

The Orissa Homoeopathic Regulation, 1962

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Rule THE-ORISSA-HOMOEOPATHIC-REGULATION-1962 of 1962

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The Orissa Homoeopathic Regulation, 1962Published vide Notification No.157-H. B.O., dated 22nd February, 1962, Orissa Gazette Part-3/2-3-1962Notification No.157-H. B.O., dated 22nd February, 1962. - The following regulation made under Clauses (a) and (c) of Sub-section (1) of Section 53 of the Orissa Homoeopathic Act, 1956 are hereby published in the Gazette for general information in pursuance of Sub-section (3) of the above section having been previously approved by the State Government.

1.

The Board for the purpose of transacting its business shall ordinarily meet at such time and place as may be fixed under the direction of the President and a notice thereof shall be issued at least 15 days prior to the date of meeting :Provided that there shall be at least two meetings in a year and the meeting of the Board required to be held under Section 38 of the Act shall be held in the third week of December every year.

2.

An extraordinary meeting of the Board may be convened by the President after giving at least 7 clear days' notice (i) whenever it appears to him necessary ; or (ii) on a written requisition stating the purpose and signed by not less than six members of the Board.

3.

Notice of every meeting of the Board shall be given to the members thereof under the signature of the Secretary by Registered post and the date of registration shall be deemed as the date of service.

4.

Such notice of an ordinary or extraordinary meeting shall be accompanied by a programme of business to be transacted at such meeting.

5.

If at time appointed for a meeting or within half an hour thereafter, a quorum is not formed the meeting shall stand adjourned to some future date to be fixed by the President. If quorum is not present in a meeting held after two such consecutive adjournments, the business will be transacted by the members present at such a meeting.

6.

The President may adjourn at any time, any meeting or any business to any future date or to any hour of the same day.

7.

When any meeting adjourned to a future date is subsequently changed by the President to any other date, the Secretary shall send written notice of the change to each member ; provided that every such intimation shall carry at least a week's notice.

8.

Every motion or amendment proposed by a member at a meeting must be seconded by a member, otherwise the motion or amendment shall not be taken into consideration.

9.

Any amendment having merely the effect of a negative note shall not be moved.

10.

Where identical motions stand in the names of two or more members, the President shall decide according to priority whose motion shall be moved and the other motions shall thereupon be deemed withdrawn.

11.

The President shall decide if any non-official motion is in order.

12.

A motion or an amendment shall be recorded in writing, if so directed by Chair, and no motion or amendment shall be withdrawn after having been read from the Chair, or read by the authority of the Chair, without the permission of the Board.

13.

If an amendment be proposed, it shall be disposed of before any other amendment is moved.

14.

A member desiring to make any observation on any subject before the Board shall rise when he speaks, shall speak from his place and shall address the President. At any time if the President rises, any member speaking shall immediately resume his seat.

15.

No speech shall exceed five minutes in duration, provided the mover of a motion when moving the same may speak for ten minutes, if the President so permits.

16.

No member shall be heard except on business before the Board otherwise than by permission of the President specially obtained in that behalf.

17.

(a)When any member has made a motion, other members may speak on it in such order as the President may direct ; provided that the seconder of a motion may, with the permission of the President, reserve his remarks and may speak at any period of the debate.(b)After all the members have had an opportunity of speaking the mover may speak once by way of reply. No member other than the mover shall speak more than once to any motion except with the permission of the President for the purpose of clarification of any doubt.(c)A member, who has spoken upon a motion, may speak again upon any amendment thereof, afterwards moved.

18.

(a)Every matter required to be determined by the Board shall be in the form of a motion.(b)Votes shall ordinarily be taken by voice or by show of hands or by division, if any member so desires. The President shall determine the method of taking votes by division.

19.

When an amendment has been proposed and discussed, it shall be put to the vote, and if it is not accepted by majority of votes, a second amendment, if any, will be discussed and so on until no further amendment is proposed.

20.

If and when all the amendments have been negatived, the original motion shall be put to the vote.

21.

If any amendment be carried, the original motion so amended, shall be regarded as a substantive motion and amendments to such motion may then be moved.

22.

In all cases where a division has taken place, any member of the Board may require that the name or the number or both the names and the number of the majority, or of the minority, of those who decline to vote, and of those who are absent, be entered in the minutes book and thereupon the required particulars shall be entered.

23.

When a motion is under debate, no further proposal shall be received except one of the following (a) An amendment, namely- "That the motion be amended as follows". (b) The postponement of the question, namely- "That the consideration of the motion be postponed". (c) The adjournment of the debate, namely- "That the debate on the motion be now adjourned". (d) The adjournment of the Board, namely- "That the Board do now adjourn". (e) The closure of the debate, namely- "That the Board do now proceed to vote the motion". (f) The previous question as to the motion, namely- "That the Board, instead of proceeding to deal with the motion, do pass to the next item on the programme of business".

24.

When an amendment is under debate, no further proposal be received except one of the following : (a) The adjournment of the debate on the amendment, namely : "That the debate on the amendment be now adjourned". (b) The adjournment of the Board, namely ! "That the Board do now adjourned". (c) The closure of the debate on the amendment, namely : "That the Board do now proceed to vote on the amendment".

25.

The proposal for the postponement of the question may specify a date for further consideration of the question or for postponement sine die.

26.

If the proposal for the adjournment of the debate be carried, the Board shall pass to the next item on the programme of business and the debate shall be resumed at the next ordinary meeting of the Board, the proposer of the adjournment shall, on resumption of the debate, be entitled to speak first.

27.

If the proposal for the adjournment of the Board be carried, the question under debate shall be dropped from the programme of business.

28.

On the proposal for the adjournment of the Board being made and seconded it shall be competent for the President or Chairman, as the case may be, before putting the question, to take the opinion of the Board as to whether it will before rising proceed to the transaction of unopposed business.

29.

The proposal for the closure shall be made and seconded without debate and shall be put forthwith unless the President or Chairman, as the case may be, shall rule otherwise. In the event of the proposal being carried the motion or amendment under debate shall be at once voted on by the Board.

30.

The proposal for the previous question shall be made and seconded without debate, and shall be put forthwith. In the event of the proposal being carried, the motion or amendment to which it applied be dropped, from the programme of business.

31.

Any motion standing over from the previous day shall take precedence over new motion unless the Board shall otherwise determine.

32.

When for the purpose of explanation during discussion or for any other sufficient reason any member has occasion to ask a question to another member relating to the business then before the Board, he shall ask the question through the President.

33.

If at any time any member of the Board finds himself incapable for some unavoidable reason to be present at a meeting of which notice has been served on him, he shall inform immediately the President about his inability to attend such meeting. The President may postpone the meeting to any future day if he so desires and Secretary shall inform each member about the postponement at least two days before the date of such meeting.

34.

The Secretary-cum-Registrar will remain in immediate charge of the office of the Homoeopathic Board and shall be responsible for maintenance of general discipline in the office and to supervise the work of the ministerial officers of the Board.

35.

The Secretary shall be responsible for the proper maintenance of the cash-book and other registers and it will be his duty to check the cash book daily and to see that no amount above the Impress is retained in the office on any particular day.

36.

He will periodically inspect the work in the different branches in the office of the Board in order to see that work is done in a business like manner.

37.

The Secretary is empowered to draw up Proceedings against Class III and Class IV officers and to submit the records to the President for further action ; provided that order inflicting punishment shall be passed by the President. An appeal against the orders of the President shall lie to the Board and such appeal shall be filed within 30 days from the date of the order.

38.

The President may hold an enquiry, if necessary, into the conduct of any officer of the Board personally.

39.

The President shall be competent to appoint and discharge all employees of the Board corresponding to Class III and Class IV of the Government cadres.

40.

The employees of the Board who, by their appointment or by virtue of the amount of pay they receive, are classed higher than Class III will be punishable by the Board ; provided that in such cases the enquiry into the conduct of the officers concerned shall be held by a panel constituted under the Board.

41.

The Board shall lay down the standards of the examination to be held the place and time and fix up examiners etc., for this purpose.

42.

For purposes of holding enquiry under Section 28 of Act the following procedure shall be followed : (a) The Registrar shall call upon the applicant to file his degree, diploma or certificates in Original within fifteen days from the date of receipt of notice, if such degree, diploma or certificates have not been filed in the first instance alongwith his application form. (b) On receipt of the documents referred to, within the time prescribed, the Registrar shall scrutinise them to see that they are in order and in case they are not so, inform the applicant of the fact and close the case.

43.

(1) The diplomas or certificates submitted by the applicants will be verified in the list of qualifications approved by the Board. If it is found that the qualification is included in the said list, the applicants will be registered. (2) If the applicant claims to be a whole-time practitioner the documentary proof to that effect should be produced. This document will show that he is a whole-time practitioner in Homoeopathic system of medicine for not less than ten years prior to the 5th April, 1957. In support of this he will produce invoices of firms from which medicines are purchased or correspondence with the firms for the purchase of the same or case records and attendance register in which the names of patients and medicines prescribed have been entered or certificates and testimonials recognising the efficient practice of the applicant. Such records relating to each of his ten years' practice should be produced in original which will be returned when done with. (3) Registration of the names of applicants under Section 21 (d) and (e) will be done by the Board itself. (4) The Board will authorise entry of the listed Homoeopathic practitioners in the Register maintained for the purpose under Section 21 (3) (a).