..	300
								1,200
II. Final D.H.M.S.								
(A) Part I—								
1. Medical Jurisprudence	50	..	..	1	100	50	..	150
2. Preventive and Social Medicine including Family Planning	50	20	20	1	100	50	..	150
3. Pathology	50	..	30	..	100	50	50	200
								500
(B) Part II—								
1. Practical Medicine	100	..	..	2	200	50	50	300
2. Surgery	100	..	..	2	200	50	50	300
3. Obstetrics and Gynae	100	..	..	2	200	50	50	300
4. Materia Medica Therapeutics and Repertorisation	250	..	..	2	200	100	100	400
5. Organon and Philosophy	150	..	..	2	200	100	..	300
								1,600

Practical training in Clinical subjects shall be those stipulated 3 (vii) at page No. 5.



1.	Aconite Nap
2.	Aethusa Cyn
3.	Aloes Soco
4.	Ammon Carb
5.	Ammon Curd
6.	Ammon Tart
7.	Apis Mel
8.	Argent Metallcum
9.	Argent Nitric
10.	Arcaea Mont
11.	Arsenic Alb
12.	Aurum Met
13.	Baptista
14.	Baryta Carb
15.	Belladonna
16.	Berberis Vulg
17.	Bryonia alb
18.	Calcarea Carb
19.	Carbo Veg
20.	Causiticum
21.	Chamomilla
22.	Cina
23.	Cinchona
24.	Colchicum
25.	Coccyth
26.	Dilligamara
27.	Gelsemium
28.	Gnaphals
29.	Heliborus
30.	Hepar sulphuris
31.	Hysocyamus
32.	Iguatia
33.	Ipecac
34.	Kali Bichrom
35.	Lachesis
36.	Lycopodium
37.	Mercurius Sol
38.	Merc. Cor
39.	Natrum Mur
40.	Nitric Acid
41.	Nux Vom
42.	Phosphorus
43.	Podophyllum
44.	Rhus Tox
45.	Rhus Tox
46.	Secale Cor
47.	Silica
48.	Sulphur
49.	Thuja
50.	Veratrum Alb

440 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

List of Drugs Included in the Syllabus of Materia Medica for the Final
Diploma in Homoeopathic Medicine and Surgery (D.H.M.S.)
Examination

1. Abrotanum
2. Aconite Nap
3. Actaea Racemosa
4. Aethusa cyn.
5. Agaricus Mus.
6. Allium Cepa.
7. Alces Soco
8. Alumina
9. Ammon Carb.
10. Anacardium
11. Antim Tart
12. Antim Crud
13. Apis Mel.
14. Argent Met.
15. Argent Nitric
16. Arnica Mont.
17. Arsenicum Alb.
18. Aurum Mat.
19. Baptisia.
20. Baryta Carb.
21. Belladonna
22. Berberis Vulg.
23. Bismuth.
24. Borax
25. Bovista
26. Bryonia
27. Cactus grand.
28. Calcareo Ars.
29. Calcareo Os.
30. Calcareo Phos.
31. Calendula.
32. Camphor.
33. Cannabis Sativa
34. Cantharides.
35. Capsicum.
36. Carbo Veg.
37. Carbolic Acid.
38. Caulophyllum
39. Causticum.
40. Chomilla.
41. Chelidonium.
42. Circuta Vir.
43. Cina.
44. Cinchona Off.
45. Cocculus Indicus.
46. Colchicum.
47. Colocynthis.
48. Conium Mac.
49. Crocus Sat.
50. Crotalus hor.
51. Croton tig.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 441

52. Cuprum mol.
53. Digitalis
54. Drosera
55. Dulcamera
56. Eupatorium perf.
57. Euphrasia.
58. Ferrummet
59. Fluoric Acid
60. Gelsemium
61. Glonoine
62. Graphites
63. Hamamelis Virg.
64. Helleborus
65. Hepar sulphuris
66. Hydraastis Can.
67. Hyoscyamus Nig.
68. Hypericum
69. Ignatia
70. Iodium
71. Ipecacuanha
72. Kali Bichrom.
73. Kali Carb.
74. Kreosotum
75. Lachesis
76. Lac. Caninum
77. Ledum Pal.
78. Lilium Tig.
79. Lycopodium
80. Magnesia Carb.
81. Magnesia Ph.
82. Medorrhinum
83. Mercurius.
84. Mercurius Cor.
85. Mercurius Sol.
86. Mezerium
87. Murex
88. Muratic Acid
89. Natrum Carb.
90. Natrum Mur.
91. Natrum Sulph.
92. Nitric Acid
93. Nux Mosehata
94. Nux Vom.
95. Petroleum.
96. Phospheric Acid
97. Phosphorus
98. Podophylyum.
99. Phytolacca.
100. Platina.
101. Plumbum.
102. Psorinum
103. Pulsatilla
104. Pyrogen
105. Ranunculus bulb.
106. Rhododendrom

442 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

107. Rhus Tox.
108. Rumex.
109. Ruta
110. Sabina
111. Sambucus
112. Sanguaria
113. Sarsaparilla.
114. Secale Cor.
115. Sepia.
116. Silicea
117. Spigelia
118. Stannum
119. Staphisagria
120. Stramonium
121. Sulphur
122. Syphilinum
123. Thuja Occ.
124. Tuberculum Bov.
125. Variolinum
126. Veretrum Alb.
127. Veretrum Viridae.
128. Zincum Met.

REGULATIONS AND SYLLABUS

FOR THE COURSE OF GRADUATE IN HOMOEOPATHY MEDICINE AND SURGERY (G.H.M.S.) EXAMINATION

1. Graduate in Homoeopathy Medicine and Surgery Degree Course.
2. The Degree Course is to cover a period of 2 years of study after the Diploma in Homoeopathic Medicine and Surgery. No candidate shall be admitted to the Graduate in Homoeopathy Medicine and Surgery course unless he has passed the final Diploma in Homoeopathic Medicine and Surgery or any other examination considered and approved as equivalent thereto by the State Homoeopathic Council.
3. A candidate qualifying in both the Part I and Part II of the examinations shall be awarded the Degree Graduate in Homoeopathy Medicine and Surgery by the competent authority (Council).

II Period of Study

1. The Graduate in Homoeopathy Medicine and Surgery course shall consist of the following two parts:—
 - (i) Clinical subjects (Part I).
 - (ii) Homoeopathic subjects (Part II).
2. Part I of Graduate in Homoeopathy Medicine and Surgery course shall cover the following subjects:—
 - (i) Medicine including of Psychiatry Preventive/Social Medicine, consistent with Homoeopathic Principles and Homoeopathic therapeutics.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 443

(i) Surgery, including ophthalmology, otorhinolaryngology and Orthopaedics.

(ii) Obstetrics, Gynaecology and Paediatrics.

N. B.—A more intensive teaching of these subjects well above the standard reached at the Diploma in Homoeopathic Medicine and Surgery level, shall be considered.

3. Part II of the Graduate in Homoeopathy Medicine and Surgery course shall cover the following subjects :—

(i) History of Medicine, Homoeopathic philosophy and chronic diseases, Organin of Medicine.

(ii) Homoeopathic Materia Medica, Therapeutics and Repertorisation including case taking and evaluation of symptoms.

4. The Schedule of teaching shall be as detailed at Annexure I.

5. Practical instructions shall include the following :—

(i) Attendance at indoor-wards and outdoor clinics for a period of six months each (3 months during the I year and 3 months in the II Year) including duties clerkship in Medical Ward, Surgical Ward and midwifery and Gynaecology wards including 10 delivery cases).

(ii) Visits to Family Planning welfare centres and Rural Health centres imparting proper and adequate training in the following :—

The medical student must be trained in an environment as similar possible to that in which he is eventually going to work. He should become well conversant with day-to-day Health problems of the rural and urban communities and preventive aspects of the regional and national health problems. Besides being fully well up in the clinical methods like history taking, physical examination, diagnosis and treatment of Common conditions, he should have the competence to Judge which cases require to be referred to a hospital or a specialist

III. Examinations

1. The schedule of the examinations shall be as detailed at Annexure I and the Second paper in Medicine, Surgery, Obstetrics, and Gynaecology shall be exclusively on Homoeopathic Therapeutics.

2. The oral and practical examinations shall be as detailed at Annexure II.

3. (i) A candidate may appear in Part I of the Graduate in Homoeopathy Medicine and Surgery examination at the end of 1st year or thereafter.

(ii) He can appear in Part II of Graduate in Homoeopathy Medicine and Surgery examination only at the end of the second year or thereafter.

4. Pass marks in each subject shall be 45 per cent in aggregate with a minimum of 40 per cent in written and 40 per cent in oral and practical together.

5. No candidate shall be allowed to appear in the Graduate in Homoeopathy Medicine and Surgery examination unless he has attended not less than 75 per cent of the lectures and practicals conducted in each subject at his college for the full course of study but not less than those stipulated including the period clinical training at Annexure II.

444 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA)

ANNEXURE I

Details of Lectures/Practicals and Examinations of the G.H.M.S. Course

Subject	Period of hours		Examinations				
	Lectures	Clinical training	Number of Papers	Maximum Marks			Total
				Written	Oral	*Practical	
A. PART I							
1. Practice of Medicine and Homoeopathic Therapeutics	75	3 months	2	200	100	100	400
2. Surgery and Homoeopathic Therapeutics	75	3 months	2	200	100	100	400
3. Obstetrics and Gynaecology and Paediatrics including Homoeopathic Therapeutics	75	3 months	2	200	100	100	400
B. PART II							
4. Organon of Medicine and Philosophy	150		2	200	100		300
5. Homoeopathic Materia Medica and Homoeopathic Therapeutics	300		2	200	100	100	400

*See Regulation III (2) Annexure II.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADH, 21, 1896 SAKA) 445

ANNEXURE II
[See Regulation III(2)]

Subject	Scope	
	Oral	Clinical & Practical
(a) Practice of Medicine	Questions on Pathological specimens interpretation of X-Ray plates, charts, other clinical investigation reports and Homoeopathic Therapeutics	(i) A principle case for examination (duration of at least an hour). (ii) A short case for which 30 minutes may be allowed. (iii) Spot diagnosis, differential diagnosis, selection of remedy and management and prognosis.
(b) Surgery	Questions on Pathological specimens interpretation of X-Ray plates, charts, other clinical investigation reports and Homoeopathic Therapeutics	(i) Use of surgical instruments and appliances, use of splints, bandages and surgical anatomy. (ii) Operative technique on cadaver wherever possible. (iii) Clinical examination of a principle case (at least an hour duration). (iv) A short case (30 minutes duration). (v) Spot diagnosis, differential diagnosis, prognosis and selection of Homoeopathic remedy.
(c) Obstetrics and Gynaecology	Use of instruments, appliances, infant hygiene and Homoeopathic Therapeutics	(i) A principle case (one hour duration). (ii) A short case (30 minutes duration). (iii) Spot diagnosis, differential diagnosis, prognosis and selection of Homoeopathic remedy.
(d) Materia Medica		A practical on Repertory work.

JOGINDER SINGH,
Secretary to Government, Punjab,
Health and Family Planning Department.

PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 47

HEALTH DEPARTMENT

Notification

The 2nd July 1974

No. G. S. R. 78/P.A-16/65.S-54/74.—In exercise of the powers conferred by sub-section (i) of section 54 read with section 21 of the Punjab Homoeopathic Practitioners Act, 1965 and all other powers enabling it in this behalf, the Council of Homoeopathic System of Medicine, Punjab, with previous sanction of the Government of the State of Punjab hereby makes the following regulations for recognition of institutions, namely:—

1. (i) These Regulations may be called the Punjab Homoeopathic Practitioners (Recognition of Institutions) Regulations, 1974. Short title and commencement.
- (ii) These shall come into force at once.
2. In these Regulations unless the context otherwise requires— Definitions.
 - (a) "Act" means the Punjab Homoeopathic Practitioners Act, 1965;
 - (b) "Government" means the Government of the State of Punjab ;
 - (c) "section" means a section of the Act ;
 - (d) Words and expressions used but not defined in these regulations shall have the meaning assigned to them in the Act or in the Punjab General Clauses Act, 1898.
3. An institution seeking recognition from the Council shall fulfil the following conditions to the satisfaction of the Council, namely :— Conditions for recognition of institutions. Sections 21 and 54 (1).
 - (a) that it conforms to such requirements for admissions to courses of studies as may be prescribed by the Council from time to time
 - (b) That it is in position to adopt a course of training in Homoeopathy and science subjects leading to the grant of a Diploma in Homoeopathic Medicine and Surgery (D.H.M.S.) or a degree of a Graduate in Homoeopathic Medicine and Surgery (G.H.M.S.) to be covered in a period of four and six years respectively.
 - (c) That it shall adopt the syllabi and courses of studies for Diploma in Homoeopathic Medicine and Surgery (D.H.M.S.) or degree of a Graduate in Homoeopathic Medicine and Surgery (G.H.M.S.) as prescribed by the Council in Punjab Homoeopathic Practitioners Regulations, 1974, and shall impart training accordingly.
 - (d) That it is housed in a good building for the college and has an adequate hostel and is situated in a locality covered under proper sanitary conditions and healthy atmosphere and environments.
 - (e) That it is under the management of a regularly constituted registered body.
 - (f) That its teaching staff is adequately qualified for the teaching of the courses of studies.

448 PUNJAB GOVT GAZ., JULY 12, 1971 (ASADHA 21, 1896 SAKA)

- (g) That there is a properly equipped indoor hospital with outdoor dispensary, operation theatre (for minor operations only) with necessary hospital facilities.
- (h) That there is a Pharmacy suitable for the purpose of training and Museum and Library equipped with books on Homoeopathic subjects and science subjects.
- (i) That there are satisfactory arrangements for the theoretical and practical training of basic subjects.
- (j) That it has got sufficient financial resources for its proper maintenance including the maintenance of its buildings and hospital.
- (k) That the statistical records and returns in connection with the teaching and training of students are properly maintained and kept safe.
- (l) That the number of students admitted to the institution every year shall not ordinarily exceed 50 (fifty) :

Provided that the Council may, temporarily recognise institutions which does not fulfil all or any of the aforementioned conditions if there is a reasonable assurance to this effect by the authorities of the institution that they will make up the deficiencies within the time specified by the Council. In case of failure of the institution to fulfil the requisite conditions, the Council shall have the right to withdraw recognition either temporarily or permanently.

(Particulars to be furnished Section 21 (a), section 54.

4. Every recognised institution shall furnish to the Council such particulars, information and other details regarding the function, staff and finances, as the Council may demand from it from time to time.

Submission of application by institution payment of travelling expenses. Section 21 (1a), section 54.

5. (a) Every institution desiring to have recognition from the Council shall apply to the Council on the prescribed *proforma* as in appendix "A" obtainable from the office of the Council on payment of a fee of Rs 5. Every such application must be accompanied by a recognition fee of Rs 500 (non-refundable in all circumstances).

(b) After the receipt of the application from the Chairman shall make necessary arrangements for the inspection of the institution by a committee of members constituted by the Council.

The travelling and other expenses admissible to the members of the committee or the staff of the Council visiting in this connection will be borne by the institution and shall be deposited in the office of the Council in advance.

(c) The application and the report of the Inspection Committee for recognition shall be placed by the Chairman before the Council at its next meeting. The Council, after due consideration and personally hearing the authorities of the institution, if necessary, may, if the conditions prescribed by it are duly fulfilled, recognise the institution.

PUNJAB GOVT. GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 445

APPENDIX 'A'

FORM OF APPLICATION FOR RECOGNITION

(See Regulation No. 5(a))

From

To

The Chairman,
Council of Homoeopathic System of Medicine, Punjab,
Chandigarh.

Subject.—Application for recognition of the institutions.

Sir,

1. _____
(indicate here name and complete designation)
hereby make this application to the Council with the request that _____
_____ may be granted recognition by the Council for imparting
training and teaching for Diploma in Homoeopathic Medicines and Surgery
(D.H.M.S.) or for degree of a Graduate in Homoeopathic medicine and
Surgery (G.H.M.S.) Course, for examinations of the Council in this regard.
2. The application fee of rupees five hundred has been duly paid on—
_____ and the receipt No. _____, dated _____
in evidence thereof is attached herewith.
3. The charges on account of travelling and other expenses of the members
of the inspection committee amounting to Rs. _____ will be paid
in advance to the Council on receipt of intimation.
4. The course of studies and training as prescribed by the Council in
this behalf shall be strictly followed and the examinations of these courses will
be conducted by the Council, on payment of prescribed fees/charges.
5. All other necessary particulars and information in respect of the
college are given hereunder in complete details for the information of the
Council. However, any further information called for in this behalf shall
be promptly supplied by the institution.

PARTICULARS

1. Name and complete address of the institution seeking
recognition from the Council.

450 PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SARA)

2. Period of its existence and date of its establishment.
3. Complete name, of the person, society or association running or proposing to run the institution and the constitution of the Governing body or Managing Committees, if any, formed to carry out the work of the institution.
4. The name of the correspondent (Manager, Superintendent or Secretary) who is to be considered as authorised person or authority to undertake correspondence on behalf of the institution.
5. Names of the members of the teaching staff with their designations and with complete details of their educational and professional qualifications number of hours of work of each class and subjects taught by each member of the staff.
6. The course of studies for which the institution proposes to seek recognition from the Council.
7. The number of scholars in each class or section of the class.
8. The course of instructions for which the institution undertakes to make arrangements together with details regarding length of course, scheme of instructions to be followed, the subjects to be taught each year, the time table of daily work and provision made for practical and clinical training and teaching and provisions for Library facilities.
9. Complete arrangements for teaching and training to students in science and Homocopathic subjects as prescribed by the Council. Details to be furnished with the form.
10. (i) Total number of books in the Library as at the beginning of the year.
(ii) The number of books (medical or otherwise) added during the year.
11. Number and names of physicians Incharges and normal working hours for attending the patients at the in-door hospital and out-door dispensary.
12. Number of patients treated during the year separately.
13. Number of patients treated during the year classified according to the nature of diseases.
14. Arrangements for training students in clinical medicines.
15. Arrangements for clinical training in medicines, Surgery, E.N.T. Eyes, Mid-wifery and Jurisprudence.

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PUNJAB GOVT GAZ., JULY 12, 1974 (ASADHA 21, 1896 SAKA) 45

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16. (a) Total number of beds available in the indoor hospital.
- (b) Detailed statement of distribution of beds to each department (State separately male, female and child beds).
 - (1) Medical. (2) Surgical. (3) E.N.T. (4) Eyes. (5) Obstetrical Gynaecological.
17. Average number of beds occupied monthly.
18. Total number of patients originally admitted to the in-door or out-door departments separately for treatment during the year, classified according to the nature of disease.
19. Total number of operations performed during the year (State separately for Surgical, Eye, Ear, Nose, Throat and Gynaecological).
20. Total number of labour cases attended during the year.
21. Names, qualifications and number of teaching and hospitals staff borne on the strength of the college or institution.
22. Number of nurses (separate statement for male and female).
23. Average number of patients treated daily in the out-door department. (Give here complete statement in respect of male, female and child).
24. Number of original patients treated in different departments of the in-door and out-door during the year classified according to the nature of the diseases.
25. Working hours of different departments of the out-door and in-door and names of the Physicians and Surgeon-Incharges thereof.
26. Provision for residence, Physical welfare, discipline and supervision of students.
27. Other provisions, if any, calculated to promote the maintenance of proper standard of medical education and other extra-curricular activities in the college.
28. Detailed and General Remarks, if any, the institution propose to submit to the Council for purposes of record.

Yours faithfully,
Signature of the correspondent.

Place _____
Date _____ and complete address of the sender .

JOGINDER SINGH,
Secretary to Government, Punjab,
Health and Family Planning Department.

Registered No. P/CH/25.



Punjab Government Gazette

Published by Authority

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(CHAITRA 7, 1897 SAKA)

LEGISLATIVE SUPPLEMENT

	CONTENTS	Pages
Part I	Acts	
	<i>Nil</i>	
Part II	Ordinances	
	<i>Nil</i>	
Part III	Delegated Legislation	
	Notification No. G.S.R32/P.A. 16/65/S. 53/75, dated the 19th March, 1975, containing the Punjab Homeopathic Practitioners (Election) Rules, 1975	.. 259—271
Part IV	Correction Slips, Republications and Replacements	
	<i>Nil</i>	

Price: 15 Paise

(xxxii)

PUNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7, 1897 SAKA) 259

PUNJAB GOVERNMENT

HEALTH AND FAMILY PLANNING DEPARTMENT

Notification

The 19th March, 1975.

No. G.S.R./P.A. 16/65/S. 53/75;—In exercise of the powers conferred by section 53 of the Punjab Homoeopathic Practitioners Act, 1965, the Governor of Punjab is pleased to make the following rules, namely:—

1. (i) These rules may be called the Punjab Homoeopathic Practitioners (Election) Rules, 1975. Short title and commencement.
- (ii) They shall come into force at once.
2. In these rules, unless the context otherwise requires,— Definitions.
 - (a) "Act" means the Punjab Homoeopathic Practitioners Act, 1965 ;
 - (b) "Form" means a form appended to these rules;
 - (c) "Constituency" means a class or circle for the representation of which a member or members is or are to be or has or have been elected under these rules ;
 - (d) "elector" means a registered practitioner residing in the State of Punjab whose name is entered in the Register ;
 - (e) "Government" means the Government of the State of Punjab ;
 - (f) "Returning Officer" means the Registrar or any other person authorised by the Chairman to act as Returning Officer ;
 - (g) "Section" means a section of the Act ;
 - (h) Words and expression used but not defined in these rules shall have the meaning assigned to them in the Act.
3. Whenever election under clause (b) of sub-section (3) of section 3 becomes necessary, the Chairman shall issue a notice calling upon the elector to elect a member or members by a date to be specified in the notice. Notification about election. Sections 4 and 53 (2) (a).
4. (1) For the purpose of rule 2(c), the State of Punjab shall be divided into territorial constituencies in such manner that the ratio between the electors of each constituency and the number of seats allotted to that constituency shall, as far as practicable, be the same throughout the State. Demarcation of constituencies and preparation of electoral rolls. Sections 4 and 53(2) (a).

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PUNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7, 1897 SAKA) 261

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9. The Chairman may by an order in writing stating reasons thereof amend, vary or modify election programme at any time:

Provided that, unless the Chairman otherwise directs, no such order shall be deemed to invalidate any proceedings taken before the date of the order.

10. Every order under rule 9 shall be published in the manner prescribed under rule 7.

11. (i) Any registered practitioner whose name appears in the electoral roll published under rule 6 and who is not disqualified under the Act may be nominated as a candidate for election to the Council ;

Provided that the nomination papers complete in all respects are delivered by the person nominated or by his proposer or seconder to the Returning Officer on the date, time and place fixed under rule 8.

(ii) The nomination of each candidate shall be made on a separate nomination paper in form 1 and must be subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are included in the electoral roll published under rule 6.

(iii) A list of nomination papers received under sub-rule (i) shall be prepared in alphabetical order by the Returning Officer and shall be posted by him outside his office.

12. (1) Each person filing a nomination paper under rule 11, shall at or before the time of delivery of the nomination paper, deposit or cause to be deposited with the Registrar a sum of rupees fifty in cash or by money order and enclose with the nomination papers the cash receipt issued by the Registrar or the money order receipt as the case may be, and the nomination paper of a candidate shall not be deemed to have been duly presented unless such deposit has been made.

(2) If a candidate withdraws his candidature within the time specified in rule 13, or if the nomination of any such candidate is refused, the deposit made under sub-rule (1) shall be returned to the person by whom it was made, and if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representatives and if not made by the candidate, shall be returned to the person by whom it was made.

(3) If a candidate is not elected and the number of votes polled by him does not exceed one-third of the total number of votes polled, the deposit made under sub-rule (1) shall be forfeited to the Council.

Amendment
variation
or notifica-
tion of election
thereof
programme.
Section 4
and 53(a).

Publication
of order
under rule
9, Section
4 and
53(2) (a).

Nomina-
tion of
candidates.
Section 4 and
53(2) (a).

Deposits to
be made.

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PUNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7, 1897 SAKA) 263

18. If the number of candidates validly nominated in any constituency is greater than the number of members to be elected for such constituency, a poll shall be taken on the date or dates specified in rule 8 in this behalf for election.

Poll to be taken if number of candidates is greater than number of vacancies.

19. (1) The Returning Officer shall, as soon as may be after the publication of the list of valid nominations under rule 15, and (under certificate of posting) to each elector a ballot paper in Form III and shall enter on the counterfoil of each such ballot paper the name of the elector to whom the ballot paper is sent and his serial number in the electoral roll.

Returning Officer to send ballot papers. Sections 4 and 53(2) (a).

(2) Alongwith the ballot paper the Returning Officer shall also send—

(a) a cover addressed to himself in Form IV; and

(b) an envelope with the number of ballot paper, entered on its face. The Returning Officer shall have the number of the ballot paper entered at the left hand bottom corner of the cover in Form V.

(3) The ballot papers together with the cover and envelope shall be sent to the address of elector as shown in the electoral roll.

(4) After all the ballot papers have been issued under this rule, the Returning Officer shall seal up the packet of the counterfoils of all such ballot papers and record on it the description of its contents and the election to which it refers.

(5) No election shall be invalidated by reasons that an elector had not received his ballot paper provided that the ballot paper has been issued to him in accordance with these rules.

20. (1) Every elector on receiving his ballot paper sent under rule 18, if he so desires to vote at the election, shall record his vote thereon and sign the declaration in accordance with instructions set out on the ballot paper.

Ballot Paper to be returned after recording votes thereon. Sections 4 and 53(2) (a).

(2) The elector shall place the ballot paper in the envelope, close the envelope and enclose it in the cover and send the cover by Registered Post or through messenger to the Returning Officer in accordance with the aforesaid instructions so as to reach him before 5 P. M. on the date fixed in this behalf under rule 8. Any cover which is not received by the Returning Officer before 5 P.M. on the date so fixed shall be rejected. All such rejected covers shall be kept in a separate sealed packet by the Returning Officer, and a list thereon shall be prepared.

197 SAKA)

PUNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7, 1897 SAKA) 265

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26. (1) The Returning Officer shall attend, for the purposes of scrutiny and counting of the votes on the date fixed for this purpose under rule 8 and the scrutiny and counting of votes shall commence at 10 A. M.

Procedure to
be followed
at the count-
ing of votes.
53(2) (a).

(2) Any candidate may be present in person or may send a representative duly authorised by him in writing to watch the process of counting.

(3) The Returning Officer shall thereafter cause to be counted the valid votes given to each contesting candidate as recorded on the ballot papers which he has not rejected.

(4) If the counting of votes be not completed by 6 P. M. on the day appointed, the Returning Officer may adjourn the proceeding until the following day at 10 A.M. and in such a case he shall place all the documents relating to the election under his own seal and the seals of the candidates or their agents, if any, who are present and desire to affix their seals and shall otherwise take proper precaution for the scrutiny of the documents. The Returning Officer may in like manner adjourn the proceedings from day to day until the counting of the votes has been completed.

(5) After the counting is completed, the Returning Officer may on his own motion or at the request of any candidate for whom votes have been cast or his agent recount the votes.

27. (1) When the counting or if there is recounting, the recounting of votes has been completed for a Constituency the Returning Officer shall forthwith draw up a list of candidates in the order of highest votes polled by each and shall declare the result of the successful candidates in the order according to the number of seats to be filled up.

Declaration
of results.
Section 4 and
53(2) (a).

(2) When an equality of votes is found to exist among any candidates and there is difficulty in declaring the result the determination of the contesting candidate or candidates who shall be deemed to have been elected shall be made by lot to be drawn by the Returning Officer in the presence of such contesting candidates or their agents.

(3) The Returning Officer as soon as the result is declared shall inform the successful candidate by letter of his being elected to the Council and shall also send a copy of the letter to the Chairman and the Government.

28. Upon the completion of the counting and after the result has been declared, the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same with him for a period of six months.

Sealing and
preservation
of election
material.
Section 4 and
53(2) (a).

29. The election petition accompanied by a receipt of the deposit of rupees one hundred in the office of the Council shall be presented to the Chairman which shall be forwarded by him to the Election Tribunal appointed by the State Government.

Authority to
whom election
may be
presented.
Sections 4
and 53(2) (a).

7, 1897 SAKA) UNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7, 1897 SAKA) 267

INSTRUCTIONS

the petitioner shall
fill in Form VII
and the particulars
of the First Class

1. Nomination papers which are not received by the Returning Officer before _____ will be invalid.
2. The name of the candidate should be as it appears in the electoral roll.
3. Receipt to be given to candidate.
4. Received nomination paper of Shri _____ the contesting candidate from the proposer/secondor/the authorised agent of the contesting candidate at _____ (place) dated _____ and hour.

Signature of the Returning Officer

FORM II

(See Rule 15)

List of validly nominated candidates for each Constituency.

entered in the

Name of the Constituency _____

Serial No.	Name of the candidate	Registration number	Address of the candidate
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

E
lon. My name
al No. _____

re,—vide receipt
rewith.

the candidate.

(date/hour).

Returning Officer.

Returning Officer.

897 SAKA)

PUNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7,1897 SAKA) 269

INSTRUCTIONS

1. The number of the contesting candidates for the constituency for which the elector may vote is _____.

2. Out of _____ candidates to be returned _____ must be persons holding a diploma or degree in Homoeopathic System of Medicine.

3. The candidate whose names are marked X are holding a certificate, diploma or degree in the Homoeopathic System.

4. You shall vote by placing the mark X opposite the name or names of the candidates whom you prefer. If you do not want to use all your votes (in case where more than one vote is allowed) you need not do so, but more than one vote may not be given to any one candidate.

5. The Ballot paper shall be invalid, if _____

(a) the mark X is placed opposite the names of more candidates than those which are to be elected, or

(b) the declaration is not properly signed by the elector, or

(c) it does not bear the initials of the Returning Officer, or

(d) no vote is recorded thereon, or

(e) a voter signs his name or writes a word or makes any mark on it by which it becomes recognisable as his ballot paper, or

(f) the number of the votes recorded thereon exceeds the number of vacancies to be filled in, or

(g) it does not conform to the Punjab Homoeopathic Practitioners (Election) Rules, 1975, or

(h) it is void for uncertainty of one or more votes exercised :

Provided that when more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it is intended to apply, the vote concerned and not the whole ballot paper shall be invalid on that account.

6. You should sign the declaration in Form VI (enclosed) and write your number on the electoral roll and the place of your residence on it, in the presence of the attesting officer who shall be a Gazetted Officer, a Sarpanch, President of Municipal Committee. He shall attest only the elector's signature but not his vote which should not be recorded in his presence. You should return this declaration alongwith the ballot papers, which should be put into the small envelope without such signature, entry and attestation, the ballot paper shall be invalid.

EDICINE,

for marking
Ballot Paper

ector on the

PUNJAB GOVT GAZ., MARCH 28, 1975 (CHTR. 7, 1897 SAKA) 271

FORM VII

[See Rule 30]

AFFIDAVIT

I, _____ son/daughter of Shri _____
(mention here name of practitioner).
age _____ years resident of _____ —make solemn affir-
(mention here complete address)
mation on oath as under :-

(i) That the respondent has been guilty of the corrupt practice(s) (mention here one or more corrupt practices and particulars thereof.)

(ii) That the particulars stated in the para Nos. _____ are true to my knowledge.

Signature of Deponent.

VERIFICATION

Verified that the contents of the paras stated above are true and correct to the best of my knowledge and belief and nothing has been concealed.

Signature of Deponent.

Solemnly affirmed/sworn by Shri/Shrimati/_____ at _____
this _____ day of _____ 197 , before me.

Name of the attesting
Magistrate
date and place of
attesting with seal of the office.

G. K. SEKHON.

Secretary to the Government,
Punjab, Health Department.

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PUNJAB GOVT GAZ. (EXTRA.), JULY 12, 1976
(ASAR. 21, 1898 SAKA)

413

PUNJAB GOVERNMENT
HEALTH AND FAMILY PLANNING DEPARTMENT

Notification

The 12th July, 1976

No. G.S.R. 85/P.A.16/65/S.53/Amd(1)/76. --With reference to Punjab Government Notifications No. G.S.R. 124/P.A.16/65/S.53/Amd./75, dated 29th October, 1975, and No. G.S.R.2/P.A.16/65/S.53/Amd./76, dated 12th January, 1976, and in exercise of the powers conferred by section 53 of the Punjab Homoeopathic Practitioners Act, 1965 (Punjab Act No. 16 of 1965) and all other powers enabling him in this behalf the Governor of Punjab is pleased to make the following rules further to amend the Punjab Homoeopathic Practitioners (General) Rules, 1973, namely :--

1. These rules may be called the Punjab Homoeopathic Practitioners (General) (First Amendment) Rules, 1976.
2. In rule 3 of the Punjab Homoeopathic Practitioners (General) Rules, 1973 (hereinafter referred to as the said Rules), in the proviso to sub-rule (3) for the words "an opportunity of being heard" the following words shall be substituted, namely :--
"a reasonable opportunity of being heard either by sending notice by registered post or by personal service."
3. In rule 5 of the said rules in the proviso to sub-rule (2) for the words "an opportunity of being heard" the following words shall be substituted, namely :--
"a reasonable opportunity of being heard either by sending notice by registered post or by personal service."
4. For rule 7 of the said rules the following rule shall be substituted, namely :--
"7. On receiving information that a practitioner has been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) the Registrar shall expeditiously obtain and place before the Council the judgement of the Court convicting the practitioner for such action as the Council may like to take in pursuance of the provisions of sub-section (5) of section 16 : Removal of name from the Register.

Provided that the Council shall before passing any order under sub-section (5) of section 16 give the practitioner concerned a reasonable opportunity of being heard either by sending notice by registered post or by personal service."

414

PUNJAB GOVT GAZ. (EXTRA.), JULY 12, 1976
(ASAR. 21, 1898 SAKA)

5. In rule 14 of the said rules :—
- (a) the brackets and figure "(1)" occurring after the figure "14" shall be omitted ; and
 - (b) for clause (h) the following clause shall be substituted, namely :—
“(h) Academic qualifications and the date from which in continuous practice as a practitioner in the case of persons registered in part “B” of the Register.”
6. In rule 17 of the said rules between the words “Council” and “which” the words “or of any Committee or Board of studies appointed by the Council under clause (g) of section 21-A” shall be inserted.
7. In rule 18 of the said rules between the words “Council” and “the official member” the words “or of any Committee or Board of studies appointed by the Council under clause (g) of section 21-A” shall be inserted.
8. In rule 20 of the said rules between the words “Council” and “shall be” the words “or of any Committee or Board of studies appointed by the Council under clause (g) of section 21-A” shall be inserted.”

G. BALAKRISHNAN,
Secretary to the Government of Punjab,
Health and Family Planning Department.

3. In rule 5 of

**THE PUNJAB MEDICAL COUNCIL, PUNJAB NURSES
REGISTRATION COUNCIL, BOARD OF AYURVEDIC AND
UNANI SYSTEMS OF MEDICINE, PUNJAB AND COUNCIL
OF HOMOEOPATHIC SYSTEM OF MEDICINE, PUNJAB
(MISCELLANEOUS PROVISIONS) ACT, 1977.**

PUNJAB ACT No. 6 OF 1977

[Received the assent of Governor of Punjab on the 20th April, 1977 and was first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, dated the 25th May, 1977.]

Act to provide for the term of office of the Registrar and other employees, to fix the headquarters, and to provide for the emergency powers of the Chairman of the Punjab Medical Council, the Punjab Nurses Registration Council, the Board of Ayurvedic and Unani Systems of Medicine, Punjab and the Council of Homoeopathic System of Medicine, Punjab

Bill 611:1977 by the Legislature of the State of Punjab in the Twenty-eighth Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Medical Council, Punjab Nurses Registration Council, Board of Ayurvedic and Unani Systems of Medicine, Punjab and Council of Homoeopathic System of Medicine, Punjab (Miscellaneous Provisions) Act, 1977. Short title and commencement.

(2) It shall be deemed to have come into force on the 5th January, 1977.

2. In this Act, unless there is anything repugnant in the subject or context, -

- (a) "Board" means the Board of Ayurvedic and Unani Systems of Medicine, Punjab, established and constituted under the Punjab Ayurvedic and Unani Practitioners Act, 1963;
- (b) "Chairman" means the Chairman of the Board of Ayurvedic and Unani Systems of Medicine, Punjab, or the Chairman of the Council of Homoeopathic System of Medicine, Punjab, and includes the President of the Punjab Medical Council or the President of the Punjab Nurses Registration Council;
- (c) "Council" means the Punjab Medical Council established under the Punjab Medical Registration Act, 1916, the Punjab Nurses Registration Council established under the Punjab Nurses Registration Act, 1932, or the Council of Homoeopathic System of Medicine, Punjab, established and constituted under the Punjab Homoeopathic Practitioners Act, 1965; and
- (d) "Registrar" means the Registrar of the Punjab Medical Council, the Punjab Nurses Registration Council, the Board of Ayurvedic and Unani Systems of Medicine or the Council of Homoeopathic System of Medicine, Punjab.

Definitions.

¹For Statement of Objects and Reasons, see Punjab Government Gazette, (Extraordinary), 1977, Page 449.
Price: 10-Paise

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979
(JYST. 4. 1900 SAKA)

361

GOVERNMENT OF PUNJAB
DEPARTMENT OF HEALTH AND FAMILY WELFARE
Notification

The 24th May, 1979

No. G.S.R.69/P.A.16/65/S-54/Amd.(1)/79.—In exercise of the powers conferred by section 54 of the Punjab Homoeopathic Practitioners Act, 1965 (Act No. 16 of 1965) and all other powers enabling it in this behalf, the Council of Homoeopathic System of Medicine, Punjab, with the previous sanction of the State Government, hereby, makes the following regulations to amend the Punjab Homoeopathic Practitioners Regulations, 1974, namely :—

1. These Regulations may be called the Punjab Homoeopathic Practitioners (First Amendment) Regulations, 1979.

2. In the Punjab Homoeopathic Practitioners Regulations, 1974 (hereinafter referred to as the said regulations), Regulation No. 7 shall be substituted by the following :—

"7. The examination fee and other fee for each examination conducted by the Council shall be as specified in Appendix "D" to these regulations." Examination fee.

3. In regulation 8 of the said regulation, the words "as may be applicable, under the rules and regulations of Punjabi University" shall be substituted by the words, "as may be prescribed in education regulations and syllabi by the Central Council of Homoeopathy from time to time and as is specified in appendix "D" to these regulations".

4. In proviso to regulation No. 9 of the said regulations in line 1, the word "effect" shall be substituted by the word "affect" and the word "inherent" occurring in line 2 between the words "the" and "right" shall be deleted.

5. (i) In regulation No. 10, sub-regulation No. 1 of the said regulations, the sub-part (b) shall be deleted.

(ii) In regulation No. 10, the following sub-regulation No. (4) shall be added after the sub-regulation No. (3).—

"(4) No person shall be allowed to join the service of the Council unless he produces a medical certificate of fitness issued by a competent authority, as may be prescribed by the State Government in this behalf, from time to time for its own employees of the same status."

6. In the beginning of the regulation No. 12 (1) of the said regulations, the words "subject to the provisions contained in para (2) of this regulation," shall be added and the word "No" shall be substituted by the word "no".

7. In the said regulations, regulation No. 15(I) shall be substituted by the following :—

"15(I) All appointments to the service shall be made in the following manner, namely :— Method of appointment.

(a) In the case of Superintendent—

(i) By promotion from amongst the Head Assistants who—

(1) are B.A. or B. Com. with two years experience ;

OR

(2) who are matriculates and have experience of five years ;

(b) In the case of Head Assistant—

(i) By promotion from Accountant :—

(1) who are B.A. or B. Com. and have experience of working as Accountant for a minimum period of two years ;

OR

(2) who are Matriculates and have experience of working as Accountant for a minimum period of five years ; or

(ii) By transfer from Government, Semi-Government offices;

or

(iii) By direct appointment.

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979
(JYST. 4, 1901 SAKA)

362

- (c) In the case of Accountant—
 (i) By promotion from amongst the Assistants, Stenographers and Cashiers :—
 (1) who possess qualification of B.A. or B. Com. and have experience of working on either or both or all of these posts for a minimum period of two years ;
 OR
 (2) who are Matriculates and have experience of working on either or both or of all these posts for a minimum period of five years ; or
 (ii) By transfer from Government, Semi-Government offices ;
 or
 (iii) by direct appointment.
- (d) In the case of Assistants and Cashiers—
 (i) By promotion from amongst the Clerks :—
 (1) who are Graduates and have experience as Clerk for a minimum period of two years ;
 OR
 (2) who are Matriculates and have an experience as Clerks for a minimum period of five years ; or
 (ii) By transfer from Government, Semi-Government offices ;
 or
 (iii) By direct appointment.
- (e) In the case of Stenographer—
 (i) By promotion from amongst the steno-typists having speed in Shorthand @ 100 W.P.M. and type 40 W.P.M. both in English and Punjabi :—
 (1) who are Graduates and have an experience of working on the post of Steno-typist for a minimum period of two years ;
 OR
 (2) who are Matriculates and have an experience of working on the post of Steno-typist for a minimum period of five years ;
 OR
 (ii) By transfer from Government, Semi-Government offices,
 or
 (iii) By direct appointments.
- (f) In the case of Steno-typist—
 (i) By promotion from amongst the Clerks having speed in short hand @ 80 P.W.M. and type speed @ 30 W.P.M.—
 (1) who are Graduates and have an experience of working as Clerk for a minimum period of two years ; or
 (2) who are Matriculates and have an experience of working as Clerk for a minimum period of five years ; or
 (ii) By transfer from Government or Semi-Government offices ; or
 (iii) by direct appointment.
- (g) In the case of Clerks—
 (i) By promotion from Daftri who is Matriculate and have experience of working as Daftri for a minimum period of two years ;
 or
 (ii) By transfer from Government, Semi-Government offices ;
 OR
 (iii) By direct appointment.
- (h) In the case of Daftri—
 By promotion from amongst the Peons who are Matriculate and have knowledge of Book binding.

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979
(JYST. 4, 1901 SAKA)

363

- (i) In the case of Peon or Chowkidar-cum-Sweeper—
By direct appointment.
8. In the said regulations, Appendix A shall be substituted by the new enclosed Appendix A.
9. In regulation 16 of the said regulations, the word "class" occurring after the word "same" shall be substituted by the word "status".
10. In regulation No. 19 of the said regulations, after the word "Government" occurring between the words "the" and "for" the words "from time to time" shall be added.
11. Regulation No. 23 of the said regulations shall be substituted by the following new regulations :—
- "23-(1) The employees of the Council shall retire on attaining the ^{Age of retirement,} age of fifty-eight years.
- (2) The Council, shall if it is of the opinion that it is in public interest to do so, have the absolute right by giving an employee prior 3 months notice in writing, to retire that employee on the date on which he completes twenty-five years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice. Any employee may after giving at least three months previous notice in writing to the Council, retire from service on the date on which he completes twenty-five years of qualifying service or attains fifty years of age or any date thereafter to be specified in the notice :
- Provided that no employee under suspension shall retire from service except with the specific approval of the Council.
12. In regulation No. 26 of the said regulations, the words "by the Council" occurring between the words "available" and "according" shall be deleted and the same shall be inserted between the words "allotted" and "such".
13. Regulation No. 27 shall be renumbered as Regulation No. 32 and the existing regulations Nos. 28, 29, 30, 31 and 32 shall be renumbered as 27, 28, 29, 30 and 31, respectively and the words "with the previous approval of the State Government" shall be inserted in between the words "relax" and "any".
14. In appendix "C", regulation No. 4 part (b) of the said regulations the words "after affording him an opportunity for showing cause against the proposed payment to be withheld" shall be added at the end of this part.
15. In appendix "C" in regulation No. 8 (i)(a) the following shall be added :—
- Note.*—"Family" for the purpose of this regulation shall mean :—
- (a) In the case of male subscriber, his wife and children and the widow or widows and children of his deceased son, if any.
- (b) In the case of female subscriber, her husband and children and the widow or widows and children of her deceased son, if any;
16. (a) In appendix "C" in regulation No. 9 of the said regulation—
- (i) In part (a), the words "outstanding" occurring between the words "thereon" and "to" shall be substituted by the word "standing".
- (ii) In part (c) the words "Life Insurance Corporation" shall be substituted for the words "Insurance Company" wherever occurring.
17. (a) Regulation No. 9 note (ii) of the said regulations shall be substituted by the Regulation No. 9A(ii) as a separate regulation at the end of regulation No. 9 (2).

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979
(JYST. 4, 1901 SAKA)

364

(b) In regulation No. 9A in sub-part (ii), the following provision shall be added at the end :—

"Provided that the subscriber shall not be required to refund or deposit any amount or its portion he had contributed towards payment of premium to the Life Insurance Corporation from his own pocket, in the Provident Fund."

18. In appendix "C" the regulation No. 10 (i) shall be substituted by the following new regulation :—

With-
drawals,
closing of
Account.

"10(i) When a subscriber dies, the amount shown to the credit of his account in column No. 6 of the Provident Fund Account ledger plus interest accrued to date shall be withdrawn from the Saving Bank and payment of such amount shall be made—

(a) If the deceased had during his/her lifetime made a valid declaration with regard to its payment—

(i) To his widow or widows, or husband as the case may be, and

(ii) To his child or children if there be more than one; in such proportions as the deceased may have declared it to be payable;

(b) If the deceased had during his/her lifetime made no valid declaration with regard to its payment—

(i) (1) One moiety to the widow, or widows of the deceased in equal shares, or the husband of the deceased as the case may be; and

(2) The other moiety to his child or children if there be more than one in equal shares; or

(ii) (1) To the widow or widows of the deceased in equal share or to the husband as the case may be, if the deceased left no child.

(2) to the child or children in equal shares if the deceased left no widow or husband as the case may be;

(c) to his legal heirs in all other cases.

19. (a) In appendix C, in regulation No. 10 of the said regulations part (ii) and (3) and (4) shall be renumbered and read as (3), (4) and (5) respectively.

(b) In appendix 'C' in the explanation to regulation No. 10 of the said regulations, the words "Sub-Clause (i)" shall be substituted by the words, figures and brackets "Sub-Regulation (1)".

(c) In appendix "C" in the regulation No. 10, in sub-regulation No. (3) the words, figures and brackets, "sub-regulation (i)" shall be substituted by the words, figures and brackets "sub-regulation (1)".

20. The existing appendix "D" shall be substituted by the new appendix "D" as appended to these regulations.

PUNJAB GOVT GAZ (EXTRA.), MAY, 25, 1979
(JYST. 4, 1901 SAKA)

365

APPENDIX "A"
COUNCIL OF HOMOEOPATHIC SYSTEM OF MEDICINE, PUNJAB
Annexure No. 1 (See regulation No. 9 and 14)

Serial No.	Designation of Post	No. of Posts	Scale of pay	Prescribed qualification
1.	Superintendent	One	Rs. 400—25—500/30—	To be filled in by promotion.
2.	Head Assistant	One	Rs. 300—25—500/25—550	(i) Graduate with two years' experience as Head Assistant (ii) Knowledge of Punjabi upto Matric standard
3.	Accountant	One	Rs. 225—15—360/20—500	(i) B. Com. with two years' experience as Accountant. (ii) Knowledge of Punjabi upto Matric standard. (iii) Security of Rs. 1,000.
4.	Assistants	Three	Rs. 160—10—280/15—400	(i) Graduate with two years' experience as Assistant (ii) Knowledge of Punjabi up to Matric standard.
5.	Stenographer	One	Rs. 160—10—280/15—400	(i) Graduate with two years' experience as Stenographer. (ii) Knowledge of Punjabi upto Matric standard (iii) Speed in shorthand at the rate of 100 W.P.M and Type speed of 40 W.P.M both in English and Punjabi.
6.	Cashier	One	Rs. 160—10—280/15—400	(i) Graduate with two years' experience as Cashier. (ii) Knowledge of Punjabi upto Matric standard
7.	Steno-typist	One	Rs. 110—4—130/5—180/6—210/8—250 plus Rs. 25 P.M. (fixed) as stenotypist allowance	(i) Graduate. (ii) Knowledge of Punjabi upto Matric standard. (iii) Speed in shorthand at the rate of 80 W.P.M. and type at the rate of 30 W.P.M. both in English and Punjabi
8.	Clerks	Seven	Rs. 110—4—130/5—180/6—210/8—250.	(i) Graduate (ii) Knowledge of Punjabi upto Matric Standard.
9.	Daftri	One	Rs. 75—3—90/3—105	(i) Matric (ii) Must have knowledge of Book Binding.
10.	Peons	Three	Rs. 70—2—80/3—95	(i) Reading and writing knowledge of Punjabi. (ii) Experience hands to be preferred.
11.	Chowkidar-cum Sweeper	One	Rs. 70—2—80/3—96	(i) Reading and Writing knowledge of Punjabi (ii) Experience hands to be preferred.
12.	Mali (Part-Time)	One	Rs. 35 P.M. or such pay as may be fixed by Government from time to time for part-time employees working for two hours daily.	

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979
(JYST. 4, 1901 SAKA)

366

Appendix "D"
(See regulations 5, 7 and 8).

1. EXAMINATIONS:

(i) Date for Admission Forms
The last date by which admission form alongwith a passport size photograph (in case of male candidates only) and fee must reach the Registrar shall be as follows:—

Without Late Fee	With Late Fee or Rs. 15/-
5th April for May/June Examination .	15th April for May/June Examination.
5th August for September/October Examination.	15th August for September/October, Examination.

The Council may change the above dates if it may deem proper. Provided that after the expiry of the above date with late fee of Rs. 15/- admission form of a candidate may be accepted upto 15 days before the commencement of the examination on payment of an extra late fee @ Rs. 5/- per day. No admission form and fee shall thereafter accepted except as other wise decided by the Council.

(ii) Fees to be charged
The amount of admission fee to be paid by a candidate shall be as follows :—

(a) DHMS (Intermediate (Part I or Part II) Examination)
One or More than one subject .. Rs. 60-00
(b) DHMS (Final Part I) Examination
One or More than one subject .. Rs. 80-00
(c) DHMS (Final Part II) Examination
One subject or More than one subject .. Rs. 100-00
If a candidate has to appear in both Part I or II of Intermediate or Final D.H.M.S. examination he shall have to pay the requisite fee for each examination.

(iii) Other Fees:
(i) Detailed Marks Fee (Compulsory) .. Rs. 10-00
(ii) Council Enrolment Fee .. Rs. 10-00

A candidate who fails to present himself/herself for the examination shall not be entitled to refund of the examination fee or to have it kept in deposit for a subsequent examination except in exceptional cases where the Chairman may consider fit to keep the fee deposited for a subsequent examination.

2. (a) The rates for payment to paper setters, Examiners, shall be as detailed below:—

Name of the Examination	For setting each question Paper	For marking per answer book	For practical and Viva voca examination per candidate	Minimum Fee
Final DHMS (Part II)	Rs. 50/-	Rs. 1-00	Rs. 1-25	Rs. 50-00
Final DHMS (Part I)	Rs. 50/-	Rs. 1-00	Rs. 1-25	Rs. 50-00
Intermediate DHMS	Rs. 50/-	Rs. 1-00	Rs. 1-25	Rs. 50-00

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979
(JYST. 4, 1901 SAKA)

367

(b) The Rates for Superintendent of Examination and other staff shall be given as below :—

- | | |
|---|--|
| 1. Superintendent | Rs. 30/- per day plus Rs. 30/- both for preparation and winding up the centre. |
| 2. Supervisors | .. Rs. 10/- per day |
| 3. Centre-Clerk-Typist | .. Rs. 8/- per day |
| 4. Daftri | .. Rs. 4/- per day |
| 5. Waterman/Water Women | Rs. 3/- per session (Containers and glass tumblers would be supplied by the College) |
| 6. Sweeper | .. Rs. 3/- per day |
| 7. Chowkidar | .. Rs. 3/- per day |
| 8. Typing of plans | .. Rs. 1/- per plan subject to maximum of Rs. 5/- for centre upto 100 candidates
Rs. 10/- for centre of 100-200 candidates
Rs. 15/- for centre of above 200 candidates. |
| 9. Arrangements of Seats | .. Rs. 10 for 200 candidates and Rs. 15/- for more than 200 candidates. This also includes removal of seats from the hall/room |
| 10. Stationery to be paid to Superintendent of examination Centre | Rs. 0.75 per working day (for centre upto 100 candidates).
Rs. 0.90/- per working day (for centre upto 300 candidates).
Rs. 1/- per working day (for centre upto 300 candidates).
Rs. 1.15/- per working day (for centre with more than 300 candidates).
<i>Plus</i> |

Rs. 8.00 for the whole examination for other stationery articles i. e. nibs, writing paper, Pen, Ink, Pins, lead Pencil, Pen Hold, Copying Pencil etc.

Note.—1. Conveyance charges.—The centre Superintendent will be paid on the following flat rates :—

- | | |
|------------------------|-------------|
| (i) upto 15 sessions | .. Rs. 20/- |
| (ii) 16—30 | .. Rs. 40/- |
| (iii) 31—50 Sessions | .. Rs. 70/- |
| (iv) above 50 sessions | .. Rs. 80/- |

If the distance from the residence to the centre exceeds 5 k.m. only two journeys per day, irrespective of the number of sessions, shall be allowed. Tonga or rickshaw charges should only be claimed when the conveyance is actually used and is admissible. It cannot be claimed as a matter of right. Centre Superintendents, who use their motorcycles/scooters shall be paid conveyance charges at the rate of 0.25 paise per k.m.

Note.—Advances to Superintendent:—A reasonable amount of advance will be paid to the Superintendents to meet contingent expenses at their centres. The Superintendent must take receipts of advances, if any, given to any member of supervisory staff and produce receipt in case of need.

3. Moderation of Results

(1) Before the results are declared, the result alongwith a statement of percentage of passes in the whole examination and in each subject, for the current and the preceding year shall be submitted to the Chairman by the Registrar.

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1979 368
(JYST. 4, 1901 SAKA)

(2) The Chairman shall order publication of the results. If on scrutiny of the figures, the Chairman considers that there has been distinct fall in the pass percentage in the whole examination in a particular subject, he may refer the matter to the Board of Studies for a specific modification of the results or to take any other action he considers necessary before ordering the publication of the results. The Board of Studies may get the result improved by giving some special additional grace marks if it is satisfied that pass percentage is low.

4. Publication of results

(1) For calculating pass marks for each examination, if a fraction is half or more it shall be rounded off to the next higher figure. If a fraction is less than one-half, it shall be ignored.

(2) The Registrar shall publish the results of the examinations. The lists of students taking the examination, showing in the case of successful candidates, the marks obtained by them, shall be simultaneously communicated to the institutions presenting the candidates.

(3) Failure statements of the examinees, showing the subject or subjects, in which they have failed to obtain the prescribed minimum number of marks, shall be prepared and communicated to the institutions concerned within 30 days of the publication of results.

5. Rectification of Results

(1) The Council shall have the power to quash the result of a candidate after it has been declared if—

- (i) he is disqualified for using unfair means in the examination; or
- (ii) a mistake is discovered in the result; or
- (iii) he is found ineligible to appear in the examination; or
- (iv) for any other reason considered valid for the purpose.

(2) A candidate shall be entitled to have his answer books retotalled on payment of a fee of Rs. 15 per paper. He shall also be entitled to see his answer books to ensure that these pertained to him, on payment of inspection fee of Rs. 15 per paper subject to the following conditions:—

(i) Application for retotalling is submitted to the Registrar within 30 days of the date on which the result is declared by the Council;

(ii) Retotalling will be done only to see that the marks awarded for various answers have been correctly added and that all the answer have been assessed by the examiner.

(3) If any mistake is discovered as a result of rechecking of an answer book (s) as provided in (i) above, the Chairman shall rectify the result. In such cases the fee and the inspection fee, if paid, shall be refunded.

(4) The Council shall have the power to quash the result already declared if it is satisfied that there has been grave irregularity in preparation of result or otherwise and also order the result to be modified.

6. Enrolment of Students

(1) The Registrar shall maintain a Register of students studying for the Council examinations. The Register shall contain, in respect of each student the name in full, the name of father, institution entered, date of admission, date of leaving the institution, every pass or failure in a Council examination with roll number, any University/Council scholarship, medal or prize won by the student, any diploma or punishment awarded and every diploma or degree taken by him.

(2) All students enrolled under the preceding regulation shall be called "Students of the Council".

(c) The Principal of every college, admitted to the privileges of the Council shall forward to the Registrar within one month of the date of admission, the names of the students together with their enrolment fees.

PUNJAB GOVT GAZ. (EXTRA.), MAY 25, 1949
(YST. 4, 1901 SAKA)

If a student is struck off the rolls of the institutions or is restituted or expelled, the fact shall immediately be reported to the Registrar for record in the Register of the students.

(4) Where an enrolled student has joined or re-joined an institutional the Principal shall communicate to the Registrar the student's enrolment number.

(5) On enrolment the student shall be informed through his Principal, of the number under which his name has been entered in the register, and that number shall be quoted in all subsequent reports concerning the student and in all applications by that student for admission to Council's examination

(6) An un-enrolled student who joins a college shall pay to the Council through his/college enrolment fee of rupees ten. No further fee for enrolment shall be charged unless the student's name is for any reason other than legitimate migration struck off the rolls of the college in which case he shall pay Rs. 10 to have his name entered in the Council Register.

(7) All applications for admission to Council examinations shall be scrutinized in reference to the Council register, and the Registrar may refuse the application of a candidate about whom complete particulars have not been reported and request him to forward through his Principal, a complete statement of the particulars.

(8) An enrolled student is entitled to get a certified copy of all the entries against his name on payment of rupees five.

(9) A person applying for change of his name in the Register shall submit his application to the Registrar.

The application shall be accompanied by—

(i) A fee of Rs. 10;

(ii) An affidavit relating to his present and proposed names duly sworn in the presence of a Magistrate by his parent or guardian in case he is minor or by himself in case he is major; and

(iii) cutting from the newspaper in which the proposed change of name has been advertised.

(10) The change in name, when allowed, shall be recorded in the register of students, with his original name as alias.

7. Migration of Students

Migration from one College to another :

(1) No student who has joined one college shall be admitted to another college during the same course unless the Principals of the colleges concerned agree and the sanction of the Registrar is obtained on the application form submitted by the student, alongwith a fee of Rs. 10.

(2) The Registrar may allow migration in special cases not covered by these regulations.

(3) The Principal of the College from which a student seeks migration shall issue a College Leaving Certificate within one month of sanction for migration being notified by the Registrar.

(4) The migrating student must join the new college withing fifteen days of the sanction of Migration. Otherwise his migration will automatically be cancelled unless the period is for sufficient cause extended by the Chairman.

(5) If a student changes his mind after putting in his application for migration he must inform the college concerned and also the Registrar immediately.

(6) No transfer certificate shall be issued unless the student has been enrolled in the Register of Students maintained by the Council.

(7) The college from which a student seeks migration is entitled to charge the tuition fees for the month in which the migration is sanctioned by the Council and the college to which the student migrates shall not charge fees for that month.

370

PUNJAB GOVT GAZ (EXTRA.), MAY 25, 1979
(JYST. 4, 1901 SAKA)

8. Migration of Students from other Councils to the Council Teaching Colleges Admitted to the Privileges of this Council

(1) Except when authorised by the Council migration of a candidate from a Homoeopathic College which has not been Recognised by the Central Council of Homoeopathy shall not be permitted.

(2) The migrating student must have;

(i) Passed the Intermediate Examination :

Provided that as far as possible migration shall be allowed only in such cases where the candidates seeking migration had secured nearly the same numbers of marks in the lower qualifying examinations for admission to the Intermediate course, as had been obtained by the last candidate admitted on merit, but in no cases migration would be allowed, where the person seeking migration did not fulfil the original minimum eligibility requirement laid down for the first year of the course.

(ii) Obtained the permission of the Principal of the College concerned, as well as the Council from which he wants to migrate.

(3) The migrating student must join the new college within 15 days of the sanction of migration by the Council. Otherwise his migration will automatically be cancelled unless the period is for sufficient cause extended by the Registrar.

(4) Migration will be allowed only if a seat in the particular batch of admission is available.

9. General

(1) Any student studying in a Homoeopathic College not admitted to the privilege of the Council whose standards and examinations are recognised as equivalent to the standards and examinations of this Council shall be eligible to migrate to other college in the same class, provided the Principals of the respective colleges and the Registrars of the respective Councils agree to such a migration. The migration will be allowed only after the student has passed the DHMS Intermediate examination subject to the fulfilment of conditions provided in the regulations relating to Migration of Students.

10. Examination Fees

(1)(a) The Registrar may, considering the circumstances of the cases, sanction remission of late fee.

(b) The chairman may, considering the circumstance of the case sanction the remission of extra late fee or both late fee as well as extra late fee.

(c) For the purpose of calculating late fee/extra late fee, the date of remittance of money by the candidate from the post office bank shall be taken as the date of receipt thereof by the Council.

(2) The admission form and fee of candidate whose result is declared after the expiry of the last date fixed for the submission of forms and fees to the Council office be accepted within ten days of the publication of the result without charging any late/extra fee. The period of 10 days shall be counted from the date of publication of result in the College. The date of publication in the college will be considered by adding three days on which the result was actually declared by the Council irrespective of the fact that whether the result was actually published on that date or not.

(3) Admission forms and fee received after the expiry of last date fixed for the submission of forms and fees, in respect of candidates whose results are declared late, shall be accepted without charging any late fee within ten days of the declaration of the result; with late fee of Rs. 15 within another ten days; and with other late fees thereafter.

PUNJAB GOVT GAZ. (EXTRA), MAY, 25, 1979 371
(JYST. 4, 1901 SAKA)

(4) A candidate who fails to present himself for examination shall not be entitled to refund of the fee or to have it kept in deposit for a subsequent examination provided that—

- (i) If a candidate dies before the commencement of the examination, the fee shall be refundable to his legal heirs ;
- (ii) If a candidate is declared ineligible to appear in the examination, he shall be entitled to refund of fee.
- (iii) If a woman candidate is unable to appear in the examination for a maternity reasons, her fee may be held over to the next examination provided that the application supported by a medical certificate, for crediting the fee for the examination is made to the Registrar within three months of the termination of the examination concerned.

The application for refund of the fee should be made within three months of the candidate having been declared ineligible for the examination.

11. Grace Marks

(i) A candidate who fails in one or more papers/subjects and/or aggregate may be given grace marks upto one per cent of the total aggregate marks (including the theory, oral and practical) to his best advantage in order to declare him to have passed the examination.

(ii) A candidate who fails in one or more subjects may be given grace marks upto one per cent in each subject separately in order to declare him/her eligible for earning exemption in a subject or subjects for placing him/her in a compartment.

(iii) A candidate who gets exemption in certain subjects and reappears in a subject/subjects may be given grace marks upto one per cent of marks in each subject separately in which he/she reappears in order to declare him/her to have passed the examination and/or who with this benefit becomes eligible for earning exemption in a subject or subjects or for placing him/her in a compartment.

(iv) The number of grace marks awarded to a candidate in the written and/or clinical parts of the examination be also counted for purposes of making up the minimum aggregate in order to enable him to pass the subject/examination. The grace marks so given would not be actually added to the aggregate.

(v) The grace marks awarded to a candidate in any subject(s) under Regulations relating to the grace marks in the various examinations shall not count towards aggregate of marks obtained by him in the examination.

12. Punishment for false statement

The Registrar shall have the power to disqualify a person if he is found guilty of obtaining or attempting to obtain a certificate or diploma to which he is not entitled for such period as he may consider necessary.

Such cases shall be reported to the Council.

13. Withdrawal of Admission Forms and Refund of Fees

(1) An admission form once submitted may be withdrawn by a Principal only under the following conditions :-

- (i) When a candidate has been sent up provisionally for shortage of attendance and that shortage has not been made up or condoned in accordance with the Regulations. Provided that the final report in respect of shortage cases shall be sent so as to reach the Council office at least 10 days before the commencement of the examination. Provided further that no request for restoration of candidature received during 5 days preceding the commencement of the examination shall be entertained. Admission form of a candidate who has completed the required percentage of lectures calculated on the basis of lectures delivered up to one month before the date of examinations cannot be withdrawn.

372

PUNJAB GOVT GAZ., (EXTRA.) MAY 25, 1979
(JYST. 4, 1901 SAKA)

- (ii) When a candidate's name has been struck off the rolls of the institution for non-payment of college/dues, provided such action has been taken before the commencement of the examination.
- (iii) When a candidate has been rusticated or expelled or his character certificate has been withdrawn for misconduct before the commencement of the examination.
- (2) Refund of Examination fees shall be allowed only if ;
- (i) The Principal intimates to the Council office at least a week before the commencement of the examination withdrawing the admission form of the candidate sent up provisionally for shortage in attendance.
- (ii) The Principal intimates to the Council office at least a week before the commencement of the examination that the candidate subsequent to submission of his admission form has fallen short of lectures and is, therefore, ineligible to take the examination.
- (3) Refund shall not be allowed :
- (i) When a candidate's name is withdrawn for non-payment of college/dues ; and
- (ii) When a candidate's name is withdrawn on account of his rustication or expulsion from college/Department or withdrawing character certificate for misconduct.
14. Principal of Colleges to act as Controller of Examination Centres to maintain discipline
- (1) Unless otherwise decided by the Council Principals of the colleges who are required to be in station in connection with the Council examination to maintain discipline outside the Examination Centres located in their colleges shall be paid Rs. 200 for the Annual Examination of the Council, and if the number of Examination Centres at the college is more than one the Principal concerned shall be paid an additional remuneration at the rate of Rs. 100 per centre subject to overall maximum limit of Rs. 400. For the supplementary Examination the Principal of the college where the Centre is located, shall be paid Rs. 100 and if the number of Examination Centres is more than one, the Principal shall be paid an additional remuneration at the rate of Rs. 50 per cent subject to overall maximum limit of Rs. 200. The Principal of a college shall act as Inspector of Examination Centre(s) of his college. He/She would inspect the centre at least four times in the Annual Examinations and twice in the Supplementary Examinations and shall send his/her reports in this behalf to the Registrar during the examination days.

B. R. BAJAJ,

Deputy Secretary to the Government of Punjab,
Department of Health and Family Welfare.

PUNJAB GOVT. GAZ., AUG. 29, 1980 (S.HDR. 7, 1982 SAKA) 345

GOVERNMENT OF PUNJAB
DEPARTMENT OF HEALTH AND FAMILY WELFARE

Notification

The 25th August, 1980

No. G.S.R.71/PA16/65/S.53 read with S 25 Amd. (2), 80.—With reference to Government of Punjab Department of Health and Family Welfare, Notification No. G.S.R.5/PA.16/65/S.25/Amd./80, dated the 22nd January, 1980, and in exercise of the powers conferred by section 53 read with section 25 of the Punjab Homoeopathic Practitioners Act, 1965 (Punjab Act No. 16 of 1965), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Homoeopathic Practitioners (General) Rules, 1973, namely :—

RULES

1. (1) These rules may be called the Punjab Homoeopathic Practitioners (General) (First Amendment) Rules, 1980.
- (2) They shall come into force on the date of their publication in the official Gazette.
2. In the Punjab Homoeopathic Practitioners (General) Rules, 1973 (hereinafter referred to as the said rules), for rule 26, the following rule shall be substituted, namely :—

“26. Payment of bills.—All the salary bills of the staff and other vouchers presented as a claim for money shall be received and examined by the Accountant. On being satisfied that the claim is in order, the bill shall be passed—

 - (a) by the Registrar, if the claim relates to a salary bill of the staff or is for an amount not exceeding one thousand rupees, and
 - (b) by the Chairman, in other cases”.
3. In the said rules, for rule 28, the following rule shall be substituted, namely :—

“28 Operation of Council's Accounts.—The accounts of the Council shall be operated by the Registrar and the Accountant, and in the absence of the Registrar by the Chairman and the Accountant.”

HARDIAL SINGH,

Secretary to Government, Punjab,
Department of Health and Family Welfare.

31-

Ref. No. 11/11/23



Punjab Government Gazette
EXTRAORDINARY
Published by Authority

CHANDIGARH, MONDAY, JANUARY 30, 1995
(MAGHA 10, 1916 SAKA)

LEGISLATIVE SUPPLEMENT

	CONTENTS	Pages
Part I	Acts	
	The Punjab Homoeopathic Practitioners (Amendment) Act, 1993 (Punjab Act No. 1 of 1995)	1-2
Part II	Ordinances	
	Nil	
Part III	Delegated Legislation	
	Nil	
Part IV	Correction Slips, Republications and Replacements	
	Nil	

Price : 90 Paise

(v)

- 32 -

PUNJAB GOVT GAZ. (EXTRA.), JAN. 30, 1995
(MAGHA 10, 1916 SAKA)

PART I
GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,
PUNJAB
Notification

The 30th January, 1995

No. 1-Leg./95.—The following Act of the Legislature of the State of Punjab received the assent of the President of India on the 2nd December, 1994, and is hereby published for general information :—

THE PUNJAB HOMOEOPATHIC PRACTITIONERS
(AMENDMENT) ACT, 1993
(Punjab Act No. 1 of 1995)

AN

ACT

Further to amend the Punjab Homoeopathic Practitioners Act, 1965.

As it enacted by the Legislature of the State of Punjab in the Forty-fourth Year of the Republic of India as follows :—

1. This Act may be called the Punjab Homoeopathic Practitioners (Amendment) Act, 1993.
2. In the Punjab Homoeopathic Practitioners Act, 1965, after section 16, the following section shall be inserted, namely :—

Short title.

Insertion of section 16-A in Punjab Act 16 of 1965.

"16-A. Renewal of registration.—(1) Every registered practitioner shall, on payment of such fees, as may be prescribed, get his registration renewed within three months from the date of commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1993, and thereafter, he shall get his registration renewed, after every five years' period, within a period of one month of the expiry of the five years' period.

(2) If the registered practitioner fails to get his registration renewed within the period specified in sub-section (1),

-33-

PUNJAB GOVT GAZ. (EXTRA.), JAN. 30, 1995
(MAGISA 10, 1916 SAKA)

his name shall thereafter stand removed from the Register :

Provided that the Registrar may, on payment of such additional fee as may be prescribed, entertain an application for the renewal of registration even after the expiry of the period specified for renewal in sub-section (1), but not later than two months after the expiry of the period referred to above, if he is satisfied that the applicant was prevented by sufficient cause from renewal of registration within this."

BAKISHISHI KAUR,

Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

No. CHSM-Pb/97/ 1761-1768

Dated: 18-06-97

A copy is forwarded to Dr. _____

Member, Council of Homoeopathic System of Medicine Punjab for information please.

1. Dr. S. K. Puri, 2. Dr. S. K. Aggarwal.
3. Dr. J. S. Bed, 4. Dr. S. S. Samadhin.
5. Dr. Tarlochan Singh, 6. Dr. H. K. Manoa
7. Dr. Tejinder Pal Singh, 8. Dr. P. S. Rana.


REGISTRAR

-3-

Ref. No. 100/1111

153
142



Punjab Government Gazette
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Published by Authority

CHANDIGARH, FRIDAY, MARCH 12, 1993
(PHALGUNA 21, 1914 SAKA)

PUNJAB VIDHAN SABHA SECRETARIAT

Notification
The 12th March, 1993

No. 1-PLA-93/11.—The Punjab Homoeopathic Practitioners (Amendment) Bill, 1993, is hereby published for general information under Rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):—

Bill No. 1-PLA of 1993

THE PUNJAB HOMOEOPATHIC PRACTITIONERS (AMENDMENT) BILL, 1993

BILL

further to amend the Punjab Homoeopathic Practitioners Act, 1965.

Enacted by the Legislature of the State of Punjab in the Forty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Punjab Homoeopathic Practitioners (Amendment) Act, 1993.

Short title.

2. In the Punjab Homoeopathic Practitioners Act, 1965, after section 16, the following section shall be inserted, namely:—

Insertion of section 16-A in Punjab Act 16 of 1965.

“16-A. Renewal of registration.—(1) Every registered practitioner shall, on payment of such fees, as may be prescribed, get his registration renewed within three months

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(617)

618

PUNJAB GOVT (GAZ. (EXTRA.), MARCH 12, 1993
(PHON. 21, 1914 SAKA)

from the date of commencement of the Punjab Homoeopathic Practitioners (Amendment) Act, 1993, and thereafter, he shall get his registration renewed, after every five years' period, within a period of one month of the expiry of the five years' period.

(2) If the registered practitioner fails to get his registration renewed within the period specified in sub-section (1), his name shall thereafter stand removed from the Register :

Provided that the Registrar may, on payment of such additional fee as may be prescribed, entertain an application for the renewal of registration even after the expiry of the period specified for renewal in sub-section (1), but not later than two months after the expiry of the period referred to above, if he is satisfied that the applicant was prevented by sufficient cause from renewal of registration within time".

STATEMENT OF OBJECTS AND REASONS

Under the Punjab Homoeopathic Practitioners Act, 1965 there is no provision for periodic renewal of registration of persons registered by the State Homoeopathic Council, in the absence of which, it is not possible to maintain up-dated Register. It is proposed to add new section 16-A for this purpose. Hence the bill.

LAL SINGH,

Health & Family Welfare Minister,
Punjab.

G. L. KAUL,

Secretary.

Chandigarh :
The 12th March, 1993.

Part I

Part II

Part III

Part IV

Price :