

The Rajasthan Homoeopathic Medicine Board (Conduct of Business) Regulations, 1973

RAJASTHAN

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Rule

THE-RAJASTHAN-HOMOEOPATHIC-MEDICINE-BOARD-CONDUCT-OF of 1973

- Published on 13 December 1973
- Commenced on 13 December 1973
- [This is the version of this document from 13 December 1973.]
- [Note: The original publication document is not available and this content could not be verified.]

The Rajasthan Homoeopathic Medicine Board (Conduct of Business) Regulations, 1973 Published vide Notification No. G.S.R. 81 (89) / RBHM/ Gen-97(Volume 2)/13982, dated 13-12-1973, published in Rajasthan Gazette Part 4-C, dated 28-2-1974 In exercise of the powers conferred by section 20(1) and clauses (h) to (1) read with clause (m) of sub-section (1) of section 58 of the Rajasthan Homoeopathic Medicine Act, 1969 (Raj. Act 1 of 1970), the Board hereby makes the following regulations the same having been previously published in the Rajasthan Gazette, Part 3(B), dated the 29th June, 1972. These regulations have been confirmed by the State Government.

1. Short title and commencement.

(1) These Regulations may be called the Rajasthan Homoeopathic Medicine Board (Conduct of Business) Regulations, 1973. (2) They will come into force on the date of their publication in the Rajasthan Rajpatra.

2. Definitions.

- In these Regulations unless the context otherwise requires, -(a) "Act" means the Rajasthan Homoeopathic Medicine Act, 1969; (b) "Board" means the Rajasthan Board of Homoeopathic Medicine, constituted under the provisions of the Act; (c) "Chairman" means the Chairman of the Board; (d) "Clear days" includes Sundays and holidays but does not include the day of the meeting and the day of issue of notice; (e) "Meeting" means a meeting of the Board; (f) "Member" means a member of the Board and includes the Chairman and the Vice-Chairman thereof; (g) "Motion" means

a proposal made by a member for the consideration of the Board and includes a resolution and an amendment to a motion;(h)"Point of Order" -A point of order shall relate to the interpretation or enforcement of these regulations or such sections of the Act and such rules of the rules as regulate the business of the Board and shall raise a question which is within the cognizance of the Chairman:(i)"Public place" means a place to which the public has a free right of access;(j)"Registrar" means the Registrar of the Board appointed under the Act;(k)"Regulations" mean the Regulations framed by the Board under the Act;(l)"Rules" mean the rules framed by the Government under the Act;(m)"Section" means a Section of the Act:(n)"Vice Chairman" means the Vice-Chairman of the Board:(o)Words and expressions used but not defined in these regulations shall have the meanings assigned to them in the Act.

3. Meetings of the Board.

(1)A meeting of the Board shall be called within one month of the assumption of office by the Chairman.(2)The Board may meet as often as may be necessary provided that not more than 3 months shall lapse between one meeting of the Board and another.

4. Place of Meetings.

(1)The Board shall ordinarily meet at its office at Jaipur on such date and at such time as may be decided by the Chairman.(2)Under special circumstances and for reasons to be recorded in writing, the Chairman may call a meeting of the Board at any place in the State of Rajasthan outside Jaipur or at any place at Jaipur outside the office of the Board:Provided that all such meetings shall be held at public places.

5. Notice of meeting.

(1)No meeting of the Board shall be held unless notice of the place, date and time of the meeting and of the business to be transacted thereat is given to all the members of the Board at least 7 clear days before the date of the meeting.(2)In case of urgency, the Chairman may in order to deal with urgent matters, convene an emergency meeting of the Board by giving 3 clear days notice only.(3)Notices of all meetings shall be issued by the Registrar after the approval of the Chairman.(4)Notices of all meetings along with the Agenda therefor shall be sent to all local members by special messengers. To members residing outside Jaipur, notices of ordinary meetings alongwith the Agenda therefor shall be sent under certificates of posting and notices of emergency meetings without agenda shall be sent by telegrams.

6. Agenda for a meeting.

(1)The Agenda for a meeting shall be prepared by the Registrar and after approval of the Chairman shall be sent to all members alongwith the notice of the meeting.(2)The Registrar may include in the Agenda any item which, in his opinion, should be considered by the Board and shall include therein any subject specified by the Chairman.(3)Resolutions by the members shall also be included in the

agenda provided that the Chairman may disallow any resolution which in his opinion contravenes the provisions of the Act or the rules or the Regulations framed by the Board.

7. Special meetings of the Board.

(1)The Chairman shall call a special meeting of the Board, on receiving a written requisition signed by not less than 7 members specifying the resolution which is proposed to be moved within 7 days of the receipt of such requisitions; Provided that if the Chairman fails to call a meeting within the specified time it shall be called by the Registrar within one month of the receipt of the written requisition by the Chairman. (2) In such a meeting no business other than the business mentioned in the notice convening it shall be transacted.

8. Chairman to preside over meetings.

- Every meeting shall be presided over by the Chairman and in his absence by the Vice-Chairman and in absence of both the Chairman and the Vice- Chairman by a member chosen by the members present at the meeting.

9. Meetings to be open to public.

- Every meeting of the Board shall be open to the public unless the Chairman thereof considers that the public should be excluded during the whole or any part of the meeting.

10. Quorum for meeting.

(1) No business shall be transacted at a meeting of the Board unless at least 4 members are present. (2) If within half an hour of the appointed time, the quorum is not present, the Chairman shall postpone the meeting till the same hour on the next working day. The business postponed for want of quorum shall be transacted at the meeting on the next working day or in the event of a further adjournment of the meeting to subsequent date, on such subsequent date, notwithstanding any deficiency in the number of members present. (3) All such adjournments as aforesaid and the date, time and place of every such adjourned meeting shall be notified on Notice Board of the Board on the day on which such an adjournment is ordered by the Chairman.

11. Decisions by the Board.

(1) Unless otherwise provided by the Board in any Regulations framed by it under the Act, all questions which may come up before a meeting of the Board, shall be decided by a majority of the votes of the members present and voting. (2) In case of equality of votes, the Chairman of the meeting shall have a second or casting vote. (3) When a question is put to vote, the Chairman of the meeting shall call for a show of hands and he shall count the hands shown for and against the question and then declare the result.

12. Minutes of the proceedings of the meeting.

(1)The minutes of the proceedings of each meeting of the Board, showing therein the names of the members present, the proceedings held and the resolutions passed at the meeting shall be correctly recorded by the Registrar in a bound book to be called the minute book.(2)The minutes thus recorded by the Registrar shall be signed by him and after approval shall be signed by the Chairman of the meeting before the meeting disperse.(3)The minutes will be read out at the same or at the next following meeting and after having been confirmed as correct by the members or a majority of them present at the reading, shall be certified as confirmed under the signatures of the Chairman of the meeting at which they are confirmed.(4)A copy of the proceedings of every meeting shall, within 15 days from the date of the meeting, be forwarded by the Registrar to the State Government, the Director of Homoeopathy and each member of the Board.(5)The minute book of the proceedings of the meetings of the Board and all other such record shall be kept in the custody of the Registrar.

13. Certain restrictions on speaking.

(1)No member present at a meeting shall speak during the course of the meeting unless permitted to do so by the Chairman.(2)The speech of a member shall be strictly confined to the subject-matter under discussion at that time and it shall always be addressed to the Chairman.(3)While speaking, a member shall not:-(a)Comment on any matter on which a judicial decision is pending;(b)Make a personal charge against any other member,(c)Use offensive expressions about the conduct of proceeding of parliament or of the Legislature of any State or any other statutory body,(d)Utter defamatory words: and(e)Use his right of speech for the purpose of obstructing the conduct of business at the meeting.(4)No member may speak more than once on a motion except the mover who will have a right of reply.(5)No member while speaking shall be interrupted by another member except on a point of order in relation to the business before the Board at the moment. No speeches or discussions on a point of order shall take place unless specially permitted by the Chairman. All points of order shall be decided by the Chairman, whose decisions thereon shall be final and binding.(6)The Chairman shall regulate the duration of speeches in his own discretion.

14. Procedure when a member has a pecuniary interest in the subject under consideration at a meeting.

(1)No member shall vote or take part in the discussion on any subject coming up for consideration at a meeting if the subject is one in which, a part from its general application to the public, he has any direct or indirect pecuniary interest by himself or as a partner.(2)The Chairman of the meeting may prohibit any member from voting on or taking part in the discussion on any subject in which he believes such member to have such pecuniary interest or he may require such member to absent himself during the discussion.(3)Such member may challenge the decision of the Chairman who shall thereupon put the question to the meeting and the decision of the meeting shall be final. The member concerned shall not be allowed to vote on such a question.(4)If the Chairman of the meeting is believed by any member present at the meeting, to have any such pecuniary interest in any subject under discussion, the Chairman of the meeting may, if a motion to that effect is carried,

be required to absent himself from the meeting during such discussion. The Chairman of the meeting shall not be entitled to vote on such a motion.

15. Disposal of the items included in the Agenda.

(1) Unless otherwise decided by the Chairman the items included in the Agenda for a meeting shall be taken up, discussed and decided one by one in the order in which they have been listed in the Agenda. (2) No new item shall be taken up for discussion or decision unless the matter already under discussion has been decided or postponed.

16. Urgent resolutions.

(1) No business not included in the Agenda for a meeting shall be transacted at a meeting, except in the form of a motion and without the leave of the Chairman. (2) The member making such a motion shall, before the commencement of the meeting, handover to the Chairman a written statement containing the motion but he shall not speak thereon at that time.

17. Maintenance of order of meeting.

- Where at a meeting of the Board, any member or other person refuses to comply with any directions of the Chairman ruling any business or matter out of order or otherwise regulating the conduct of members or of business or where any member or person wilfully disturbs the meeting, the Chairman may require that member or person to withdraw from the meeting and, in the event of his omitting to do so, may employ against him such force as is necessary, or as in good faith he believes to be necessary, for the purpose of removing and excluding him from the meeting.

18. Suspension of a meeting.

- The Chairman may, in case of grave disorder arising in the meeting, suspend a sitting for a time to be named by him.

19. Member's right to obtain information and of access to records.

- A member shall have the right to obtain information on any matter pertaining to the administration and of access to the records of the Board during office hours after giving at least 3 clear days notice in writing to the Registrar: Provided that the Registrar may with the approval of the Chairman and for reasons to be recorded in writing, refuse to give any particular information or access to any particular record.

20. Members right to ask questions.

(1) Every member shall at every meeting have the right to ask questions about the affairs of the Board. (2) Answers of questions of which notices are received from members and which are admitted

by the Chairman for being answered at a meeting, shall be prepared by the Registrar and shall be approved by the Chairman.(3)A member desirous of asking a question at a meeting shall give notice thereof in writing to the Registrar at least 7 clear days before the date of a meeting.(4)A question shall not be admitted if it is argumentative or hypothetical or ironical or defamatory to any person or any section of persons or which calls for information which can be had by a member by an inspection of the record of the Board.(5)The Chairman may for reasons to be recorded in writing disallow any question.(6)The questions and answers thereto shall form a part of the proceedings of the meeting.(7)A member who has given notice of a question may withdraw the same anytime before the answer thereto is given at a meeting.(8)If a member who has given notice of a question is not present at the meeting, the Chairman may permit any other member to put that question.(9)Notices of questions received for a particular meeting shall lapse on the day on which that meeting is held.(10)Answers to questions will be given at the meeting by the Registrar.