

GUJARAT MEDICAL PRACTITIONERS RULES, 1983

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GUJARAT MEDICAL PRACTITIONERS RULES, 1983

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PART 1

Preliminary

1. Short title and commencement :-

- (1) These rules may be called the Gujarat Medical Practitioners Rules, 1983 .
- (2) They shall come into force at once.

2. Definitions :-

In these rules unless the context otherwise requires:-

- (a) "The Act" means the Gujarat Medical Practitioners Act, 1963.
- (b) "Candidate" means a registered Practitioner standing for election as a member of the Board under sub-clause (1) or as the case may be, sub-clause (ii) of clause (b) of sub-section (2) of Section 3 :
- (c) "Committee" means the committee appointed under sub-section (8) of Section 17 :
- (d) "Form" means a form appended to these rules:
- (e) "Government" means the Government of Gujarat;
- (f) "Section" means a section of the Act:
- (g) "Voter" means-
 - (i) in relation to the election of members under sub-clause (i) of clause (b) of sub-section (2) of Section 3 , a person whose name is entered in the list of voters prepared in that behalf under Rule 6 and
 - (ii) in relation to the election of members under sub-clause (ii) of clause (b) of sub-section (2) of Section 3 , a person whose name is entered in list of voters prepared in that behalf under Rule 6;

(h) The words and expressions used in these rules but not defined therein shall have the meaning respectively assigned to them in the Act.

PART 2

Mode of Election and appointment of members of the Board

3. Returning Officer :-

The President of the Board or any other person authorised by him in this behalf shall be the Returning Officer for every election or by-election held in pursuance of clause (b) of sub-section (2) of Section 3 .

4. Notice of Election :-

The Returning Officer shall, not less than sixty days and not more than ninety days before the date on which the term of office of the elected members, of the Board is due to expire publish in the Official Gazette a notice in Form 'A' calling upon the registered practitioners whose names are renewed and who are entitled to elect new members, to make nominations therefore.

5. Notification of dates for each stage of election :-

The election shall be held by a postal ballot, the Returning Officer shall notify in the Official Gazette and on the notice board at the office of the Board the dates for each of the following stages of election namely :-

(a) The last date for making nominations, which shall be the date not later than the thirty days before the date fixed for the counting of votes:

(b) The date for the scrutiny of nominations, which shall be the date falling on the seventh day from the date of making nominations, counting the last date for making nominations as the first day for the purpose;

(c) The last date for the withdrawal of the candidatures which shall be the third day after the date for the scrutiny of nominations:

(d) The last date for the receipt of the voting papers;

(e) The date for the counting of the votes.

6. Preparation and publication of lists of registered practitioners for the purposes of election :-

(1) For the purposes of the election of members of the Board under

sub-clause (i) and (ii) of sub-section (2) of Section 3 , there shall be prepared-

(a) a list of voters qualified to vote under sub-clause (i) of clause (b) of sub-section (2) of Section 3 , and

(b) a list of voters qualified to vote under sub-clause (ii) of clause (b) of sub-section (2) of Section 3 , and

(2) Each such list shall be published in the office of the Board such date not later than ninety days before the last date fixed for making nominations under Rule 5.

7. Candidate to be proposed and seconded :-

The name of a candidate shall be proposed by a voter and seconded by another voter. A candidate not so proposed and seconded shall not be deemed to have been duly proposed and seconded.

8. Form of Nomination :-

The nomination paper shall be in Form "B". No voter shall propose or second the nomination of more candidates than are required to fill up the vacancy or vacancies. If more nominations of candidates than are required to fill up the vacancy or vacancies be subscribed by the same voter, all nomination subscribed by him shall be invalid.

9. Nomination paper to be signed :-

The candidate shall sign the nomination paper declaring that he is willing to serve on the Board if elected. In the absence of such declaration the nomination shall be treated as invalid.

10. Deposit :-

(1) Every candidate shall alongwith the proposal for nomination, deposit with the Returning Officer a sum of rupees two hundred and fifty in cash. A nomination paper not accompanied by such deposit shall not be accepted by the Returning Officer. The deposit shall be returned if-

(a) the candidate is declared or is deemed to be duly elected, or

(b) the nomination of the candidate is declared in valid, or

(c) the candidate dies after the scrutiny of nomination papers and before the election is completed, or

(ii) If a candidate is not elected and if the number of valid votes recorded in his favour is less than 1/8th of the total number of votes recorded divided by the total number of members to be elected, his deposit shall be forfeited to the Board.

(iii) The deposit shall, if it is not forfeited be returned as soon as may be after the declaration of the result of the election.

11. Scrutiny of nomination papers :-

On the fixed for the scrutiny of nomination papers the Returning Officer shall scrutinize the nomination papers received by him at a place appointed by him in this behalf at 12 noon. Any candidate may be present either In person or by an accredited representative at the time of such scrutiny. On completion of the scrutiny of nominations papers and after the expiry of the period within which the candidate may withdraw the candidature under rule (12) the Returning Officer shall forthwith declare the names of the candidates whose nomination papers are held valid by him.

12. Withdrawal of candidature :-

Any candidate may withdraw his candidature by sending a notice in writing signed by him to the Returning Officer not later than 12 noon on the day fixed for the withdrawal.

13. Declaration of elected candidates in certain cases :-

If on the scrutiny of the nomination papers received the Returning Officer finds that the number of valid nominations of candidates to be elected under sub-clause (i) or as the case may be (ii) of clause (b) of sub-section (2) of Section 3 is equal to the number of members to be elected under the said sub-clause (i) or as the case may be sub-clause (ii) he shall forthwith declare all such candidates to be fully elected.

14. Publications of names and addresses :-

(1) If the number of valid nominations of candidates to be elected under sub-clause (i) as the case may be (ii) of clause (b) of sub-section (2) of Section 3 is more than the number of members to be elected under the said sub-section (i) or as the case may be sub-clause (ii). The Returning Officer shall forthwith publish their names and address in such manner as the record may deem fit and shall further causes their names to be entered in the voting papers in form "C".

(2) Names of candidates to be elected under sub-clause (i) of

clause (2) sub-section (2) of Section 3 and of candidates to be elected under sub-clause (ii) of the said clause (b) shall be entered in separate voting papers.

15. Dispatch of voting papers :-

After the candidates have been validly nominated the Returning Officer shall send by post to each voter-

(1) a voting paper with which he may be concerned;

(2) a small blank cover with the words "Voting Paper" printed thereon, and

(3) a bigger cover on which are printed, on the left top corner, the serial number, and on the left lower corner, the name and signature Columns, and, in the centre, the address of the Returning Officer printed as under :- "To The Returning Officer, C/O The Gujarat Board of Ayurvedic and Unani Systems of Medicine, AHMEDABAD.

16. Supply of duplicate of voting papers in certain cases :-

A voter who has not received his voting paper and other connected papers as provided In rule 15 or whose papers, before they are returned to the Returning Officer have been Inadvertently spoilt in such a manner that they cannot be conveniently used, or who has lost his paper, may on his transmitting to the Returning Officer a declaration to the effect signed by himself require the Returning Officer to send him duplicate paper in place of those not received spoilt or lost, and if the papers have been spoilt, the same shall be returned, to the Returning Officer who shall cancel them. If every case, when duplicate papers are issued a record thereof shall be kept by the Returning Officer and mark "Duplicate" shall be placed on the bigger cover which shall bear the same serial number as was originally given on the bigger cover sent to the voter. The voting papers issued in such cases shall also be marked "Duplicate".

17. Voter to send voting paper before fixed time :-

Every voter desirous of voting shall send his voting paper to the Returning Officer before the time fixed for the receipt of voting papers. The Returning Officer shall keep the same collected in sealed boxes provided that any voting paper which is not received by the Returning Officer before the time so fixed shall be rejected.

18. Scrutiny of voting papers :-

The Returning Officer shall nominate as scrutinizers such number of

members of the Board other than candidates not exceeding four as he thinks fit:

Provided that where the elections are held for the first time under the Act, the scrutinizers to be so appointed shall be the registered practitioners other than candidates whose names appear in the lists mentioned in Rule 6.

19. Counting of votes :-

A candidate may be present either in person or by his accredited representative at the counting of votes.

20. Declaration of result of election :-

When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given, to have been elected and shall forthwith inform the successful candidate by letter of his having been elected to the Board and shall ascertain his wishes whether he accepts the seat on the Board within the date specified therein. If no such intimation is received by the Returning Officer within the period specified, the candidate shall be deemed to have accepted a seat on the Board. If any candidate refuses to accept a seat on the Board, then one of the remaining candidates to whom the next largest number of votes have been given shall be declared to have been elected as aforesaid in the place of the candidate who has refused to accept a seat on the Board, and the same procedure shall be followed if further vacancies are caused by refusal of a candidate to accept a seat on the Board.

21. Lots to be drawn in the case of equality of votes :-

When an equality of votes is found to exist between any two or more candidates, and the addition of a vote will entitle any one or more of the candidates to be declared elected, the determination of the candidate or the candidates to whom such additional vote shall be deemed to have been given shall be made by lot to be drawn by the Returning Officer in such manner as he thinks fit.

22. Custody and preservation of voting papers :-

After the result of the election has been declared by him, the Returning Officer shall seal the voting papers and all other documents relating to the election and shall retain the same with himself in safe custody for a period of six months, and thereafter cause them to be destroyed.

23. Publication of results in Official Gazette :-

After the declaration of the result of the election and, where the President himself is not the Returning Officer, after the receipt by him of the result of such election from the Returning Officer, the President shall forward such result to the State Government for publication in the Official Gazette. The notification of the election of a member shall be read by the Registrar at the next meeting of the Board, and the new member shall then be introduced to the meeting by the senior most member of the Board. The above procedure shall be adopted also in the case of a member nominated on the Board.

24. Maintenance of list of elected candidates etc. :-

The Registrar shall maintain a list containing the names of the members elected on the Board the electorates they represent, the date of election of each such member, the term of his office and the date on which his term expires and in any member had dies, the date of his death. The list shall also contain similar particulars in regard to the members of the Board nominated by the State Government. The Registrar shall keep the list always up to date so that it may show at a glance when the next election or nomination, as the case may be, has to be made.

25. Board may declare election to be void in certain cases :-

(1) The Board may, of its own motion, or on any objection, made before it, declare the entire election or, as the case may be, the election of an elected candidate to be void if it is of opinion that the result has been materially affected :-

- (a) by the improper acceptance or rejection of any nomination; or
- (b) by the improper reception or refusal of vote at the counting; or
- (c) by any non-compliance with the provisions of these rules.

(2) The decision of the State Government under sub-rule (1) shall be final.

26. Reference to State Government for interpretation :-

If any question arises regarding the interpretation of any provision of these rules, which in the opinion of the Board should be referred to the State Government the Board shall, before taking its own decision refer, such question to the State Government.

27. Registrar to inform President and State Government

about vacancies :-

If a vacancy occurs in the Office of a member of the Board due to resignation, death, disqualification, removal, or disability of such member or, otherwise previous to the expiry of his term of office, the Registrar shall make a report in writing regarding the vacancy to the President if the vacancy be in respect of an elected member and to the President as well as Government in case the vacancy be in respect of a nominated member.

28. Election of President :-

(1) At the meeting called for the election of the President, the members present shall elect from amongst themselves a temporary Chairman by ballot, if necessary to be taken by the Registrar. Such Chairman shall preside over the meeting until the President has been elected.

(2) It shall be competent for any member of the Board to nominate any other member for the office of the President. The temporary Chairman shall announce the names of the members so nominated and, if only one member has been so nominated shall declare, that member to have been elected as President. If more than one member has been so nominated the meeting shall proceed to elect the President by ballot.

(3) When an equality of votes is found to exist between any two or more member and addition of a vote will entitle a member to be declared elected as President, the determination of the member to whom such additional vote shall be deemed to have been given shall be made by lot to be drawn by the Chairman in such manner, as he thinks fit.

PART 3**Meetings of the Board****29. Ordinary Meetings :-**

The Board shall ordinarily meet for the transaction of business in the months of February and September in each year.

30. Extra ordinary Meetings :-

(1) An extraordinary meeting of the Board of which fifteen days notice shall be given may be summoned by the President at any time :

Provided that the President may for the purpose of transactions any

business which may appear to him to require urgent and immediate attention also summon such meeting by giving four days notice thereof.

(2) Such meeting shall also be summoned by the President upon a written requisition signed by not less than six members of the Board.

31. Issue of summons for convening meeting :-

(1) All meetings of the Board shall be convened by the Registrar by a summons addressed to each member, stating the time and place of the meeting and the business to be transacted therein.

(2) No business other than that specified in the summons shall be transacted, at any meeting which is convened for special business, unless the Board by a resolution at the meeting agrees to consider any further business.

32. Agenda :-

The Registrar shall, under the instructions of the President, prepare the agenda for a meeting and shall furnish a copy thereof to each member of the Board, not less than ten days before the day of the meeting unless the meeting has been summoned under the proviso to sub-rule (1) of Rule 30 and at the same time forward to all members of the Board copies of the documents and evidence in any case for disciplinary action to be brought before the Board during that meeting.

33. Notice of motion :-

Notice of any motion to be inserted in the agenda of an ordinary meeting must be sent to the Registrar at least fifteen clear days before the day on which the meeting is scheduled.

34. Motions :-

(1) A motions for the consideration of the Board shall not be admissible :-

(a) if the matter to which it relates is not within the scope of the Board's functions: or

(b) if it raises substantially the same question as a motion or amendment which had been moved and either decided or withdrawn with the leave of the Board within six months of the date of the meeting at which it designed to move the new motion

unless otherwise agreed to by the President; or

(c) if it is not clearly and precisely expressed and does not raise substantially only one definite issue; or

(d) if it contains arguments, inferences, ironical expressions or defamatory statements.

(2) The President shall disallow any motion which in his opinion is inadmissible under sub-rule (i) :

Provided that if a motion can be rendered admissible by amendment the President may, in lieu of disallowing the motion admit it in an amended form.

(3) When the President disallows or amends a motion, the Registrar shall inform the member who gave notice of the motion the reasons of disallowance or, as the case may be, of the form in which the motion has been admitted.

35. Discretion of President to include any business in agenda :-

Notwithstanding anything contained in Rule 33 and Rule 34 the President may in his discretion-

(a) admit for discussion at any meeting a motion of urgent nature, notice of which has not reached the Registrar in time for inclusion in the agenda;

(b) allow a motion to be discussed at a meeting notwithstanding the fact that notice was received too late to admit of compliance with rule 33.

PART 4

Conduct of business at meeting

36. Member not to leave without permission :-

No member after taking his seat shall leave a meeting without the permission from the President.

37. Conduct of business at meeting :-

(1) Every matter to be determined by the Board shall be determined on a motion moved by a member and put to the Board by the President.

(2) The votes at the meetings shall be taken by show of hands or by ballot as the President may direct:

Provided that votes shall be taken by ballot if any member so desires, and asks for it.

(3) In all cases where division has taken place, any member of the Board may required that the names or the numbers, or both, of the majority, of the minority of those who decline to vote and of those who are absent be entered in the minutes.

(4) The result of the votes shall be announced by the President and shall not be challenged.

38. Identical Motions :-

When motions identical in purport stand in the names of two or more members, the President \$ shall decide whose motion shall be moved and the other motion or motions identical in purport shall thereupon be deemed to be withdrawn

39. Method of moving Motions :-

(1) All motions and amendments thereto shall be in writing and shall be signed by the mover. Every motion or amendment shall be recorded and if any motion or amendment is not seconded, it shall be deemed to have failed.

(2) After a motion has been moved any member may, subject to the provisions of rule 40 and Rule 41 move an amendment to the motion :

Provided that the President shall not allow an amendment to be moved which, if it had been a substantive motion, would have been inadmissible under rules.

40. Amendment to motion :-

(1) An amendment must be relevant, to and within the scope of, the motion to which it is proposed.

(2) No amendment shall be moved which has merely the effect of a negative vote.

(3) The President may disallow any amendment which is in his opinion frivolous.

(4) If notice of an amendment has not been given two clear days before the date on which the motion is moved, any member may object to the moving of the amendment and the objection shall prevail, unless the President allow the amendment to be moved.

(5) The Registrar shall, if time permits, cause a copy of every amendment to be made available for the use of every member.

41. Form of amendment of motion :-

A motion may be amended by the omission. Insertion, substitution or addition of words there from or there in.

42. Debates :-

(1) When a motion or amendment is under debate, no proposal with reference there to shall be made unless it is-

(a) an amendment of the motion or of the amendment, as the case may be;

(b) a motion for the adjournment of the debate on the motion or amendment or both either to a specified date and hour or sine die:

(c) a motion for the closure of the debate, namely that the Board do now proceed to vote on the motion;

(d) a motion that the Board instead of proceeding to deal with the motion should pass to the next item on the programme of business;

(e) a motion that the Board be now adjourned :

Provided that no such motion or amendment shall be moved so as to interrupt a speech :

Provided further that no motion of the nature referred to in clauses (b), (c), (d) or (e) shall be moved or seconded by a member, who has already taken part in the debate :

Provided also that a motion referred to in clauses (c), (d) or (e) shall be moved without speech.

(2) It shall be in the discretion of the President to put or refuse to put to the Board a proposal of the nature referred to in clause (b) of sub-rule (1).

(3) Unless the President is of opinion that a motion for the closure is an abuse of the right of reasonable debate, he shall forthwith put a motion that the question be now put and if that motion is carried the substantive motion or amendment under debate shall be put forthwith:

Provided that the President shall allow the mover of the substantive

motion to exercise his right of reply before the substantive motion under debate is put.

43. Withdrawal of Motion :-

A motion or an amendment which has been moved shall not be withdrawn save with the leave of the Board which shall not be deemed to be granted, if any member objects to granting thereof.

44. Mover to start debate :-

(1) After a motion has been placed before the meeting for consideration under Rule 39 the mover may speak in support of the motion and the seconder may either follow or reserve his speech for a later stage of the debate thereon.

45. Right of reply :-

The mover or if the mover values his right, the seconder of a substantive motion may reply at the conclusion of the debate thereon but no member shall without the express permission of the President speak for more than once on the same motion except for the purpose of making an explanation but in such case no debatable matter shall be brought forward.

46. Time limit for speech :-

The President may fix a reasonable time limit within which the mover, the seconder and any other member shall finish his speech.

47. Point of order :-

(1) The President shall decide all points of order and his decision thereon shall be final.

(2) The member may, at any time, raise a point of order for the decision of the President but in doing so he shall confine himself to setting out the points only.

(3) No discussion on any point of order shall be allowed except with the consent of the President.

48. Speech to be confined to subject matter and conduct of a member :-

(1) A speech shall be strictly relevant and confined to the subject matter of the motion or amendment.

(2) Any motion or amendment/standing in the name of the member, who is absent from the meeting, or unwilling to move it,

may be moved by another member, with the permission of the President;

(3) The business of the Board shall be transacted in Gujarati or English;

(4) A member desiring to make any observations on any matter before the Board shall speak from his place and shall rise when he speaks and shall address the President;

(5) If at any time the President rises any member speaking/shall immediately resume his seat.

49. Procedure regarding amendment :-

(1) When an amendment to any motion is moved or when two or more such amendments are moved, the President shall, before taking the sense of the Board, thereon, state or read to the Board the terms of the original motion and the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward;

50. Motions to be relevant to business :-

No member shall be entitled to propose a motion other than the one directly arising out of the subject before the meeting and relevant there to except in the case of emergency and with consent of the President.

51. Power to divide motion or amendment :-

When any motion involving several points has been discussed, it shall be in the discretion of the President to divide the motion and put each or any point separately to the vote as he may think fit.

52. Adjournment of meeting :-

(1) The President may, at any time after stating reasons adjourn any meeting to any future day or to any hour of the same day.

(2) Wherever a meeting is adjourned to a future day, the Registrar shall, if possible send notice to the adjournment to every member who was not present at such meeting.

(3) When a 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.

(4) At a meeting adjourned to a future day any motions standing over from the previous day shall, unless the President otherwise directs, take precedence on other matter.

(5) Either at the beginning of the meeting or after the conclusion of the debate on a particular item during the meeting, the President or a member may suggest, a change in the order of business on the agenda and if the Board agrees, such a change shall take place.

(6) No matter which had not been on the agenda of the original meeting shall be discussed at an adjourned meeting.

53. Decision of Board by circulating proposition :-

The Presidents, whenever it appears unnecessary to him to convene a meeting may instead of so doing, circulate a written proposition with the reasons for such proposition for the observations and votes of the members of the Board.

54. Decision of President in matters of procedure final :-

If any question arises with reference to the procedure in respect of a matter for which there is no provision, in their rules, the President shall decide the same and his decision thereon shall be final.

PART 5

Minutes of meetings of the Board

55. Proceeding of the meetings to be preserved in printed Books :-

The proceedings of the meetings of the Board shall be presented at the following meeting for approval of the members and shall be authenticated, after confirmation, by the signature of the President and they shall be preserved in the form of printed books.

56. Minutes of meetings to be attested and copies to be supplied to members :-

A copy of the minutes of each meeting duly approved by the President shall be sent to each member within thirty days of the meeting.

57. Contents of minutes book :-

The minutes of each meeting shall contain such motions and amendment as have been moved and adopted, or negative, with the names of the mover and the seconder, but without any

comments and without any record of any observation made by any members at the meeting unless requested by a member for recording his arguments and observations in short.

58. Confirmation of Minutes of meeting :-

(1) The minutes shall be deemed to have been confirmed if no objection to their correctness is received by the Registrar from any member within thirty days of the dispatch of a copy of the minutes to a member in accordance with Rule 56.

(2) If any such objection is received, confirmation of the minutes shall await the next meeting of the Board.

59. Preservation of minutes of meeting in a volume :-

The minutes of the meetings, of the Board shall, as soon as is practicable after their confirmation, be made up in sheets and consecutively paged for insertion in a volume, which shall be permanently preserved.

PART 6

Fees and Allowances to the members of the Board

60. Fees payable to members :-

Every member of the Board shall be entitled to a fee of ¹ [Rs. 100] for each day of attendance at a meeting of the Board.

1. Substituted by Notf. cit. 6-6-1991.

61. Travelling Allowances :-

(1) A member of the Board who is a Government servant may, for the purpose of any journey performed by Bombay Civil Service Rules, 1959.

(2) All other members of the Board shall be allowed travelling allowances with incidental charges if any, according to the Rules applicable to first grade government servants.

PART 7

Salary and allowances of the Registrar

62. Salary and allowances of Registrar :-

(1) The Registrar shall be paid salary in the pay scale of ¹ [Rs. 2000-60-2300-EB-75-3200- 100-3500].

(2) He shall also be entitled to other all allowances including the dearness allowance, the House rent allowance and travelling

allowance as are admissible as per rules to the Government servants of the same pay or pay scales;

1. Substituted by Notfn. dt 6-6-1991

PART 8

Maintenance of Register and list

63. Form of Registrar and list :-

(1) The Registrar shall enter in the Register and in the list in alphabetical order the names of all practitioners registered or as the case may be, enlisted, under the Act with all the relevant particulars required to be entered there in under the Act.

(2) Each page of the register and the list shall be verified by the Registrar by signature and each entry in the register or the list shall be Initialed by the Registrar.

(3) The register or list to be prepared and maintained under the Act shall include the following particulars namely :-

(a) Serial number.

(b) Registration or as the case may be enlistment number.

(c) Name of practitioner (beginning with surname).

(d) (A) Father's name/Husband's name. (B) Sex.

(e) Date of birth of the practitioner.

(f) Address- (A) Clinic. (B) Permanent postal address.

(g) Qualifications :- (a) Title. (b) Year of award. (c) Institution where trained and period of training. (d) University or other body awarding the qualification.

(h) Educational and other qualification, if any.

(i) Date of registration/enlistment.

(j) Remarks on renewal.

(k) Remarks, if any, of the Registrar

PART 9

Registration and Enlistment

79. Application for registration :-

(1) Any practitioner desiring to have his name entered in the

register under sub-section (3) of Section 17 shall apply to the Registrar in form G.

(2) Every application made under sub-rule (1) above shall be accompanied by :-

(a) Registration fee of Rs. 10 prescribed under sub-section (3) of Section 17 ;

(b) a birth certificate or a Matriculation Certificate or S.S.C. certificate or, as the case may be. School leaving certificate in original of the applicant together with the two certified copies thereof; and

(c) the degree or diploma certificate in original together with his certified copies thereof.

(3) Every practitioner desiring to have his name entered in the register under sub-section (5) and (6) of Section 17 shall apply to the Registrar In Form H.

(4) Every application made under sub-rule (3) shall be accompanied by:-

(a) Registration fee of Rs. 10 prescribed under sub-section (5) or (6) of Section 17 ;

(b) a birth-certificate or a Matriculation Certificate or S.S.C. certificate or, as the case may be, the School leaving certificate in original of the applicant together with the two certified copies thereof;

(c) a declaration in Form I or J. as the case may be before a Magistrate not below the rank of First class and a certificate of a Gazetted Officer of the State or Justice of peace in Form K to the effect that the applicant had been regularly practicing the Ayurvedic or Unani System of Medicine the area and for the period as may be required in his case under sub-section (5) or clause (a) or (b) of sub-section (6) of section 17, as the case may be.

(5) Every practitioner desiring to have his name entered in the register under sub-section (7) of Section 17 shall apply to the Registrar in Form L.

(6) Every application for registration under sub-section (7) of section 17 shall be accompanied by :-

(a) a registration fee of Rs. 5.

(b) a birth-certificate or a Matriculation Certificate or S.S.C. certificate or, as the case may be, the School leaving certificate in original of the applicant together with the two certified copies thereof;

(c) The original enlistment certificate held by the applicant which shall be retained by the Board.

80. Application for enlistment :-

(1) Any practitioner desiring to have his name included in the list under clause (b) of sub- section (2) of Section 18 shall apply in Form M.

(2) Every application made under sub-rule (1) shall be accompanied by:-

(a) a fee of rupees ten prescribed under clause (b) of subsection (2) of Section 18 ;

(b) a birth-certificate or a Matriculation Certificate or S.S.C. certificate or, as the case may be, the School leaving certificate in original of the applicant together with the two certified copies thereof;

(c) a declaration in Form N executed by the applicant before a Magistrate not below the rank of First Class and a certificate of Gazetted Officer of the State or Justice of peace in Form O to the effect that the applicant had been regularly practicing a system of medicine (Other than Homeopathic system of medicine) in a place and for the period specified in clause (b) of sub-section (2) of Section 18 .

81. Inquiry by Committee appointed under section 17(8) :-

(1) For the purpose of making an inquiry in respect of any application placed before it, the Committee appointed under sub-section (8) of section 17, may, if it considers necessary, direct the Registrar to call any applicant for interview at the cost of the applicant's or may refer any application to the Collector of the district concerned for verification of such facts mentioned by the applicant in the application as the Committee may specify in that behalf.

(2) The Committee may if it thinks fit, disqualify any member of the

Committee, Registrar or any staff member of the Board to make on the spot Inquiry and report in respect of any application placed before it.

(3) The Committee may over and above the Information contained in the application forms, call for any further additional information, that It considers necessary, from the applicant such as :-

(a) Educational qualification of the applicant;

(b) his experience;

(c) his present place of practice.

(d) certificate from Institution or respectable persons regarding the practice of the applicant: and

(e) documentary evidence such as rent receipts in respect of dispensary or clinic or place of practice of the applicant, old prescription papers, receipts or cash memos in respect of medicines or drug purchased by the applicant, etc.

(4) The question of registration in respect of each application placed before the Committee shall be decided in accordance with the opinion of the majority of the members of the Committee.

82. Renewal of registration and enlistment :-

(1) A renewal fee of rupees ¹[fifty] shall be paid to the Board by every practitioner who applies to the Registrar under sub-section (1) of Section 22 of the Act or under sub-section (3) of Section 22 , read with sub- section thereof, for the continuance of his name on the register or in the list as the case may be.

(2) The renewal slip to be issued under sub-section (2) of Section 22 shall be in Form "P".

(3) The additional fee under the proviso to clause (b) of sub-section (2) of Section 22 to be charged for re-entering the name of any practitioner in Register or the list, as the case may be, shall be rupees ² [fifteen].

1. Substituted by 6-6.1991.

2. Substituted by 6-6.1991.

83. Fees payable under section 30 of Act :-

The fees payable under the proviso to sub-section (1) of Section 30 of the Act shall be rupees eleven.

84. Fees for practice in rural areas :-

The fee payable under section 34 of the Act shall be rupees five.

85. Repeal and saving :-

The Bombay Medical Practitioner's Rules, 1939 and any rules corresponding thereto which may be in force in any part of the State immediately before the commencement of these rules are hereby repealed :

Provided that anything done or any action taken under the rules so repealed shall in so far as it is not inconsistent with these rules, be deemed to have been done or taken under the corresponding provisions of these rules.