

# **By-Laws Framed By Punjab Medical Council Under Section 24(2) of The Punjab Medical Registration Act, 1916**

HARYANA

India

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### **Rule**

### **BY-LAWS-FRAMED-BY-PUNJAB-MEDICAL-COUNCIL-UNDER-SECTION 24(2) of 1916**

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By-Laws Framed By Punjab Medical Council Under Section 24(2) of The Punjab Medical Registration Act, 1916 Published vide Punjab Government Notification No. 2795-M 40/26447, dated 18.6.1940 I-meetings of the Council

### **1. [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]**

The Council shall meet at least twice in a calendar year in the months of April and November for transaction of business.]

### **2.**

(i) Notice of every meeting shall be served on each member of the Council by the Registrar not less than 30 days before the date of the meeting. (ii) The Programme of business to be transacted at any meeting shall be sent to the address of each member of the Committee not less than 7 days before the date of the meeting. (iii) [The President may at his discretion permit a registered medical practitioner to attend as a visitor a meeting of the Punjab Medical Council, provided that the number of such visitors at any meeting shall not be more than five.] [Substituted by Punjab Government Notification No. 5370-M 48/44475, dated 18.8.1948.] (iv) Three members shall constitute a quorum.

### **3.**

An extraordinary meeting of the Council may be called by the President whenever it appears to him to be necessary, and shall be called by him on a requisition in writing made by not less than 6 members, stating the purpose or purposes for its being called.[3A. The Council shall appoint a Sub-Committee to be known as "Executive Committee", consisting of :-(1)The President;(2)The vice-President; and(3)Three other members elected by the Council.][3B. The term of the members of Registration Sub-Committee shall be coterminus with their membership of the Council.] [Added by Punjab Government Notification No. 96-M 37/31854, dated 28.5.1937.]

### **3C.**

Three members of the Registration Sub-Committee shall be held not less than a fortnight before the meeting of the Council and its recommendations shall be circulated to the members before the meeting of the Council.

### **3E.**

In case there is not sufficient business to be transacted by the Registration Sub-Committee the President is authorised to dispense with a meeting of the Registration Sub-Committee.

### **3F.**

The function of the Executive Committee shall be as follows :-(1)To supervise the publication of the Punjab Medical Register.(2)To draft business other than motions and amendments notified by members and submit its recommendations thereon to the Council.(3)To obtain from Licensing Bodies such information as may be necessary to facilitate the requirements of the Act.(4)To call for particular of professional examinations and their results and submit them to the Council annually with necessary comments thereon.(5)To consider and forward to the Council reports on the visitation of examination.(6)To report to the council on all application for registration which are not covered under the schedule of the Punjab Medical Council.(7)To consider the applications of registered medical practitioner for breach of professional conduct and submit its report thereon to the Council.(8)To consider any other business referred to it by the Council.

### **4.**

The meetings of the Council shall be held at such times and places as the President may direct.Ordinarily the meetings shall be held in [Chandigarh, the Capital of the State of Haryana] [Substituted for the words 'Lahore in the winter and in Simla in the summer' vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]

**5.**

Every meeting of the Council shall be presided over by the President or in his absence by the Vice-President, in the absence of both from a Council meeting, the members present shall elect a Chairman from among themselves to preside at the meeting.

**6.**

(i) If, at the time appointed for a meeting or within 30 minutes thereafter, a quorum is not present, the meeting shall stand adjourned to some future day to be appointed by the President. (ii) It shall be the duty of the Registrar to ascertain if a quorum is present.

**7.**

Notice of a motion shall reach the Registrar at least four weeks before the date fixed for a meeting and a copy of such motion shall, if, approved by the President be sent by the Registrar to the address of each member not less than 15 days before the date of meeting.

**8.**

Notice of an amendment shall reach the Registrar at least 10 days before the date fixed for a meeting and a copy of such amendment shall, if approved by the President, be sent by the Registrar to the address of each member at least 4 days before the date of the meeting :- (a) The president may disallow any motion or amendment or part of a motion or amendment without giving any reason therefor other than that in his opinion it cannot be moved consistently with the objects for which the Council has been constituted or that the matter is outside the province of the Medical Council. (b) [ A motion or amendment disallowed under bye-law 8(a) shall not be circulated to the members and discussed in the meeting.] [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]

**9. [ [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]**

An attendance register shall be kept by the Registrar in which each member attending the meeting shall sign.] [Substituted by Punjab Government Notification No. 5370-M 48/44575, dated 18.8.1948.]

**10.**

(i) The president may adjourn at any time any meeting or any business to any future day or to any hour of the same day. (ii) Whenever any meeting is adjourned to a future day, the Registrar shall, if possible, send notice of the adjournment to each member, who was not present at such meeting. (iii) When any meeting has been adjourned to a future day, the president may change such

day to any other day, and the Registrar shall send written notice of the change to each member.

**11.**

Every motion or amendment at a meeting must be seconded; otherwise the motion or amendment shall be considered as lost.

**12.**

(i) A member desiring to make any observations on any subject before the Council shall speak from his place, shall rise when he speaks and shall address the Chair. (ii) At any time, if the president rises, any member speaking shall immediately resume his seat.

**13.**

No member shall be heard except upon business then regularly before the Council, or by permission of the president specially obtained, in personal explanation in connection with a previous debate.

**14.**

No speech shall exceed 10 minutes in duration; provided that the mover of a motion, when moving the same, may speak for 15 minutes.

**15.**

Notwithstanding anything contained in these rules amendments arising in the course of any motion may be put to the meeting with the consent of the majority of the members present.

**16.**

Amendments having merely the effect of a negative vote shall not be moved.

**17.**

When identical motions stand in the names of two or more members, the president shall decide whose motion shall be moved, and the other motions shall thereupon be deemed withdrawn.

**18.**

(i) 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 time during the] [Substituted for the words 'at any period' vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated

30.11.1995.] of the debate.(ii)After all members, have had an opportunity of speaking, the mover may speak once by way of reply, his speech ordinarily being limited to 5 minutes.(iii)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 making an explanation.(iv)[ A member who has spoken on a motion can also speak on any amendment moved afterwards.] [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]

## **19.**

A motion or an amendment shall be recorded in writing if [desired necessary] [Substituted for the words 'so directed' vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.] by the Chair.

## **20.**

No motion or amendment shall be withdrawn after having been read by the Chair, or read with the authority of the Chair without the permission of the Council. When a motion or amendment is withdrawn the reasons shall be recorded in the minutes.

## **21.**

(i)Every matter to be determined by the Council shall take the form of a motion by a member, to be put to the Council by the president and decided by a majority of votes, the president having, in the case of equality of votes, a second or casting vote.(ii)votes may be taken by voices, by show of hands, or by division, and shall always be taken by division if any member so desires.(iii)The President shall determine the method of taking votes by division.

## **22.**

If any motion involves more than one point, the President may, at his discretion, divide it in such form so that each point may be determined separately.

## **23.**

All amendments with regard to any proposal shall be moved and voted. Voting shall be taken on each amendment after all have been properly proposed and seconded, and if necessary, discussed, the amendments to be taken in the order approved by the President.

## **24.**

If all the amendments have been negated, the original motion shall be put to the vote.

**25.**

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

**26.**

When a motion is under debate, no further proposal shall be received except one of the following :- (i) An amendment, namely - "That the motion be amended as follows :-" (ii) The postponement of the question namely - "That the consideration of the motion be postponed". (iii) The adjournment of the debate, namely - "That the debate on the motion be now adjourned." (iv) The adjournment of the Council, namely - "That the Council do now adjourn." (v) The closure of the debate, namely - "That the Council do now proceed to vote on motion." (vi) The previous question as to the motion, namely - "That the Council, instead of proceeding to deal with the motion, do pass to the next item on the programme of business."

**27.**

When an amendment is under discussion, no further proposal shall be entertained except one of the following :- (i) The adjournment of the discussion on the amendment namely - "That the discussion on the amendment be now adjourned." (ii) The adjournment of the Council, namely - "That the Council do now adjourn." (iii) The closure of the discussion on the amendment, namely - "That the Council do now proceed to vote on the amendment."

**28.**

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

**29.**

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

**30.**

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

**31.**

On the proposal for the adjournment of the Council 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 Council, as to whether it will, before rising, proceed to the transaction of unopposed business.

**32.**

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

**33.**

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

**34.**

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

**35.**

When for the purpose of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member relating to the business before the Council, he shall ask the question through the President :-(a)When a resolution or an amendment has been defeated no resolution or amendment raising substantially the same question shall be moved within a period of eleven months; provided that with the permission of the President such resolution or amendment may be brought up again before the Council after the expiry of five months but that it shall not be moved except with the approval of a majority of three-fourths of the members present.II. - Conduct of Business

**36.**

The proceedings of the meeting of the Council shall be preserved in the form of printed minutes, authenticated, after confirmation, by the signature of the President or the Chairman, as the case may be.

**37. [ [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]**

A copy of the minute of each meeting shall be sent to each member and to the Government.]

**38.**

Such motions and amendments as have been moved and adopted, or negatived, at any meeting together with the names of the movers and the seconder shall be recorded in the minutes of the meeting. The minutes shall not record any comment or observation made by any member at the meeting.

**39.**

The minutes shall be taken as read, provided that any member may move that a certain minute be read with a view to such correction therein or addition thereto as may be found necessary.

**40.**

When a new or amended regulation is adopted by the Council a normal statement shall be placed on the minutes as to the effect to the new or amended regulation upon previous regulations on the same subject.

**41.**

After the close of any session of the Council a complete copy of the minutes of such session shall be sent to each member.

**42.**

The minutes of the Council, after final revision, shall be kept in order that as soon as conveniently may be after the session, they may be made up in sheets and consecutively paged for insertion in the yearly volume.III. - Registrar and Clerks

**43.**

Register shall fulfil all the duties that may be [assigned to] [Substituted for the words 'required of' vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.] him by the Act and by the rules and regulations made thereunder.



**43A.**

It shall be competent to the Council to grant leave to their establishment in accordance with the provisions of Fundamental Rules.

**44.**

The Registrar, as Secretary, shall conduct and have charge of the correspondence of the Council.

**45.**

The duties of the clerks shall be such as shall assigned to them by the Registrar under the direction of the President.

**46.**

If, when the Council is not in session, any temporary additional assistance is urgently required, the Registrar shall be authorised to obtain such assistance with the previous sanction of the President. The action taken by the Registrar in such cases shall be reported to the Council.

**47.**

In the month of November each year, an estimate of the income and expenditure of the Council for the next calendar year shall be laid before the Council.

**48.**

Such estimate shall make provision for the fulfilment of the liabilities of the Council and for effectually carrying out its objects.

**49. [ [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]**

The budget estimates shall be considered and approved by the Council with or without alterations.]

**50.**

The Council may at any time during the year for which any estimate has been sanctioned cause supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Council in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimates.

**51. [ [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]**

That the Registrar shall not retain a sum of more than Rs. 500 as imprest money for contingent expenditure.]

**52.**

The Registrar shall by the 15th January each year prepare a statement of income and expenditure and expenditure of the preceding calendar year ending with the 31st day of December and draw the attention of the Council to such matters as seem deserving of notice.[53. A bill or other vouchers presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum not exceeding Rs. 200 and the bill is in order, he shall pay it. If the claim be for a sum exceeding Rs. 200 it shall be paid with the sanction of the President, provided that the claim is not unusual; if it is, it shall be held over and placed before the Council at its next meeting for orders. All expenditure sanctioned by the President or the Registrar shall be reported to the Council at its next meeting.] [Added by Punjab Government Notification No. 96-M 37/31854, dated 28.5.1937.]

**53A. The Registrar shall be authorised to incur expenditure up to Rs. 200/- and above that sum the President.] [Inserted by Punjab Government Notification No. 809-M 39/8259, dated 5.3.1938.]**

**54. All transactions to which an officer of the Council in his official capacity is a party, shall without any reservation, be brought to account and all money received shall be paid in full without undue delay, into the current account of the Council with the [State Bank of India or any Scheduled Bank at Chandigarh] [Inserted by Punjab Government Notification No. 809-M 39/8259, dated 5.3.1938.]. The appropriation of receipts of the Council to its expenditure except when specifically authorised by the Council is strictly prohibited. All drawings will be made by means of cheques which shall be signed jointly by the President and the Registrar.]**

Any amount in excess of current requirements shall, however, be placed in fixed deposit, or invested in Government Promissory Notes or Cash Certificates as the Council may direct. The fixed deposits, receipts and securities, etc. belonging to the Council will be deposited with the Imperial Bank of India for safe custody.

**55.**

The accounts of the Council shall be audited by the Local Audit Department, once in each year.IV. - Travelling Allowance And Fees[56. (i) An official member shall draw travelling allowance, which he

is entitled to claim according to his grade under Civil Services Rules (Punjab). Volume III, for journeys performed for attending meetings of the Council or its Sub-Committee.] [Substituted by Punjab Government Notification No. 10353 2HB 53/5010, dated 16.2.1954.](ii)[ The non-official members will draw TA/DA on same lines as drawn by Haryana Government, Class I employees, when travelling in connection with the business of the Council or its Sub-Committee.] [Substituted vide Haryana Government Notification No. GSR.90/P.A.2/1916/S.24(2)/95 dated 30.11.1995.]

## **57.**

A fee of Rs. 50/- shall be paid to each member who attends a meeting of the Council or of a Sub-Committee of the Council.[58. Employees of the Council shall be entitled travelling allowances at the same rates as Government servants of the same status under the Punjab Travelling Allowance Rules. The Registrar of the Council shall, however, be considered to be of the rank of an officer belonging to the [Haryana Civil Services] [Added by Punjab Government Notification No. 96-M 37/31854, dated 28.5.1937.].V. - Miscellaneous[59. Tenders for printing work the cost of which exceeds Rupees twenty, shall be called for from various reputable presses. Such tenders shall be approved by the President.] [Added by Punjab Government Notification No. 349-M 38/3156, dated 26.1.1938.]

## **60.**

The Council shall be authorised to fix the price of its publications.[61. The President shall be authorised to order destruction of an unserviceable article or otherwise to dispose of it in the manner he may consider necessary.] [Added by Punjab Government Notification No. 349-M 38/3156, dated 26.1.1938.]