

The M.P. Homoeopathy Council (Publication of Register and Appeal) Rules, 2000

MADHYA PRADESH

India

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Rule

THE-M-P-HOMOEOPATHY-COUNCIL-PUBLICATION-OF-REGISTER-AND-APPEAL-RULES-2000

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The M.P. Homoeopathy Council (Publication of Register and Appeal) Rules, 2000 Published vide Notification No. F. 16-84-98-50 5-ME-2, dated 11-12-2000, M.P. Rajpatra (Asadharan), dated 12-12-2000 In exercise of the powers conferred by clauses (k), (1), (o) and (q) of sub-section (2) of Section 51 read with Sections 21,22,26 and 48 of the Madhya Pradesh Homoeopathy Council Adhiniyam, 1976 (No. 19 of 1976), the State Government repeals the Madhya Pradesh Homoeopathy Council (Publication of Register and Appeal) Rules, 1976 and all amendments made thereafter and hereby substitutes the following rules, namely :

Chapter I Preliminary

1. Short title.

- These rules may be called the Madhya Pradesh Homoeopathy Council (Publication of Register and Appeal) Rules, 2000.

2. Definitions.

- In these rules, unless the context otherwise requires :-(a)"Adhiniyam" means the Madhya Pradesh Homoeopathy Council Adhiniyam, 1976 (No. 19 of 1976);(b)"Appendix" means the Appendix appended to these rules;(c)"Form" means the forms appended to these rules;(d)"Section" means a

section of the Act;(e)"Schedule" means the schedule appended to the Adhiniyam and Homoeopathy Central Council Act, 1973;(f)"Year" means a calendar year.

Chapter II

Registration

3. State Registers of Homoeopathy.

- The Registers under Section 21 shall be maintained in Forms "A", "B" and "C".(1)The Register for sub-section (1) of Section 22 shall be in Form "A" for persons who possess qualification mentioned in the Schedule of Adhiniyam.(2)The Register for sub-section (2) of Section 22 shall be in Form "B" for persons who were enrolled under Section 16 (2) of the Madhya Pradesh Homoeopathic and Biochemic Practitioners Act, 1951 repealed by the Madhya Pradesh Homoeopathy Parishad Adhiniyam, 1976 and who were entered in the register maintained under Rule 3 (1) of the Madhya Pradesh Homoeopathy Council (Publication of Register and Appeal) Rules, 1976.(3)The Register for Section 24 shall be in Form "C" for persons required to undergo for training for a period specified in the recognised courses to pass the qualifying examination.(4)The persons entered in the register maintained under the Madhya Pradesh Homoeopathy Council (Publication of Register and Appeal) Rules, 1976 shall be allotted new registration numbers in the sequential order in respective registers in Form "A" and "B" and certificate of registration in Form "D" shall be issued.(5)Each page of the Register shall be verified and signed by the Registrar.

4. Verification and renewal.

(1)The Registrar shall verify the State Register of Homoeopathy after every five years and shall intimate for renewal to all such practitioners enrolled earlier than one year from the date of publication of these rules under Section 22 of the Act, through a notification in atleast two State newspapers, and send a letter of intimation alongwith an application in Form "E".(2)Every person, within one year or on any other date fixed by the Council for the first time after publication of these rules and within 180 days from the expiry of five years of renewal, shall apply in Form "E" alongwith his certificate of registration, and pay the fee as specified in the Appendix.(3)The registration fee and other fees payable under these rules shall be such as specified in the Appendix.(4)Every registration certificate renewed, shall be endorsed and its corresponding entry shall be made in the State Register of Homoeopathy, which shall be attested and signed by the Registrar. After verification of the entry, the certificate in Form "D" shall be sent to the person concerned through registered spot.(5)If any person fails to apply alongwith the fee as specified in the Appendix in accordance with sub-rule (2) his registration under Section 22 of the Adhiniyam, shall be cancelled. He may apply for restoration of his name of Form "F" after paying the fee as specified in the Appendix.

5. Publication of the register.

(1)The Registrar shall revise the register every five years and enter therein,-(a)the number of practitioners already registered;(b)the number of practitioners registered during the period of five years preceding the revision of the register;(c)the number of practitioners whose names have been removed from the register during the period of five years preceding the revision of the register stating the sub-section and section of the Adhiniyam under which the names have been removed;(d)the number of practitioners whose names have been restored to the register during the period of five years preceding the revision of the register; and(e)the number of practitioners whose names have been removed by reason of death during the period of five years preceding the revision of the register.(2)The revised register shall be published in the Madhya Pradesh Gazette within 180 days after completion of the period of five years preceding the revision of the register and the registered practitioner adversely affected by the revision shall be informed of the adverse effects on them, by registered post.(3)A copy of the register in accordance with Rule 3 or the revised register, as the case may be, so published, shall be affixed on the notice-board of the Council.(4)Printed copies of the register may be made available for sale at a price to be decided by the Council.(5)The Registrar shall verify and authenticate all entries that may be made, altered or erased during each year.

6. Application and fees for registration.

- The application for entry under sub-section (1) of Section 22 shall be in Form "F" and shall be accompanied by a receipt of payment of fee as specified in the appendix, and a true copy of certificate of recognised qualification duly attested by a Magistrate or a Gazetted Officer. The applicant may also enclose attested copies of such other certificates and documents in support of his application. The Registrar may require the applicant to furnish any other certificate/document in original for verification.

7. Provisions registration.

(1)No candidate after passing the qualifying examination shall be allowed to undergo training unless he has applied in Form "G" through the principal of the recognised institution in which the applicant has been asked to undergo training and paid the fees for provisional registration.(2)The provisional registration granted under Section 24 of the Adhiniyam shall remain in force for a period not exceeding 6 months from the date on which the Council/University awarded diploma/degree to the successful candidate.(3)The practitioner who has been granted the provisional registration in Form "H" after completion of training shall obtain his diploma/degree and submit its copy duly attested to the Registrar within 6 months fixed under sub-rule (2) for registration under Section 22 of the Adhiniyam.(4)If any person fails to apply under sub-rule (3) within the time prescribed therein, he shall cease to be registered under clause (a) or (b) of Section 24 of the Adhiniyam and his name shall be removed from the State Register. On application for re-registration of his name, he shall be liable to pay late fee as specified in Appendix.

8. Addition of qualification.

- Any person who intimates to enter any additional qualification against his name may make an application alongwith the certificate and shall pay the fee as specified in the Appendix.

9. Duplicate copy of registration.

- An application for a duplicate copy of the registration certificate shall be submitted to the Registrar accompanied by an affidavit showing cause for obtaining the duplicate copy and shall pay the fee as specified in the Appendix.

10. Change of name or surname.

- Any practitioner willing to change his/her name or surname or address shall make an application alongwith proof for such change to the Registrar, and shall pay the fee as specified in the Appendix. The Registrar shall change the entry and inform the applicant in writing.

11. Certificate of registration.

- The certificate of registration under sub-section (3) of Section 22 shall be in Form "D" and the provisional certificate of registration under Section 24 shall be in Form "H".

12. Verification from outside State.

- Any person who holds recognised qualification from the State other than Madhya Pradesh, if applied for registration to the Council, shall be liable to pay the prescribed fee for verification. If the Council is asked for verification from other Council/Board for granting registration, the Registrar shall verify such cases after receipt of the fee as specified in the Appendix.

13. Manner of payment of fee.

- The fee required to be paid under these rules may be paid in cash/money order or through Bank Draft payable to the Registrar.

Chapter III

Appeals

14. Memorandum of appeal.

(1) Every appeal under Section 48 of the Adhiniyam shall, - (a) be filed within forty-five days from the date of communication of the order against which the appeal is to be filed; (b) be accompanied by a satisfactory proof of payment of a fee specified in the Appendix; (c) apply in writing; (d) specify the

name and address of the appellant;(e)specify the date of the order against which the appeal is to be filed;(f)specify the date on which the order was communicated to the appellant;(g)enclose a statement of facts;(h)state precisely the relief prayed for; and(i)be signed and verified by the appellant or an agent duly authorised by him in writing in this behalf in the following form, namely :-"I..... the appellant named in the above memorandum of appeal do hereby declare that what is stated therein is true to the best of my knowledge and belief.".....Signature(2)The memorandum of appeal shall be accompanied by an authenticated copy of the order against which the appeal is preferred, unless the appellant satisfies the appellate authority at the time of presentation of the appeal that there is sufficient cause for omission in such case it shall be filed within such time as may be fixed by the said authority.(3)The memorandum of appeal shall be in duplicate and shall be presented to the appellate authority either by the appellant or his agent or sent to said authority by registered post. When an appeal is presented by an agent duly authorised by the appellant it shall be accompanied by a duly stamped letter of authority appointing him as such.

15. Summary rejection of appeal.

(1)If the memorandum of appeal does not comply with all or any of the requirements of Rule 14. The appeal may be summarily rejected :Provided that no appeal shall be summarily rejected under this sub-rule unless the appellant is given such opportunity as the appellate authority thinks fit to amend such memorandum of appeal so as to bring it into conformity with the requirements of rule.(2)An appeal may also be summarily rejected on any other grounds which shall be reduced to writing by the appellate authority :Provided that before an order summarily rejecting an appeal under this sub-rule is passed, the appellant shall be given a reasonable opportunity of being heard.

16. Hearing of appeal.

(1)If the appellate authority does not reject the appeal summarily, it shall fix a date for hearing the appellant or his duly authorised agent.(2)The said authority may at any stage adjourn the hearing of an appeal to any other date.(3)If on the date fixed for hearing or any other date to which the hearing is adjourned, the appellant does not appear before the said authority either in person or through an agent duly authorised by the appellant, the said authority may dismiss the appeal or may decide it ex parte as it thinks fit.(4)When an appeal is dismissed or decided ex parte under sub-rule (3), the appellant may within 60 days from the date of communication of such order apply to the appellate authority for re-admission or re-hearing of the appeal and if the appellate authority is satisfied that the appellant or an agent duly authorised was prevented by sufficient cause from appearing when the appeal was called for hearing he may, re-admit or re-hear the appeal upon such terms including terms as to cost and conditions as it may think fit.

17. Supply of copy of order passed in appeal.

- A copy of the order passed in appeal shall be supplied free of costs to the appellant and another copy shall be sent to the officer whose order forms the subject-matter of the appeal.

18.

The Council, if required, may make correction in the forms appended to these rules.

19. Repeal and saving.

- All rules corresponding to these rules in force immediately before the commencement of these rules are hereby repealed :Provided that any application for registration either under Section 22 or 24 is complete and fee deposited but pending for grant of registration under the rules so repealed shall be deemed to have been made under the corresponding provisions of these rules. Form "A"[See Rule 3(1)] State Register of Homoeopathy

Sl. No.	Name with Father's/ Husband's name	Date of birth	Residence and place of practice	Qualification academic and medical	Year of passing	Name of University/ Board acquired from	
1	2	3	4	5	6	7	
Registration number with date	Renewal date	Reason for removal of name, date and rule under which removed		Re-entry date	Signature of Registrar	Additional qualification and date	Remarks
8	9	10		11	12	13	14

Form "B"[See Rule 3(2)]

Sl. No.	Name with Father's/ Husband's name	Date of birth	Residential address	Qualification academic and medical	Registration No. with date	Re-entry under Section 22 (2) and date	
1	2	3	4	5	6	7	
Registration under repealed Rules	Registration No. and date	Renewal date	Reason for removal of name, date and rule under which removed	Re-entry date	Signature of Registrar	Additional qualification and date	Remarks
8	9	10	11	12	13	14	15

Form "C"[See Rule 3(2)]

Sl. No.	Name with Father's/ Husband's name	Date of birth	Residential address	Qualification academic and medical	Year of passing	Name of Institution
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1	2	3	4	5	6	7
Name of Board or University passing the Medical qualification	Provisional Registration No.	Date on which internship completed	Registration under Section 22	Date on which diploma/degree issued	Signature of Registrar	Remarks
8	9	10	11	12	13	14

Appendix Fees payable to the Council for registration and other matters

Sl. No.	Particulars	Rate of fee	Rule No.
(1)	(2)	(3)	(4)
1.	Renewal fee	Rs. 300/-	4(b)
2.	Renewal late fee	Rs. 50/- per month subject to maximum of Rs. 300/-	4(e)
3.	Registration fee under Section 22	Rs. 1,500/-	6
4.	Registration fee under Section 24	Rs. 1,000/-	7(1)
5.	Rate fee for registration under Section 22 from Section 24	Rs. 100/- per month subject to maximum of Rs. 500/-	7(4)
6.	Fee for additional entry of qualification	Rs. 300/-	8
7.	Fee for duplicate copy of registration	Rs. 500/-	9
8.	Fee for change of surname or address	Rs. 200/-	10
9.	Verification fee	Rs. 500/-	12
10.	Appeal fee	Rs. 100/-	14 (b)

Note. - The prescribed fees are excluding the postal charges which shall be payable separately if asked by the Parishad. Form "D" [See Rule 3 (a)] State Homoeopathy Council Madhya Pradesh (Seal) Certificate of Registration

Passport Size Photo

Registration No..... Date.....

Certificate is granted that Shri/Ku./Shrimati..... Son/Daughter/Wife of..... Resident of..... District..... of Madhya Pradesh has been duly registered as a registered Homoeopathic Practitioner under Section 22 of the Madhya Pradesh Homoeopathy Parishad Adhiniyam, 1976. Certified that the name of the practitioner has been continued in the State Register of Homoeopathy and the Certificate has been renewed on...../re-entered. In witness whereof are herewith affixed the signature of the Registrar and seal of the Council. (Seal) Registrar Seal Bhopal: Date..... Renewal Date..... Registrar Seal (The practitioner registered with the Council is expected to inform immediately any change in his residential/professional address, appointment in Government Service, acquire additional qualification. The name from the State Register of Homoeopathy shall be removed without notice if

failed to apply for renewal and continuation of name in the State Register of Homoeopathy).Form "E"[See Rule 4 (1)]Application for Renewal

To, Passport Size Photo

The Registrar,

M.P. State Council of Homoeopathy,

73, Zone-II, M.P. Nagar, Bhopal-462011.

Sir,

My name is entered in the State Register of Homoeopathy under the provisions of M.P. Homoeopathy Parishad Adhiniyam, 1976 at No..... and Registration Certificate bearing No..... has been issued to me. For continuing my name in the said Register the certificate in original alongwith the fee Rs. 300/- in cash/Bank Draft No..... (Name of Bank)..... and three pass port size photos are enclosed.

2. I have failed to apply for renewal and continuation of my name in the State Register of Homoeopathy, the renewal fee of Rs. 300/- and additional late fee of Rs. 50/- per month subject to the maximum of Rs. 300/- Total Rs..... in cash/through Bank Draft No..... (Name of Bank)..... are..... enclosed.

- | | |
|--|----------------------|
| 3. (1) Name of Applicant (In Hindi) | ..... |
| (In English) | ..... |
| (2) Name of Father/Husband | ..... |
| (3) Place of practice | ..... |
| (4) Date of Birth | ..... |
| (In English Calendar) | Date...Month..Year.. |
| (5) Qualification (a) General Medical | ..... |
| (b) Additional qualifications if added | ..... |
| (6) Qualification acquired on date.... year.... | ..... |
| (7) University/Board from-General where qualification acquired | ..... |
| (8) Registration No. and date | ..... |
| (9) Punished by Court in or professional Misconduct | ..... |
| | any criminal..... |
| | Case No..... |
| | Nature of..... |
| | Punishment..... |
| | Name of Court..... |
| (10) Renewal fee | In cash..... |
| | Bank draft No..... |
| | Name of Bank..... |
| | Late fee for month |

Rs. (Total).....

Certified that the information furnished above is true to the best of my knowledge and records. The attested copies of testimonials are enclosed.(Name of applicant and Signature)For Office use
 Certified that :-(1)The Renewal fee Rs..... late fee Rs..... R. No..... Date..... has been received.(2)The certificate in original has been received with the application.(3)The entry of Renewal has been made on..... (Page No.) in the Register.

(Signature of Incharge) (Signature of Registrar)

The certificate of registration has been sent vide D. No..... Date..... by Registered post R. No..... Date.....(Signature of Despatcher)Form "F"(See Rule 6)Form of Application for Registration under sub-section (1) of Section 22 of the Madhya Pradesh Homoeopathy Parishad Adhiniyam, 1976

To,

Passport Size Photo

The Registrar,

State Council of Homoeopathy,Madhya Pradesh,

73, Zone-II, M.P. Nagar,

BHOPAL-462011.

Sir,

I request that my name may be entered in the State Register of Homoeopathy maintained under the Madhya Pradesh Homoeopathy Parishad Adhiniyam, 1976 and that I may be furnished with a Certificate of Registration Necessary particulars are given under

1. Full name (In Hindi)
- (In English)
- (Maiden name also in case of married woman).
2. Father's/Husband's name
- (In Hindi)
- (In English)
3. Residential address (House No., Mohalla, Post Office,Village,7 District, Pin Code No.)
4. Professional appointment in Government and post held.
5. Professional address and places with period.
6. Date of birth
- (In English Calendar)
7. (A) (1) Medical Qualification (Under the Act).
- (2) Date on which acquired
- (3) University/Board which granted
- (4) Period of Education and place
- (B) General other than Medical :
- (1) Qualification
- (2) Date on which acquired

- (3) University/Board/Institution
- (4) Place of Education and period
8. The Provisional Registration No. under Section 24
9. Documents enclosed :-
- (1) For date of birth
- (2) Diploma/Degree
- (3) Certificate of Internship
- (4) Fee receipt
- (5) Original Provisional Registration Certificate.
- (6) Professional Affidavit

Note. - Please attach the copies of certificates/documents of qualification matriculation/H.S.S. Certificate, duly attested by a Magistrate or a Gazette Officer but provisional registration certificate in original must be attested. The requisite fee of Rs. 1,500/- for registration through crossed Bank Draft/M.O./in cash is paid. Please see Receipt No.....Date.....I solemnly declare that all the entries above are true to the best of my knowledge and belief. Enclosed two Passport Size photos with application form. Place.....Date.....Your faithfully,.....(Name and signature of applicant) Form "G"[See Rule 7 (1)] Madhya Pradesh Homoeopathy Parishad (Application for provisional Registration under Section 24 of the Madhya Pradesh Homoeopathy Parishad Adhiniyam, 1976) To, The Registrar, State Council of Homoeopathy,

73.

, Zone-11, M.P. Nagar, BHOPAL, Sir, Please enter my name in the register in Form "G" maintained under the Madhya Pradesh Homoeopathy Parishad Adhiniyam, 1976 and grant me the provisional registration certificate.

1. Full name (In Hindi)
- (In English)
- (Married woman must mention the premarital name).
2. Father's/Husband's name
3. Residential address
4. Age and date of birth
5. Educational qualification
- (a) Medical qualification recognised under the Act
- (b) Academic qualification
6. Year of passing the examination under (a) and (b)
7. Institution/Board/Council/University wherefrom passed
8. Year of Admission in 1st year of Homoeopathic course and enrolment No.

Note. - (1) The copies of the Final Examination Mark-Sheet of Homoeopathic Course Examination, the certificate of Board/University showing the date of birth duly attested by a Gazetted Officer of

the State Government or the Central Government.(2)The required fee including the postage charges has been remitted through Bank Draft No..... drawn on.....for Rs.....or paid in cash vide R.No..... date.....

Date..... Yours faithfully,

Place.....

(Name and signature of the applicant)

For Use of the Office of the M.P. Homoeopathy ParishadFee

received.....Amount.....Whether application is complete/incomplete and full fee received.

Signature Order of the Registrar

Incharge Clerk Signature

Registrar

Form "H"[See Rule 7 (3)]State Council of Homoeopathy, Madhya Pradesh Provisional Certificate of RegistrationCertificate that Shri/Ku./Smt..... Son/Daughter/Wife of..... resident of..... District..... has been granted provisional registration under Section 24 of the Madhya Pradesh Homoeopathy Council Adhiniyam, 1976 on passing the..... examination. His/her registration number is Prov. No..... dated..... as per Provisional Registration Register. This certificate shall be valid till the completion of his/her training period and/or the qualification is conferred upon him at a convocation held by the State Council of Homoeopathy or University.

Bhopal :

Seal

Dated..... Registrar