

Bihar State Faculty of Ayurvedic and Unani Systems of Medicines (Election) Rules, 1953

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Rule

BIHAR-STATE-FACULTY-OF-AYURVEDIC-AND-UNANI-SYSTEMS-OF-MEDICINES (Election) Rules, 1953

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Bihar State Faculty of Ayurvedic and Unani Systems of Medicines (Election) Rules, 1953

1.

These Rules may be called the Bihar State Faculty of Ayurvedic and Unani Systems of Medicines (Election) Rules, 1953.

2.

In these Rules, unless there is anything repugnant in the subject or context, -(a)"Form" means a Form appended to these Rules; and (b)"The Act" means the Bihar Development of Ayurvedic and Unani Systems of Medicines Act, 1951.

Part I – Rules for election to the Faculty under clause (a) of sub-section (1) of Section 17 of the Act

3.

The President of the Council shall issue a notice to the President of the Bihar Sanskrit Association (hereinafter referred to as the Association) calling upon the Association to elect one of the teachers of Ayurved from amongst the teachers of Ayurvedic institutions recognised by the Association and

intimate to the President of the Council the name of the person so elected by date specified in the notice.

4.

The President of the Association shall prepare and maintain up-to-date a list of teachers of Ayurved in institutions recognised by the Association.

5.

(1)The President of the Association shall issue a notice calling upon such teachers to elect a member to the Faculty on or before the date specified therein.(2)The President of the Association shall then fix a date for the nomination of candidates and another date for the scrutiny of nominations; and he shall fix a further date on which a poll shall, if necessary, be taken.(3)The dates fixed under sub-rule (2) shall be notified to the teachers in such manner as the President of the Association may consider to be convenient.

6.

Such nominations shall be made by means of nomination paper in Form A which shall be obtained by the President of the Association from the Secretary of the Faculty free of cost:Provided that in the case of the first election the forms shall be obtained from the Registrar of the Council free of cost.

7.

(1)Each nomination paper shall be subscribed by the candidate himself as assenting to the nomination and by two members as proposer and seconder, provided that no member shall subscribe as proposer or seconder more than one nomination paper.(2)Each nomination paper shall be delivered to the President of the Association or sent to him by registered post so as to reach him on or before the date fixed for the nomination of candidates in the notice issued under Rule 5.(3)On receipt of each nomination paper, the President of the Association shall endorse thereon the date and hour of receipt.(4)Any nomination paper which is not received by the President of the Association on or before the date fixed shall be rejected.

8.

Any candidate may withdraw his candidature by a notice in writing addressed to the President of the Association either by himself or by his proposer or seconder before three o'clock in the afternoon of the date succeeding that fixed for the scrutiny of nominations.

9.

On the date and at the time fixed for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at office of the President of the Association who shall allow them all reasonable facilities to examine the nomination paper filed by all candidates.

10.

The President of the Association shall examine each nomination paper and shall reject it only when there has been a failure to comply with these Rules, He shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected or is accepted after objection has been taken to its validity he shall record in writing a brief statement of his reasons for such rejection or acceptance. If any dispute arises as to the validity of any nomination paper, the decision of the President of the Association shall be final.

11.

On completion of the scrutiny of nominations, and after the expiry of the period within which candidatures may be withdrawn, the President of the Association shall forthwith prepare a list of duly nominated candidates and cause it to be affixed in some conspicuous place in his office.

12.

If there is only one duly nominated candidate, the President of the Association shall declare the candidate duly elected.

13.

If the number of such candidate is more than one, the President of the Association shall proceed in the manner laid down in Rule 14.

14.

(1) Not less than fifteen clear days before the date fixed for the poll, the President of the Association shall send by registered post a ballot paper in Form B (containing the names of all the candidates) to each teacher to the address entered against his name in the list maintained under Rule 4. (2) Each teacher upon the receipt of the ballot papers shall, if he desires to vote in the election, record his vote and shall send the same by registered post to the President of the Association so as to reach him not later than five o'clock in the afternoon of the date fixed for the poll. (3) As soon as may be after the time fixed for the recording of votes, the President of the Association shall examine the ballot papers and after rejecting invalid ballot papers, if any count the votes secured by each candidate and the President of the Association may appoint a person or persons to assist him in the counting of votes. If after counting of votes an equality of votes is found to exist between any candidate, and the

addition of one vote would entitle any of these candidates to be declared duly elected, the President of the Association shall forthwith decide by lot and proceed as if the candidate on whom the lot falls had received an additional vote. The President of the Association shall then declare the candidate to whom the largest number of votes has been given to be elected.(4)No election shall be invalidated by reason that a ballot paper duly sent to a teacher under this Rule has not been received by him.(5)The procedure laid down in these Rules shall be followed mutatis mutandis in the case of casual vacancies.

Part II – Rules for election to the faculty under clause (d) of sub-section (1) of Section 17 of the Act

15.

(1)The President of the Council shall issue a notice calling upon the members of the Council to elect three members on or before a date to be specified therein.(2)The President of the Council shall then fix a date for nomination of candidates and another date for Scrutiny of nominations; and he shall fix a further date on which a poll shall, if necessary, be taken.(3)The dates fixed under sub-rule (2) shall be notified to the members of the Council in such manner as the President may consider to be convenient.

16.

Such nominations shall be made by means of a nomination paper in Form A which shall be supplied by the Secretary of the Faculty free of cost; Provided that in the case of the first election the forms shall be supplied by the Registrar of the Council free of cost.

17.

Each nomination paper shall be subscribed by the candidate himself as assenting to the nomination and by two members as proposer and seconder: Provided that no member shall subscribe as proposer or seconder more nomination papers, than there are vacancies to be filled.

18.

The nomination paper shall be delivered to the President or sent to him by registered post so as to reach him on or before the date fixed for the nomination of candidates under Rule 16.

19.

On receipt of each nomination paper, the President shall forthwith endorse thereon the date and hour of receipt.

20.

Any nomination paper which is not received by the President on or before the date fixed shall be rejected.

21.

Any candidate may withdraw his candidature by a notice in writing addressed to the President either personally or by his proposer or seconder before three o'clock in the afternoon of the date succeeding that fixed for the scrutiny of nominations.

22.

On the date and at the time fixed for the scrutiny of the nomination papers, every candidate and his proposer and seconder may attend at the office of the President who shall allow them all reasonable facilities to examine the nomination papers filed by all candidates.

23.

The President shall examine each nomination paper and shall reject it only when there has been a failure to comply with these Rules. He shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected or is accepted after objection has been taken to its validity, he shall record in writing a brief statement of his reasons for such rejection or acceptance. If any dispute arises as to the validity of any nomination paper, the decision of the President shall be final.

24.

On completion of the scrutiny of nomination and after the expiry of the period within which candidatures may be withdrawn, the President shall forthwith prepare a list of duly nominated candidates and cause it to be affixed in some conspicuous place in his office.

25.

If the number of duly nominated candidates is equal to the number of members to be elected, the President shall declare all such candidates to be duly elected.

26.

(1) If the number of duly nominated candidates is greater than the number of members to be elected, the President shall summon a meeting of the Council for taking a poll on the date fixed under sub-rule (2) of Rule 16. The meeting shall be summoned in accordance with the Regulations made under the Act, or until Regulations are made, in accordance with the proviso to Section 16 of the

Act.(2)The President shall preside over the meeting summoned under sub-rule (1) and shall deliver or cause to be delivered to each member of the Council present at the meeting a ballot paper in form C containing the names of all the candidates.(3)As soon as may be after the time fixed for the recording of votes, the President shall examine the ballot papers, if any, count the votes secured by each candidate, and the President may appoint a person or persons to assist him in the counting of votes. If, after the counting of votes, an equality of votes is found between two candidates, and the addition of one vote would entitle any of these candidates to be declared elected, the President shall forthwith decide between these candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote. The President shall then declare the candidate to whom the largest number of votes has been given to be elected.

27.

If the number of duly nominated candidates is less than the number of members to be elected, the President shall declare all such candidates, if any, to be duly elected, and shall proceed in the manner prescribed in these Rules to fill the remaining vacancy or vacancies.

28.

The procedure laid down in the preceding Rules shall be followed mutatis mutandis in the case of casual vacancies. Form A (See Rules 6 and 17) Nomination Paper Election under clause (b) or clause (d) of sub-section (1) of Section 17 of the Bihar Development of Ayurvedic and Unani Systems of Medicine Act, 1951.

1. Name of candidate.

2. Father's name.

3. Address.

4. Signature of proposer.

5. Signature of seconder.

I hereby declare that I am the person about whom the above particulars are given and that I agree to this nomination. Signature of the candidate.....Signature of the proposer.....Signature of the seconderSignature of the President of Bihar Sanskrit Association/President of the Council. Form B (Rule 14) Form of Ballot Paper Council of Ayurvedic and Unani Systems of Medicines, Bihar. (a) Names of candidates. (b) Address

1. O

2. O

3. 0
4. 0
5. 0
6. 0

(Back of the ballot paper.)

Instructions to Electors(1)One seat has been allotted to a teacher of Ayurvedic Institution recognised by the Bihar Sanskrit Association.(2)The names of the candidates have been noted on the reverse.(3)You have to cast only one vote.(4)You are to record your vote by putting a cross mark in the circle opposite to the name of any one candidate for whom you wish to vote. You should then send the ballot paper by registered post to the President of the Association, so as to reach him by five O' clock in the afternoon of the date appointed for poll.Form C(Rule 27)Form of Ballot PaperCouncil of Ayurvedic and Unani Systems of Medicines, Bihar.(a)Names of candidates.(b)Address.

1. 0
2. 0
3. 0
4. 0
5. 0
6. 0

(Back of the ballot paper.)

Instructions to Electors(1)Three seats have been allotted to three members of the State Council as are not Vaidyas and Hakims.(2)The names of the candidates have been noted on the reverse.(3)You have to cast three votes for three different candidates.(4)You have to record your vote by putting cross marks in the circles opposite names of any three candidates for whom you wish to vote.