

# **The Punjab Homoeopathic Practitioners (General) Rules, 1973**

PUNJAB

India

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### **Rule**

### **THE-PUNJAB-HOMOEOPATHIC-PRACTITIONERS-GENERAL-RULES-1 of 1973**

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The Punjab Homoeopathic Practitioners (General) Rules, 1973Published vide Notification No. GSR 75/PA 16/65/S.53/73. dated 16th July, 1973.No. GSR 75/PA 16/65/S.53/73. - 16th July, 1973. - With reference to Government notification No. GSR 14/PA 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:-

### **1. Short title and commencement.**

(1)These rules may be called the Punjab Homoeopathic Practitioners (General) Rules, 1973.(2)They shall come into force on the date of their first publication in the official Gazette.

### **2. Definitions.**

- In these rules, unless the context otherwise requires -(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. Registration of Practitioners.**

- [Section 16 read with Section 53(2)(d) (i) and (ii) (m)]. - (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 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.(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-section (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 Certificate in form "B" on payment of a fee of five rupees and the applicant whose name is rejected shall be sent an intimation of rejection by registered post.

#### **4. Change of Address to be intimated to the Registrar.**

- [Sections 15(3) and 16 read with Section 53(2)(m)]. - (1) Every Registered Practitioner shall intimate the Registrar any change in his address and shall also promptly answer all such enquiries as may be made from him by the Registrar in regard thereto, in order that his correct address may at all times be maintained in the register.(2)A Registered Practitioner who changes his name shall immediately inform the Registrar about his changed name and satisfy the Registrar that he has already notified the fact of change of his name in a newspaper having wide circulation in the area in which he carried on his business and published in the regional language of that area. The Registrar shall, on being so satisfied, correct the register accordingly. He shall also, on being required to do so, by the Registered Practitioner, make necessary correction in the registration certificate.

#### **5. Entries in Register regarding further qualifications.**

- [Section 15(4) read with Section 53(2) (m)]. - (1) A Registered Practitioner who obtains any further degree, diplomas, certificates or other qualifications in Homoeopathy, recognised by the Council and is desirous of getting his name entered in the register, shall make an application to the Registrar about the same along with a fee of twenty rupees. He shall also furnish along with his application the original degrees, diplomas or certificates, as the case may on the basis of which the entry in the register is sought.(2)If the Registrar, on receipt of application under sub-rule (1) and after making such further enquiry as he may deem proper, is satisfied that the applicant is entitled to have entered in the Register, the degrees, diplomas or certificates, as the case may be, obtained by him, he shall do so. If he is not satisfied, he will reject the application:Provided that no order rejecting any application shall be passed without giving the applicant an opportunity of being heard.(3)The applicant whose application is not rejected may get his registration certificate amended from the Registrar on the basis of entries made in the register under sub-rule (2).

## **6. Issue of duplicate registration certificates.**

- [Sections 16 and 53(ii)]. - If a registration certificate is lost, destroyed or mutilated, the Registrar shall, on being satisfied about the same, issue a duplicate registration certificate on the application of the Practitioner in whose favour the certificate which has been lost, destroyed or mutilated was issued. A fee of ten rupees shall be paid by the Registered Practitioner for the issue of duplicate registration certificate.

## **7. Removal of registration.**

- [Sections 16 and 53]. - Whenever information reaches the offices of the Registrar that a practitioner 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 in his profession or has been found, after the due enquiry, guilty of conduct which is in the opinion of the Council, infamous in any professional respect, the Registrar shall make an extract of such information and place the same before the Council for such action as the Council may like to take under the provisions of sub-section (5) of section 16: 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. Surrender of Registration Certificate.**

- [Sections 16 and 53]. - 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. Re-entry of name of practitioner.**

- [Sections 15(5), 16(5) and 53(2)(d) and (m)]. - (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. Publication of list of practitioners.**

- [Sections 16 and 53(1)]. - (1) The list of practitioners referred to in sub-section (1) 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. Appeals.**

- [Sections 17(1) and 53(2)(c)]. - (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. Procedure for hearing appeals.**

- [Sections 17 and 53(2) (a)]. - (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. Form of register.**

- [Sections 15(2) and 53(2)(c)]. - (1) The Register shall be divided into the following two parts :- (2)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.

## **14. Particulars to be in register.**

- [Sections 15(2) and 53(2) (c)]. - (1) The Register shall show in respect of each practitioner the following particulars:-(a)Registration Number;(b)Full name, in the case of married woman, her maiden name and full married name;(c)Father's name;(d)Date of birth;(e)Address;(f)Place or places and period or periods of training;(g)Nature of qualifications and dates on which these qualifications were obtained in the case of practitioners in Part 'A' of the Register;(h)System in which practising in the case of practitioners registered in Part 'B' of the Register;(i)Date of Registration;(j)Remarks:

## **15. Verification.**

- [Sections 15(2) and 53(2) (c)]. - Each page of the Register shall be verified by the Registrar's signatures.

## 16. Seal of the Council.

- [Sections 3(2) and 53(1) and 2(m)]. - The common seal referred in sub-section (2) of section 3 shall be kept by the Registrar in his custody. It shall be affixed on the each Registration Certificate which is issued under the provision of these rules or on such other documents as the Chairman may, by order, direct.

## 17. Allowances payable to the members for attending meeting.

- [Sections 24 and 53(2) (f)]. - Each member shall be entitled to get an allowance of thirty rupees per day of attending a meeting of the Council which shall be paid in addition to the Travelling Allowance in accordance admissible to him under these rules.

## 18. Travelling allowance admissible to members.

- [Sections 24 and 53 (2)(f)]. - For attending meeting of the Council the official member shall be paid Travelling Allowance in accordance with the provisions of the Punjab Travelling Allowance Rules, as amended from time to time. Non-official members will be allowed Travelling Allowance at first class railways fare but the allowances for incidental expenses will be paid to them at half the second class fare and if the line by which they travel does not provide second class accommodation, 10 paise per for every 4 kilometre or fraction thereof.

## 19. Deposit of Council's money in Bank.

- [Section 25]. - The Council shall open an account in the State Bank of India or any other nationalised Bank and all money received by it shall be deposited in the State Bank, subject to the provision of rule 21.

## 20. Travelling allowance by Road admissible to members.

- [Sections 24 and 53(2) (f)] - The members of the Council shall be entitled to draw the following rates of the mileage allowance for travels by Road or various kinds of conveyances.

[Motor Car [Vide Punjab Gazettee Legislative Suppliment Part III dated 15-2-1985.]	Motor	Other means of	Single seat in a
	Cycle/Scooter	conveyance	bus or taxi
1	Re. 0.30	Re. 0.45	Re 0.20
per kilometer	per kilometer	per kilometer	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. Receipt of money on behalf of Council.**

- [Sections 25 and 53(1)]. - All moneys payable to be Council shall be received on behalf of the Council by the Registrar or any other employee of the Council authorised by him in writing in this behalf, and shall be deposited in the State Bank of India on 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.

## **22. Maintenance of cash book.**

- [Section 53(1)]. - 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.

## **23. Preparation of Statement of income and expenditure.**

- [Sections 25 and 53(1)]. - (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 matters as appear to him to be necessary for being brought to the notice of the Council. (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. Preparation of estimate.**

- [Sections 25 and 53(1)]. - (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. (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.

## **25. Preparation of Supplementary estimate.**

- [Sections 25 and 53(1)]. - The Council may at any time, during the financial year for which any estimate has been sanctioned, cause a Supplementary estimate to be prepared and submit to it. Every such supplementary estimate shall be considered by Council in the same manner as if it were an original annual estimate. No expenditure shall be incurred which is not duly provided in the estimate sanctioned under sub-rule (3) of rule 24 or in a supplementary estimate.

## **26. [ Payment of bills. [Substituted vide Legislative Supplement Part III dated 29.8.80.]**

- 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.]

## **27. Refunds.**

- [Sections 25 and 53(1)]. - Amounts received by the Council towards fees shall not be refunded under any circumstances. The amount thus received shall remain credited to the accounts of the Council:Provided that any amount paid by a practitioner in excess of the prescribed fee shall be credited to the suspense amount of the Council and may be refunded if claimed within a period of three years and if no claim for refund is made within the aforesaid period the amount shall be credited to the account of the Council.

## **28. [ Operation of Council's Accounts. [Vide Punjab Gazettee Legislative Supplement Part III dated 29.8.80.]**

- 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.]Appendix "A"[See Rule No. 3(1)][Application for Registration under Section 16 of the Punjab Homoeopathic Practitioners Act, 1965]ToThe 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.Signature of applicant.Dated \_\_\_\_\_ 19Particulars Of The ApplicantNote. - 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 qualification \_\_\_\_\_

**7. Name and address of recognised** \_\_\_\_\_

Faculty/Board/University where studied (b) Period of study in the Institution \_\_\_\_\_  
mentioned above (c) Name of examination passed \_\_\_\_\_ (d) Year in which passed  
\_\_\_\_\_

**8. If studied privately, intimate :-**

(a) Name and address of the institution \_\_\_\_\_ (b) Period of study  
\_\_\_\_\_ Period of practice (from \_\_\_\_\_ to  
\_\_\_\_\_)

**9. If Registered/Enlisted with any State Council/Board** \_\_\_\_\_

(a) Registration/Enlistment Number \_\_\_\_\_ [Enclose a copy of  
Certificate] (b) Name of State Council/Board \_\_\_\_\_

**10. (a) Fifty rupees for making entry in the Register, and five rupees for the  
issue of Registration Certificate have been sent, vide money order/bank  
draft/IPO/No. \_\_\_\_\_ dated \_\_\_\_\_**

(b) In case the fee is paid in cash, please give official receipt No. \_\_\_\_\_ dated  
\_\_\_\_\_. Notes. - 1. The Registration fee may be sent by money order/bank  
draft/Indian Postal Order or may be given in cash to the Registrar.

**2. The Diploma/Degree of the recognised institution may be sent along with  
this application.**



### 3. Strike out the columns/words which are not applicable.

(Signature of the applicant) Dated \_\_\_\_\_ 19 \_\_\_\_\_ Affidavit I \_\_\_\_\_  
son/daughter of Shri \_\_\_\_\_ resident of village/Mohalla \_\_\_\_\_  
\_\_\_\_\_ Post Office \_\_\_\_\_  
\_\_\_\_\_ Police Station \_\_\_\_\_  
Tehsil \_\_\_\_\_ District \_\_\_\_\_  
and practising/to practice at village Mohalla \_\_\_\_\_ Post Office \_\_\_\_\_  
\_\_\_\_\_ Police Station \_\_\_\_\_ Tehsil \_\_\_\_\_  
District \_\_\_\_\_ State \_\_\_\_\_ declare as follows :-(a) That I have not  
been convicted and sentenced by a Criminal Court to imprisonment for any offence involving moral  
turpitude. (b) That I have not been adjudicated by 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 for  
Punjab. I solemnly declare and affirm that the contents given in my application for 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. (Signature of the applicant) Dated \_\_\_\_\_  
19 \_\_\_\_\_ 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 \_\_\_\_\_ (To be filled in by  
office) Registration application received on \_\_\_\_\_ Diary No. \_\_\_\_\_  
\_\_\_\_\_ dated \_\_\_\_\_ (a) Fee for making  
entry in the Registration and for issuing certificate received on \_\_\_\_\_  
\_\_\_\_\_ Official Receipt No. \_\_\_\_\_ dated \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_  
\_\_\_\_\_ Cash Book Page No. \_\_\_\_\_  
\_\_\_\_\_ Personal Ledger Page No. \_\_\_\_\_ Signature of the  
Cashier \_\_\_\_\_ Signature of the Accountant. Order of the Registrar  
\_\_\_\_\_ Registration No. \_\_\_\_\_ Part \_\_\_\_\_  
\_\_\_\_\_ Registration Certificate issued on \_\_\_\_\_ vide  
despatch No. \_\_\_\_\_ dated \_\_\_\_\_ 19 \_\_\_\_\_ Original Degrees/Diplomas or  
Certificates scrutinized and returned to the applicant on \_\_\_\_\_  
vide despatch No. \_\_\_\_\_ dated \_\_\_\_\_ 19 \_\_\_\_\_  
\_\_\_\_\_ 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 the regard thereto, in order that his correct address may be duly inserted in 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. Appendix 'C' [See Rule No. 22] Council of Homoeopathic System of Medicine, Punjab, Chandigarh General Cash Book

Month	Date	Folio No. of classified abstract Register	Departmental Major, Minor and detailed heads and sub-heads of Account	Particulars of receipt and names of the persons from whom received
1	2	3	4	5

Remittance to Bank

No. of, office receipt and date	Amount	Daily Total	No. and date of Bank Receipt	Amount
6	7	8	9	10

Expenditure

Month	Date	Folio No. of classified Abstract Register	Departmental Major, Minor and Sub-heads and detailed sub-heads of Account	Particulars of charge and name of payee
11	12	13	14	15

No. and date of voucher	No. and date of cheque	Amount	Daily Total
16	17	18	19