

<p>The rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions</p>	<p>ਇੰਡੀਅਨ ਮੈਡੀਸਨ ਸੈਟਰਲ ਕੋਸਲ ਐਕਟ, 1970 ਅਤੇ ਪੰਜਾਬ ਆਯੁਰਵੈਦਿਕ ਅਤੇ ਯੂਨਾਨੀ ਪ੍ਰੈਕਟੀਸ਼ਨਰਜ਼ ਐਕਟ, 1963 ਅਤੇ ਇਸ ਅਧੀਨ ਬਣੇ ਰੂਲਾਂ ਦੀਆਂ ਕਾਪੀਆਂ ਅਤੇ ਸੀਡੀ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।</p>
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## INDEX

1. Short title, extent and commencement
2. Definitions.
3. Establishment and constitution of Board.
4. CHAPTER II - Establishment and Constitution of Board and Registration of Practitioners.
5. 3. Establishment and constitution of Board
6. 7. Resignation
7. 4. Election of members

**The Punjab Ayurvedic and Unani Practitioners- Act,**  
**1963**

(Received the assent of the President of India on 29th November, 1963, and first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, of the 13th December, 1963).

An act to consolidate and amend the law relating to the registration of Practitioners of Ayurvedic and Unani Systems of Medicine and to regulate the practice in such systems.

Be it enacted by the Legislature of the State of Punjab in the Fourteenth Year of the Republic of India as follows:

**CHAPTER- I**

**Preliminary**

1. Short title, extent and commencement.-(1) This Act may be called the Punjab Ayurvedic and Unani Practitioners Act, 1963.

(2) It extends to the whole of the State of Punjab.

(3) It shall come into force on such date as the State Government may by notification appoint.

2. Definitions.-In this Act, unless the context otherwise requires.

(a) "Ayurvedic system" means the Ashtang Ayurvedic System and the Siddha, and includes the modernized form thereof;

(b) "Board" means the Board of Ayurvedic and Unani Systems of Medicine, Punjab, established and constituted, or deemed to be established and constituted, under section 3;

(c) "Director" means the Director of Ayurveda Punjab, and includes the Deputy Director of Ayurveda, Punjab, the Assistant Director of Ayurveda, Punjab, and such other officer as the State Government may appoint for exercising the powers and performing the functions of the Director under this Act and the rules made there under;

(d) "Faculty" means the Punjab State Faculty of Ayurvedic and Unani Systems of Medicine established under the Punjab State Faculty of Ayurvedic and Unani Systems of Medicines Act 1963.

(e) "member" means a member of the Board, and includes the Chairman and Vice-Chairman;

(f) "practitioner" means a person who practices the Ayurvedic System or Unani System ;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "Register" means the register [For Haryana "New Register"] of practitioners maintained under section 14;

(i) "registered practitioner" means a practitioner, whose

name is entered in the Register;

(j) "Registrar" means the Registrar appointed under section 13 ;

(k) "Schedule" means a Schedule appended to this Act; and

[(kk) "State of Punjab" means the State with the same name, comprising the territories referred to in sub-section (l) of section 6 of the Punjab Reorganisation Act, 1966;]

(i) "Unani System" means the Unani Tibbi System of Medicine, and includes the modernised form thereof.

## **CHAPTER II - Establishment and Constitution of Board and Registration of Practitioners**

3. Establishment and constitution of Board.- (1) Subject to the provisions of sub-section (6), there shall be established and constituted for the purpose of carrying out the provisions of this Act a Board to be known as "The Board of Ayurvedic and Unani Systems of Medicine, Punjab" consisting of seventeen [For Haryana Eleven] members residing in the State of Punjab of whom (a) six including the Director and one Principal of any Ayurvedic or Unani institution recognised by the Faculty, shall be appointed by the State Government; and (b) eleven, of whom not less than seven shall be persons holding a diploma or degree in the Ayurvedic System or Unani System, shall be elected by the registered practitioners [residing in the State- of Punjab] from amongst themselves.

(2) The Board shall be a body corporate with the name aforesaid, having perpetual succession and a common seal with power subject to the provisions of this Act, to acquire, hold and dispose of property, and to contract, and may by the said name sue and be sued.

(3) The Director shall be the ex officio Chairman of the Board, and the Vice-Chairman shall be elected by the members of the Board from amongst themselves.

(4) The eleven seats of members provided in clause (b) of sub-section (1) shall be distributed by the State Government proportionately to their numbers, as counted on the prescribed date before the election between the [registered practitioners residing in the State of Punjab who follow the Ayurvedic Systems and those who follow the Unani System; Provided that in determining the proportion a fraction of one-half and less shall be ignored and a fraction of more than one-half shall be counted as one.

(5) Every election or appointment of a member and every vacancy in the office of a member shall be notified by the State Government in the Official Gazette.

(6) Until the Board is established and constituted in accordance with the provisions of the preceding sub-sections, the State Government may constitute a Board consisting of six persons, including the Director, to be appointed by the State Government, and the Board so constituted shall, as from the commencement of the Punjab Ayurvedic and Unani Practitioners (Amendment and Validation) Act, 1967, and for a period not exceeding (five years) from such commencement, be deemed to be the Board (established and constituted for the purpose of carrying out the provisions of this Act and the provisions of sub sections (3) and (5) shall apply to such a Board.

4. Election of members.- The election of members of the Board under clause (b) of sub-section (1) of section 3 shall be held at such time and place and in such manner as may be prescribed.

Note: Please see Punjab Ayurvedic and Unani Practitioners (Election) Rule, 1965

5. Term of office-(1) Save as otherwise provided, the term of office of the non-official members of the Board, other than the Board deemed to be established and constituted under sub-section (6) of section 3, shall be five years commencing from the date on which the first meeting of such Board is held:

Provided that an outgoing member shall continue in office until the election or appointment of his successor, as the case may be.

(2) The outgoing member shall be eligible for re-election or re-appointment.

6. Vacancies. - (1) If a vacancy occurs in the office of a member of the Board through death, resignation, removal or disability of such member or otherwise, the vacancy shall be filled in the same manner as is provided in section 3.

(2) Any person elected or appointed to fill the vacancy shall, notwithstanding anything in section 5, hold office only so long as the member in whose place he is elected or

appointed would have held office if the vacancy had not occurred.

7. Resignation-Any member of the Board may at any time resign his office by letter addressed to the Chairman and the resignation shall take effect from the date on which it is accepted by him.

8. Disabilities for continuing as member-If, in the opinion of the Board, any member of the Board absents himself without sufficient cause from three consecutive ordinary meetings of the Board or becomes subject to any of the disqualifications specified in section 9, the Board shall declare his office to be vacant: Provided that before declaring his office to be vacant, the Board shall call for his explanation and record its decision thereon'

8-A. Power to remove member-The State Government may, by notification, remove any member who, in its opinion, has been guilty of misconduct in the discharge of his duties: Provided that before the State Government notifies the removal of any member the reasons for his proposed removal shall be communicated to him and he shall be given an opportunity of tendering an explanation in writing.

Note: Under Rule 4 of Punjab Ayurvedic & Unani Practitioners Election Rules 1965 15th October, shall be the

date of which number of registered practitioners residing in the State of Punjab shall be counted under section 3(4)

9. Disqualifications- No person shall be eligible for election or appointment as a member of the Board

- (a) who is a minor or an undercharged insolvent; or
- (b) who has been adjudicated by a competent court to be unsound mind, or
- (e) whose name has been removed from the Register; or
- (d) who has been sentenced by a Criminal Court to imprisonment for such offence involving moral turpitude as may be declared by the State Government.

10. Vacancies etc. not to invalidate proceedings of Board - No act done or proceedings taken under this Act by the Board shall be invalid merely on the ground

- (a) of any vacancy or defect in the Constitution of the Board, or
- (b) of any defect or irregularity in election or appointment of a person acting as a member thereof; or,
- (c) of any defect or irregularity in such Act or proceeding, not affecting the merits of the case.

11. Time and place of meeting of Board- The Board shall meet at such time and place and every meeting of the Board shall be summoned in such manner, as may be provided in the regulations made under this Act;

Provided that, until such regulations are made, it shall be lawful for the Chairman to summon a meeting of the Board at such time and place as he may deem expedient by letter addressed to each member.

12. Procedure at meetings of Board.-(1) The Chairman and in his absence the Vice-Chairman, and in the absence of both, a person elected by the members of the Board from amongst themselves, shall preside at every meeting of the Board.

(2) All questions at a meeting of the Board shall be decided by the votes of the majority of the members present and voting:

Provided that in case of equality of votes, the Chairman, Vice Chairman or the person presiding, as the case may be, shall, in addition to his vote as a member of the Board, have a second or casting vote.

(3) Seven members shall form a quorum at a meeting of the Board referred to in sub section (1) of section 3 and three members shall form a quorum at a meeting of the Board referred to in sub section (6) of that section: Provided that if a meeting is adjourned for want of quorum, no quorum shall be necessary at the next meeting called for transacting the same business.

13. Register and other staff.-(1) Subject to such rules as the State Government may make in this behalf, the Board shall

appoint a Registrar who shall receive such salary and allowances and be subject to such conditions of service as may be prescribed:

Provided that until a Registrar is so appointed, a person appointed, by the State Government shall, as from the commencement of this Act, be deemed to be the Registrar who shall be entitled to such salary and allowances and shall be subject to such conditions of service as may be determined by the State Government.

(2) The Board may appoint such other employees as may be necessary for carrying out the purposes of this Act and such employees shall receive such salary and allowances and be subject to such conditions of service as may be prescribed.

(3) All employees of the Board, including the Registrar, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

14. Duties of Registrar.- (1) Subject to the provisions of this Act and the rules made thereunder and subject to any general or special order of the Board, it shall be the duty of the Registrar to maintain the Register and to act as the Secretary to the Board.

(2) The register shall be in such form as may be prescribed and shall contain the names, addresses and qualifications of every registered practitioner together with the dates on

which qualifications were acquired and shall be divided into the following two Parts, namely: -

Part I containing the name of persons referred to in sub-sections (1) and (2) of section 15 ; and Part II containing the names of persons referred to in sub-section (3) and (4) of section 15.

(3) The Registrar shall keep the Register correct as far as possible, and may from time to time enter therein any material alteration in the address or qualifications of the practitioners. The names of the registered practitioners who die or whose names are directed to be removed from the Register under this Act shall be removed from the Register.

(4) A registered practitioner shall, on payment of such fees as may be prescribed, be entitled to have entered in the Register any further degree, diplomas or certificates or other qualifications in Ayurvedic System or Unani System or other recognised medical degrees, diplomas or certificates which my he may obtain. .

(5) For the purposes of this section, the Registrar may write by registered post to any registered practitioner at the address which is entered in the Register enquiring whether he has ceased to practise or has changed his residence and if no answer is received to the said letter within three months the Registrar may remove the name of the said practitioner from the register:

Provided that the Board may if it is satisfied on the application of the said practitioner that' he has not ceased to practice, direct that his name be re-entered in the register.

15. Registration.- (1) Every person possessing any of the qualifications specified in Schedule I shall, subject to the provisions of this Act and on payment of such fees as may be prescribed in this behalf be entitled to have his name entered in Part I of the Register subject to such conditions as may be prescribed.

(2) Every person whose name is entered immediately before the commencement of this Act, in Part (i) or Part (ii) of the Register maintained under the East Punjab Ayurvedic and Unani Practitioners Act, 1949, or the Pepsu Ayurvedic and Unani Practitioners Act, 2008 B. K. shall, subject to the provisions of this Act, be deemed to be registered in Part I of the register.

(3) Every person not in possession of the qualifications specified in Schedule I.

(a) whose name is entered immediately before the commencement of this Act in the list maintained under section 34 of the East Punjab Ayurvedic and Unani Practitioners Act, 1949, or under section 33 of the Pepsu Ayurvedic and Unani Practitioners Act, 2008 B.K. or  
(b) who proves to the satisfaction of the Registrar within a period of [eighteen months] from the commencement of this

Act that he was in practice as a practitioner on the first day of August, 1963 shall subject to the provision of this Act and on payment of such fees as may be prescribed in this behalf, be entitled to have his name entered in Part II of the Register subject to such conditions as may be prescribed.

(4) Every person entered in Part (iii) of the register maintained under the Acts referred to in sub-section (2) shall, subject to the provisions of this Act, be deemed to be registered in Part II of the Register.

(5) No person shall be entitled under this section to have his name entered in the Register if he is a minor.

16. Powers of Board to prohibit entry in or to direct removal from register, etc. (1) The Board may prohibit the entry in, or order the removal from, the Register of the name of any practitioner.

(a) who has been sentenced by a Criminal Court to imprisonment for such offence involving moral turpitude as may be declared by the State Government; or

(b) whom the Board after proper enquiry either made by itself or by a Committee appointed for the purpose by the Board from out of its members, has found guilty of professional misconduct or other infamous conduct by a majority of at least two-thirds of the members present and voting at the meeting of the Board.

(2) The Board may direct that the name of any person

against whom an order has been passed under sub-section (1) shall be entered or re-entered as the case may be, after having satisfied itself that due to lapse of time or otherwise the disability mentioned in sub-section (1) has ceased to have any force.

17. Procedure in inquiries.-For the purpose of any inquiry held under clause (b) of sub-section (1) of section 16 the Board or a Committee appointed by the Board shall be deemed to be a court within the meaning of the Indian Evidence Act, 1872 (Act No.1 of 1872), and shall, so far as may be follow the procedure laid down in the Code of Civil Procedure, (1908 (Act No. V of 1908).

18. Appeal to Board from decision of Registrar and other powers .of Board-(1) Any person aggrieved by the decision of the Registrar regarding the registration or any person of any entry in the registrar may, on payment of such fee as may be prescribed, appeal to the Board. (2) An appeal under sub-section (1) shall be filed within sixty days of the passing of the order appealed against after excluding the time spent in obtaining a copy thereof and shall be heard and decided by the Board in the manner prescribed.

(3) The Board may, on its own or on the application of any person, after due and proper enquiry and after affording the person concerned an opportunity of being heard, cancel or

alter any entry in the register, if, in the opinion of the Board, such enquiry was made fraudulently or wrongly.

19. Qualified practitioners certificate.-Notwithstanding anything in any law for the time being in force-

(a) the expression 'legally qualified medical practitioner or duly qualified medical practitioner, or any word importing a person recognised by law as a medical practitioner or member of medical profession shall in all Acts or other provisions having the force of law in Punjab and relating to matters in List II or List III of the Seventh Schedule to the Constitution of India, includes a practitioner registered in Part I of the Register;

(b) a certificate required by any Act to be issued by any medical practitioner or medical officer shall be valid, if such certificate has been signed and issued by a practitioner registered in Part I of the Register;

Provided that a certificate of illness may also be signed and issued by any practitioner registered in Part II of the Register ;

(c) A practitioner registered in Part I of the Register [who holds a degree or diploma of not less than four years duration in Ayurvedic system or Unani system from a teaching institution recognised by the State Government in this behalf] shall be eligible to hold any appointment as a

medical officer in any Ayurvedic or Unani dispensary or hospital supported by or receiving a grant from the State Government and treating patients according to the Ayurvedic System or Unani System or in any public establishment, body or institution dealing with any such System;

(d) a registered practitioner shall be entitled to use substances in their crude or manufactured form or preparations containing such substances provided their pharmaceutical action in relation to such use is known to him according to the fundamental principles of those medicines.

20. Notice of death.-Every Registrar of Deaths on receiving notice of the death of a registered practitioner shall forthwith transmit by post to the Registrar a certificate under his own hand of such death with the particulars of time and place of death and may charge the cost of such certificates and transmissions as an expense of his office.

21. Exemption from serving on inquests – Notwithstanding anything in any other law for the time being in force every registered practitioner shall be exempt, if he so desires from serving on any inquest under the Code of Criminal Procedure 1989 (Act No. V of 1898).

22. Fees and allowance's payable to members – There shall be paid to the members for attending meetings of the Board such travelling and other allowances as may be prescribed.

23. Mode of proof of Board's records - A copy of any proceeding, receipt, application, plan, notice, order, entry in a register or other document in the possession of the Board shall, if duly certified by the Registrar or any other person authorised by the Board in this behalf, be received as prima facie evidence of the existence of the entry or documents and shall be admitted as evidence of the entry or documents and of the matters therein recorded in every case where, and to the same extent as, the original entry or document would, if procured, have been admissible to prove such matters.

24. Fees for the issue of copies of orders, entries in registers etc.- Copies of any order passed by the Board or the register or of any entry in the register shall be supplied on payment of such fees as may be prescribed.

Note: The fees for the supply of certified copies of any order passed by the Registrar shall be charged at the rate of 75 paise per 100 words or fraction thereof, subject to a minimum of one rupee.

25. Fees received by Board-All moneys received by the Board as fees under this Act shall be applied for the purposes of this Act in the prescribed manner.

26. Publication of list of practitioners.- (1) The registrar shall at least once in every five years on or before a date to be fixed by the Board cause to be printed and published a correct list of the names and qualifications of all practitioners for the time being entered in the Register and the dates when such qualifications were acquired.

(2) In any proceedings it shall be presumed that every person entered in such list is a registered practitioner and that any person not so entered is not a registered practitioner.

Note: This list has been published in 1981 and can be had from office on payment.

27. False assumption of certificate or diploma to be an offence - Who ever willfully and falsely assumes or uses any title or description or any addition to his name implying that he is a registered practitioner shall be punishable for the first offence with imprisonment which may extend to six months or with fine which may extend to two hundred and fifty rupees or with both and for every subsequent offence with imprisonment which may extend to two years or with fine which may extend to five hundred rupees, or with both.

28. Selling medicines by hawking etc. to be an offence.- No practitioner, whether registered or not, shall sell any

medicine of the Ayurvedic System or Unani System in a public place as a hawker or by assembling a Majma.

29. Prohibition to practice - No person other than a registered practitioner, shall practise or hold himself out, whether directly or by implication, as practicing or as being prepared to practise the Ayurvedic System or Unani System.

30. Penalty - Any person who contravenes the provisions of section 28 or section 29, shall, on conviction, be punishable with fine, which may extend to two hundred rupees.

31. Power to amend Schedule-I-The State Government may by notification, amend Schedule I so as to add thereto or omit there from any qualification, and thereupon the Schedule' shall be deemed to be amended accordingly.

32. Control of State Government. - If at any time it appears to the State Government that the Board has neglected to exercise, or has exceeded or abused any power conferred upon it under this Act or has neglected to perform any duty imposed upon it by this Act, the State Government may communicate the particulars of such neglect, excess or abuse to the Board; and, if the Board fails to remedy such neglect, excess or abuse within such time as may be fixed by the State Government in this behalf the State Government may, for the purpose of remedying such neglect, excess or abuse, cause any of the powers and

duties of the Board to exercised and performed by such agency and for such period as the State Government may think fit.

33. Court competent to try offence and cognizance of offences-(1) No. court other than the Court of a [Judicial Magistrate] of the First Class shall take cognizance of, or try, an offence under this Act.

(2) No court shall take cognizance of any offence under this Act except on a complaint in writing of an Officer empowered by the State Government in this behalf.

Note: Under section 17 of C.C.I.M. Act, 1970, penalty for such offence is imprisonment for a term which may extended to one year or with fine which may extend to one thousand rupees, or with both.

Note2. The State Government has authorised the following officers by Notification to file complaints

1. Director of Ayurvedic
2. Deputy Director of Ayurveda,
3. Registrar, Board of Ayurvedic and Unani System of Medicines,
4. All District Ayurvedic and Unani Officers.

34. Protection of action taken in good faith.--No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended

to be done under this Act or under any rules or regulations made there under.

## **CHAPTER III**

### **Disputes Regarding Elections**

35. Definitions.-In this chapter, unless the context otherwise requires,-

(a) "agent" means any person' appointed in writing by a candidate at an election to be his agent for the purposes of his election with the written consent of such person;

(b) "candidate" means a person who has been or claims to have been duly nominated as a candidate at an election., and any such person shall be deemed to have been a candidate as from the time when, with the election in prospect, he began to hold himself out as a prospective candidate;

(c) "corrupt practice" means any of the practises specified in Schedule II ;

(d) "costs" means all costs, charges and expenses of, or incidental to a trial of an election petition;

(e) "election" means an election to fill the office of a member;

(f) "electoral right" means the right of a person to stand or not to stand, as, or to withdraw from being, a candidate or to vote or refrain from voting at an election;

(g) "pleader" means any person entitled to appear and plead for another in a civil court, and includes an Advocate.

36. Election petitions-No election of a member shall be called in question except by an election petition presented in accordance with the provisions of this Chapter.

37. Presentation of petitions-(1) Any registered practitioner residing in the State of Punjab may within a period of thirty days from the date on which the election of any member is notified under sub-section (5) of section 3 and on furnishing the prescribed security. in the prescribed manner, present on one or more of the grounds specific in sub-section (1) of section 49 to the prescribed authority an election petition in writing against the election of such member.

(2) The election petition shall be deemed to have been presented to the prescribed authority -  
(a) when it is delivered to the prescribed authority:-  
(i) by the person making the petition, or  
(ii) by a person authorised in writing in this behalf by the person making the petition; or  
(b) when it is sent by registered post and is delivered to the prescribed authority.

38. Contents of petition - (1) An election petition  
(a) shall contain a concise statement of the material facts on which the petitioner relies; .

(b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have

committed such corrupt practice and the date and place of the commission of each such practice; and (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Act No. V of 1908), for the verification of pleading: Provided that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any Schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

39. Procedure on receiving election petition - If the prescribed security is not furnished in the prescribed manner or the petition is not presented within the period specified in section 37, the prescribed authority shall dismiss the petition:

Provided that the petition shall not be dismissed without giving the petitioner an opportunity of being heard.

40. Power of Director to withdraw and transfer petitions- The Director may, at any stage after notice to parties and for reasons to be recorded, withdraw any election petition pending before a prescribed authority and transfer it for trial to another prescribed authority: and upon such transfer,

that prescribed authority shall proceed with the trial from the stage at which it was withdrawn.

Provided that such authority may, if it thinks fit, recall and re-examine any of the witnesses already examined.

41. Procedure before the prescribed authority-(1) Subject to the provisions of this Act and of any rules made there under, every election petition shall be tried by the prescribed authority, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure 1908 (Act No.. V of 1908), to the trial of suits: Provided that the prescribed authority shall have the discretion to refuse for reasons to be recorded to examine any witness or witnesses, if it is of the opinion that their evidence is' not material for the decision of the petition or that the party tendering such witness or witnesses is doing so on frivolous grounds or with a view to delay the proceedings.

(2) The provisions of the Indian Evidence Act, 1872 (Act, No. I of 1872), shall subject to the provisions of this Act, be deemed to apply in all respects to the trial of an election petition.

42. Appearance before prescribed authority - Any appearance, application or act before the prescribed authority may be made or done by the party in person or by a pleader duly appointed to act on his behalf.

Provided that it shall be open to the prescribed authority to direct any party to appear in person whenever the prescribed authority considers it necessary. . . .

43. Powers of the prescribed authority.-The prescribed authority shall have the powers which are vested in a Court under the Code of Civil Procedure, 1908 (Act No. V of 1908), when trying a suit in respect of the following matters-

- (a) discovery and inspection;
- (b) enforcing the attendance of witnesses and requiring the deposit of their expenses;
- (c) compelling the production of documents;
- (d) examining witnesses on oath;
- (e) granting adjournments;
- (f) reception of evidence taken on affidavit; and
- (g) issuing commissions for the examination of witnesses;

and may summon and examine suo motu any person whose evidence appears to it to be material ; and shall be deemed to be a Civil Court within the meaning of sections 480 and 482 of the Code of Criminal Procedure 1898 (Act No. V of 1898).

Explanation.-For the purpose of enforcing the attendance of witnesses the local limits of the jurisdiction of the prescribed authority shall be the limits of the State of Punjab .

44. Documentary evidence-Notwithstanding anything in any enactment to the contrary, no document shall be

inadmissible in evidence at the trial of election petition on the ground that it is not duly stamped or registered.

45. Secrecy of voting not to be infringed.-No witness or other person shall be required to state for whom he has voted at an election.

46. Answering of criminating question and certificate of indemnity - (1) No witness shall be excused from answering any question as to any matter relevant to a matter in issue in the trial of an election petition upon the ground that the answer to such question may criminate or may tend to criminate him, or that it may expose or may tend to expose him to any penalty or forfeiture;

Provided that

(a) a witness who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the prescribed authority; and  
(b) an answer given by a witness to a question put by or before the prescribed authority shall not except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against him in any civil or criminal proceeding;

(2) When a certificate of indemnity has been granted to any witness it may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IX-A of the Indian Penal Code (Act No. VL of 1860),

arising out of the matter to which such certificate relates, but it shall not be deemed to relieve him from any disqualification in connection with any election imposed by this Act or any other law.

47. Expenses of witnesses.- The reasonable expenses incurred by any person in attending to give evidence may be allowed by the prescribed authority to such person, and shall, unless the prescribed authority otherwise directs, be deemed to be part of the costs.

48. Decision of the prescribed authority.- (1) Where an election petition has not been dismissed under section 40, the prescribed authority shall enquire into the election petition and at the conclusion of the inquiry shall make an order-

- (a) dismissing the election petition; or
- (b) setting aside the election.

(2) At the time of making an order under sub-section (1) the prescribed authority shall also make an order

(a) where any charge is made in the petition of any corrupt practice having been committed at the election, recording

(i) a finding whether any corrupt practice has or has not been proved to have been committed at the election and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trial to have guilty of any corrupt practice and the

nature of that practices and  
(b) fixing the total amount of costs payable, and specifying  
the persons by and to whom costs shall be paid:

Provided that a person who is not a party to the petition  
shall not be named in the order under sub-clause (ii) of  
clause (a) unless  
(i) he has been given notice to appear before the prescribed  
authority and to show cause why he should not be so  
named; and  
(ii) if he appears in pursuance of the notice, he has been  
given an opportunity of cross-examining any witness who  
has already been examined by the prescribed authority and  
has given evidence against him, of calling evidence in his  
defence and of being heard.

49. Grounds for setting aside election.- (1) If the prescribed  
authority is of the opinion  
(a) that on the date of his election the elected person was  
not qualified or was disqualified, to be elected under this  
Act; or  
(b) that any corrupt practice has been committed by the  
elected person or his agent or by any other person with the  
consent of the elected person or his agent; or  
(c) that any nomination has been improperly rejected; or  
(d) that the result of the election, in so far as it concerns the  
elected person, has been materially affected -

(i) by the improper acceptance of any nomination; or  
(ii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void; or  
(iii) by any non-compliance with the provisions of this Act or of any rules made under this Act; the prescribed authority shall set aside the election of the elected person.

(2) When an election has been set-aside under sub-section (1), a fresh election shall be held.

50. Abatement of election petitions -An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners.

51. Costs and payment thereof out of security deposits and return of such deposits –(1) Costs including pleaders fee shall be in the discretion of the prescribed authority.

(2) If in any order as to costs under, the provisions of this Chapter there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible out of the security deposit made by such party under this Chapter on an application made in writing in that behalf within a period of one year from the date of such order to the Director by the person in whose favour the costs have been awarded.

(3) If there is any balance left of the security deposit under this Chapter after payment under sub-section (2) of the

costs referred to in that sub-section, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of one year, the whole of the said security deposit may, on an application made in that behalf in writing to the Director by the person by whom the security has been deposited or if such person dies after making such deposit, by the legal representative of such person, be returned to the said person or to his legal representatives, as the case may be.

52. Execution of orders as to costs..-Any order as to costs under the provision of this Chapter may be produced before the principal civil court within the local limits or whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business and such court shall execute the order or cause the same to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit:

Provided that where any such costs or any portion thereof may be recovered by an application made under sub-section (2) of section 51, no application shall lie under this section within a period of one year from the date of such order unless it is for the recovery of the balance of any costs which has been left unrealised after an application has been made under that sub-section owing to the insufficiency of

the amount of the security deposit referred to in that subsection.

53. Corrupt practice entailing disqualification - The corrupt practices specified in Schedule II shall entail disqualification for membership of the Board for a period of five years counting from the date on which the finding of the prescribed authority as to such practice has been given: Provided that the State Government may, for reasons to be recorded, remove the disqualification or reduce the period thereof.

## CHAPTER IV

### Miscellaneous

54. Rules - (1) The State Government may, by notification and after previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: -

(a) The date on which the number of registered practitioner residing in the State of Punjab shall be counted under sub-section (4) of section 3 ;

Note: 15th October has been fixed as date for this purpose by the State Government.

(b) the time and place in which, and the manner in which, election shall be held as required by section 4 ;

(c) the salary, allowances and other conditions of service of the Registrar and other employees of the Board appointed under section 13 ;

(d) the form of Register required to be maintained under section 14 ;

(e) the amount of fees payable under sub-section (4) of section 14 ;

(f) the amount of fees on payment of which and the conditions subject to which, a person may get his name entered, in Part I or Part II of the Register under section 15 ;

(g) the manner in which appeals against the decision of the Registrar shall be heard and decided by the Board under section 18 and the fees chargeable for such appeals;

(h) fees and allowances payable to the members under section 22 ;

(i) the amount of fees payable for the supply of copies under section 24 ;

(j) the manner in which moneys received by the Board as fees shall be applied under section 25 ;

(k) the amount of security to be furnished and the manner in which it is to be furnished as required by sub-section (1) of section 37;

(l) the authority to whom election petitions may be presented and by whom such petitions may be inquired into and decided under Chapter III ;

(m) the form of affidavit required to accompany the petition under sub-section (1) of section 38; .

(n) any other matter which may be prescribed.

Note: Punjab Ayurvedic & Unani Practitioners (General) Rules 1965 have been framed by State Government and published in Government Gazettee dated 02-11-1964

(3) Every rule made under this section shall be laid as soon as may be after it is made before the State Legislature while it is in session for a total period of ten days which may be comprised in one session; or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following the Legislature agree in making any modification in the rule or the Legislature agree that the rule should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

55. Regulations-(1) The Board may, with the previous approval of the State Government, make regulations not inconsistent with this Act or the rules made there under for all or any of the following matters, namely:-

(a) the time and place at which the Board shall hold its meetings and the manner in which such meeting shall be summoned under section 11 ;

(b) any other matter which may be considered necessary for carrying out the purposes of this Act.

(2) All regulations shall be published in the Official Gazette.

(3) The State Government may by notification cancel any regulation.

56. Interpretation-The Punjab General Clauses Act, 1898,

shall apply for the interpretation of this Act as it applies for the interpretation of a Punjab Act.

57. Repeal and savings-(I) The East Punjab Ayurvedic and Unani Practitioners Act, 1949 and the Pepsu Ayurvedic and Unani Practitioners Act, 2008 BK., are hereby repealed:

Provided that the repeal shall not effect (a) the previous operation of the Acts so repealed or anything duly done or suffered there under, or (b) any right, privilege, obligation or liability acquired, accrued or incurred under Acts so repealed, or (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the Acts so repealed, or (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or: remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(2) Subject to the proviso to sub-section (1), anything done or any action taken (including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation or form framed), under the Acts repealed by sub-section (1) shall, in so far as it is not inconsistent with this Act, be deemed to have been done or

taken under the corresponding provisions of this Act and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under this Act.

58. Transitional provisions-(1) As from the commencement of this Act, the two Boards of Ayurvedic and Unani System of Medicine, established and constituted under the East Punjab Ayurvedic and Unani Practitioners Act, 1949, and the Pepsu Ayurvedic and Unani Practitioners' Act, 2008 BK, shall cease to function.

(2) On the Board's so ceasing to function, all assets vesting in them, and all liabilities subsisting against them, on the date of so ceasing shall devolve on the Board.

(3) All suits, prosecutions, and other legal proceedings instituted or which might have been instituted by or against any of the Boards so ceasing to function immediately before the commencement of this Act may be continued or instituted by or against the Board.

(4) The permanent officers and servants of the Boards so ceasing to function shall be either absorbed by the Board in its service on conditions which are not less advantageous to those on which they were serving such Boards immediately before the commencement of this Act or retired or compensated in accordance with the conditions of their service in such manner as the State Government may direct.

59. Power to remove difficulties-If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by notification, make such provisions, or give such directions, not being inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for the removal of the difficulty.

#### SCHEDULE I

(see section 15 and 31)

1. Degree or diploma of any Ayurvedic or Unani College recognized by the Faculty (with at least four years course) within Punjab or outside it or a degree in the Ayurvedic System or Unani System of Medicine of any University established by law in India :  
Provided that persons who have already qualified from any Ayurvedic or Unani College or Institution prior to the commencement of this Act in a course of a duration of less than four years, will also be entitled for registration.  
(2) Final examinations held by the faculty of by any college or institution affiliated to the Faculty.  
3. Final Examination from any Ayurvedic or Unani Institution in Punjab or outside it, recognized by the Faculty or the Board for the purposes of registration.

#### SCHEDULE II

**{see section 35 © and 53}**

The following shall be deemed to be corrupt practices for the purposes of section 53-

- (1) Bribery, that is to say
  - (A) any gift, offer or promise by a candidate or his agent or by any other Person with the consent of a candidate or his agent of any gratification, to any person whomsoever, with the object, directly or indirectly of inducing-

- (a) a person to stand or not to stand as or to withdraw from being a candidate at an election, or
- (b) a voter to vote or refrain from voting at an election ; or as a reward to-
  - (i) a person for having so stood, or not stood or for having withdrawing his candidature or
  - (ii) a voter for having voted or refrained from voting :
- (B) the receipt of, or agreement to receive, any gratification, whether as a motive or a reward-
  - (a) by a person for standing or not standing as, or for withdrawing from being, a candidate ; or
  - (b) by any person whomsoever for himself or anyother person for voting or refraining from voting, or inducing or attempting to induce any voter to vote or refrain from voting, or any candidate to withdraw his candidature.

Explanation- For the purposes of this clause, the term 'gratification' is not restricted to pecuniary gratifications or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for regard, but it does not include the payment of any expenses bonafide incurred at, or for the purpose of any election.

- (2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person with the consent of the candidate or his agent, with the free exercise of any electoral right: -

Provided that,-

- (a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who-
  - (i) threatens any candidate or a voter or any person in who a candidate or such voter in interested, with injury of any kind and

including social ostracism and ex-communication or expulsion from any caste or community : or

- (ii) induces or attempts to induce a candidate or a voter to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure :

Shall be deemed to interfere with the free exercise of the electoral right of such candidate or a voter within the meaning of this clause :

- (b) a declaration of public policy, or a promise of public action or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.
- (3) The appeal by a candidate or his agent or by any other person of a candidate or his agent to vote or refrain, from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to, religious symbols or the use of, or appeal to, national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of election for that candidate or for prejudicially affecting the election for the candidate.
- (4) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language by a candidate or his agent or any other person with the consent of a candidate or his agent for the furtherance of the prospects of election of that candidate or for prejudicially affecting the election of the candidate.

- (5) The publication by a candidate or his agent or by any other person, with the consent of a candidate or his agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature or withdrawal, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's, election.
- (6) The hiring or procuring, whether on payment or otherwise, of any vehicle by a candidate or his agent or by any other person with consent of a candidate or his agent for the conveyance of any voter (other than the candidate himself, the members of his family or his agent) to or from any polling station provided or a place fixed for the poll :

Provided that the hiring of a vehicle by a voter or by several members at their joint costs for the purpose of conveying him or them to an from any such Polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause, if the vehicle so hired is a vehicle not Propelled by mechanical power:

Provided further that the use of any public transport vehicle by any voter at his own cost from the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Explanation:- In this clause, the expression "vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or other wise.

(7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent or, by any other person with consent of a candidate or his agent, any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election, from any person in service of the Government, the Government of India or the Government of any other State or a local authority."

THE PUNJAB AYURVEDIC AND UNANI PRACTITIONERS  
(GENERAL) RULES, 1964.

1. (1) These rules may be called the Punjab Ayurvedic and Unani Practitioners (General) Rule 1964.  
(2) They shall come into force at once.
2. In these Rules, unless the context otherwise requires:-
  - a) 'Act' means the Punjab Ayurvedic and Unani Practitioners Act, 1963;
  - b) 'Appendix' means an Appendix to these rules;
  - c) 'Chairman' means the Chairman of the Board;
  - d) 'Committee' means a Committee appointed by the Board;
  - e) 'Government' means the Government of the State of Punjab;
  - f) 'Section' means a section of the Act;
  - g) 'University' means any University incorporated by an Act of Parliament or any State Legislature.
3. (1) Every person entitled to have his name entered in Part I of the Register under sub-section (1) of section 15 or in Part II of the Register under sub-section (3) of the aforesaid section shall, if he is desirous of having his name entered in Part I or Part II of the Register, as the case may be, make an application to the Registrar in the form given in Appendix A along with a fee of twenty five rupees. He shall also furnish along with his application such documents as may be necessary to establish his claim for being registered in Part I or Part II of the Register, as the case may be.  
(2) The Registrar may, after examining the application, require the applicant to furnish such other information or documents and within such time as he may specify.  
(3) If the Registrar, on receipt of the application under sub-rule (1) or on receipt of further information or documents required from the applicant under sub-rule(2), and after making such further enquiry as

he may deem proper is satisfied that the applicant is entitled to get his name entered in Part I or Part II of the Register, as the case may be, he shall do so, If he is not so satisfied, he shall reject the application:

Provided that no order rejecting any application shall be passed without giving the applicant an opportunity of being heard.

(4)A practitioner whose name is entered in the Register under sub-section(1) or sub-section (3) of section 15 or whose name is deemed to be registered under sub-section (2) of sub-section (4) of the aforesaid section shall be issued a Registration Certificate in the form given in Appendix B on payment of a fee of one rupee and the applicant whose application is rejected shall be sent an intimation of rejection by Registered post.

4. (1) Every registered practitioner shall sent to the Registrar immediate notice of any change in his address and shall also promptly answer all such enquiries as may be made from him by the Registrar in regard thereto, in order that his correct address may be entered in the Registrar.

(2) A Registered Practitioner who changes his name shall..... inform the Registrar about his changed name and shall satisfied of Registrar that he has already notified the fact of the change of his name in newspaper having a wide circulation in the area in which he carries on his business and ..... published in the regional language of that area. The Registrar shall, on being .....so satisfied, correct the Register accordingly. He shall also,

on being required.....to do so by the registered practitioner, make necessary correction in the Registration Certificate.

5. (1) A registered practitioner who obtains any further degrees, diplomas, certificates or other qualifications in Ayurvedic System or Unani System or other recognized medical degrees, diplomas or certificates and is desirous of getting the same entered in the Register shall make an application to the Registrar about the same along with a fee of five rupees. He shall also furnish along with his application the original degrees, diplomas or certificates, as the case may be, on the basis of which the entry in the Register is sought.

(2) If the Registrar, on receipt of the application under sub-rule (1).....after making such further enquiry as he may deem proper, is satisfied...the applicant is entitled to have entered in the Register the degrees, diplomas or certificates, as the case may be, obtained by him, he shall do so. If he is not so satisfied he will reject the application:

Provided that no order rejecting any application shall be passed without giving the applicant an opportunity of being heard.

(3) The applicant whose application is not rejected may get his Registration Certificate amended from the Registrar on the basis of the entries made in the Register under sub-rule (2).

6. If a registration certificate is lost, destroyed or mutilated, the Registrar shall, on being satisfied about the same, issue a duplicate Registration Certificate on the application of the practitioners in whose favor the certificate which has been lost, destroyed or mutilated was issued. A fee of two rupees shall be paid by the registered practitioner for the issue of a duplicate Certificate.

7. Whenever information reaches the Office of the Board that a practitioner has been sentenced by a Criminal Court to imprisonment for such offence involving moral turpitude as has been declared by the State Government under clause (a) of sub-section (1) of section 16 or has been guilty of professional misconduct or other infamous conduct, the Registrar shall make an abstract of such information and place the same before the Board for such action as the Board may like to take under the provisions of sub-section (1) of section 16:

Provided that the Board shall, before passing any order under sub-section(1) of section 16, give the practitioner concerned an opportunity of being heard.

8. A Registered Practitioner whose name is removed from the Register by the Registrar under sub-section (5) of section 14 or by the Board under sub-section(1) of section 16 shall, on receipt of an intimation of such removal, forthwith surrender his Registration Certificate to the Registrar.

9. (1) Any practitioner whose name is removed from the Register by the Registrar under sub-section (5) of section 14 or whose name has been prohibited to be entered in or is removed from the Register by the Board under sub-section (1) of section 16 and who is desirous of getting his name entered or re-entered, as the case may be, under the proviso to sub-section(5) of section 14 or under sub-section(2) of section 16, shall make an application addressed to the Chairman.

(2) Each such application shall be in writing, stating the grounds on which the application is made and shall be accompanied by a fresh registration fee of twenty-five rupees. It shall also be accompanied

by a Certificate of two Registered Practitioners regarding the identity of the applicant.

10.(1) The list of practitioners referred to in sub-section (1) of section 26 shall be posted at a conspicuous place outside the office of the Board and the fact of its having been printed and so posted shall be given adequate publicity through such newspaper or newspapers having wide circulation in the State of Punjab, as the Board may decide.

(2) In the case of practitioners registered in Part II of the Register the list shall, instead of indicating the qualifications of a practitioner, indicate the system in which he is carrying on his practice.

11.(1) The fees for the supply of certified copy of any order passed by the Board or the Registrar or of any entry in the Register shall be charged at the rate of 75 paise per 100 words or fraction thereof, subject to a minimum of one rupee:

Provided that if the applicant desires to have a copy urgently, he will have to pay delivery to the applicant by the close of Office hours of the day following that on which the application is made:

12.(1) Every appeal preferred to the Board under section 18 shall be addressed to the Chairman of the Board and shall be accompanied by a fee of

- i. five rupees if it is an appeal against the order of the Registrar passed against the appellant;
- ii. twenty rupees if it is an appeal against the order of the Registrar passed against any person other than the appellant.

(2) Every appeal shall be deemed to have been duly presented, if the same is sent by registered post, or is delivered personally

or through an agent authorized in writing by the appellant, in the office of the Board.

(3) Every appeal shall be accompanied by a certified copy of the order appealed against and shall contain the following particular:

(a) the date of the order against which the appeal is preferred;

(b) the grounds of appeal briefly but clearly set out.

(4) Every appeal shall be signed by the appellant and verified in the manner laid down in the Code of Civil Procedure, 1980, for the verification of grounds of appeal.

13.(1) If the appeal is not preferred in the manner laid down in the proceeding rule or is not accompanied by the prescribed fee it shall be summarily rejected.

(2) If the appeal is not rejected under sub-rule(1), the Board shall decide the same after giving the appellant, and where the appeal is against the order of Registrar passed in relation to any person other than the appellant, after giving such person an opportunity of being heard. Every division of the Board shall be communicated to the Registrar who shall give effect to the same.

14.Each part of the Register shall be further sub-divided into the following two sections:-

Section A-containing the name of Registered Practitioners who follow the Ayurvedic System.

Section B-containing the names of Registered Practitioners who follow the Unani System.

15. The Register shall show in respect of each Practitioner the following particulars:-

- a) Registration Number.
- b) Full Name, in case of married woman, her maiden name and full married name.
- c) Father's name
- d) Date of birth.
- e) Address.
- f) Place or places and period or periods of training.
- g) Nature of qualifications and dates on which these qualifications were obtained in the case of practitioners registered in Part I of the Register.
- h) System in which in the case of practitioners registered in Part II of the Register.
- i) Date of Registration (under this heading the date when new registration number is allotted to a practitioner already registered under the East Punjab Ayurvedic and Unani Practitioners Act, 1949, or under the Pepsu Ayurvedic and Unani Practitioners Act, 2008 B.K., shall be mentioned and in case of fresh registration the date when the name is entered in the Register shall be noted).

16. Each page of the Register shall be verified by the Registrar's signatures.

17. For carrying out the purposes of the Act the Board may appoint such Committees consisting of such number of persons as it may deem fit. Each Committee appointed by the Board shall perform such functions as may be assigned to it by the Board:

Provided that nothing in this rule shall be deemed to empower a Committee so appointed to exercise such functions as are specifically mentioned in the Act to be performed by the Board or any other authority.

18. The common seal referred to in sub-section(2) of section 3 shall be kept by the Registrar in his custody. It shall be affixed on each Registration Certificate which is issued under the provisions of these rules and on such other documents as the Chairman may, by order, direct.
19. Each member shall be entitled to get a fee of thirty rupees per day for attending a meeting of the Board or any Committee thereof which shall be paid in addition to the traveling allowance admissible to him under these rules.
20. For attending meetings of the Board or any Committee thereof the official member shall be paid traveling allowance in accordance with the provisions of the Punjab Traveling Allowance Rules, as amended from time to time. (Non official members will be allowed T.A. at first class railway fare but the allowance for incidental expenses will be paid to them at half the second class fare and if the line by which they travel does not provide second class accommodation 8 pies per mile.
21. The Board shall open an account in the State Bank of Indian and all moneys received by it shall be deposited in the Bank subject to the provisions of rule 22.
22. All moneys payable to the Board shall be received on behalf of the Board by the Registrar or any other employee of the Board

authorized by him in writing in this behalf, and shall be deposited in the Bank on the day following that on which these are received:

Provided that the Registrar may keep with him an amount not exceeding two hundred rupees as imprest money.

23. All moneys received or spent on behalf of the Board shall without any reservation be brought to the accounts of the Board in the General Cash Book to be maintained in the form given in Appendix C under the direct Supervision of the Registrar and in his absence under the supervision of an employee of the Board authorized by him in writing.

24.(1) The Registrar shall in the month of July each year cause to be prepared a statement of the income and expenditure of the preceding financial year ending 31<sup>st</sup> March and draw the attention of the Board to such matters which appear to him necessary for being brought to the notice of the Board.

(2) The statement referred to in sub-rule (1) shall be caused to be prepared by the Registrar under the direction of the Committee appointed by the Board for this purpose.

25.(1) The Registrar shall in the months of October each year, or on such date as the Chairman may fix, cause to be prepared an estimate of the income and the expenditure of the Board for the year commencing on the 1<sup>st</sup> of April, of the next ensuing year and shall submit the same to the Board.

(2) The estimate shall make provision for the fulfillment of the liabilities of the Board and for effectually carrying out the purposes of the Act.

(3) The Board shall consider the estimates submitted to it under sub-rule (1) and may sanction the same without any alteration or subject to such alterations as it may deem fit.

26. The Board may, at any time, during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered by the Board in the same manner as if it were an original annual estimate. No expenditure shall be incurred which is not duly provided in the estimate sanctioned under sub-rule(3) of rule 25 or in a supplementary estimate.

27. A bill or other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for an amount not exceeding twenty rupees and the bill is in order, he shall pay the amount out of the permanent advance. If the claim be for an amount exceeding twenty rupees payment shall not be made until it has been examined and passed by the Chairman.

28. Amounts received by the Board towards fees shall not be refunded under any circumstances. The amounts thus received shall remain credited to the account of the Board:

Provided that any amount paid by a practitioner in excess of the prescribed fees shall be credited to the suspense account of the Board and may be refunded if claimed within a period of three years and if no claim for refund is made within the aforesaid period the amount shall be credited to the account of the Board.

29. The accounts of the Board shall be operated upon by the Registrar and the Chairman and in the absence of the Chairman by the Registrar and the Vice-Chairman.

30. The East Punjab Ayurvedic and Unani Practitioners Rule, 1949 and the Pepsu Ayurvedic and Unani Practitioners Rules 1953, in so far as they relate to matters prescribed in these rules are hereby repealed:

Provided that the repeal shall not affect anything done or any action taken under the repealed rules which shall be deemed to have been done or taken under the corresponding provisions of these rules.

APPENDIX A

{ See rule 3(1) }

APPENDIX B

{ See rule 3(4) }

No.....

Registration Certificate

BOARD OF AYURVEDIC AND UNANI SYSTEMS OF  
MEDICINES, PUNJAB, CHANDIGARH.

I certify that Shri....., son of Shri....., has been registered in Part..... of the Register maintained under the Punjab Ayurvedic and Unani Practitioners Act, 1963, as..... on..... At Chandigarh.

Qualifications.....

Date of birth.....

Address.....

.....

Notes:- (i) This certificate entitles the holder to practice within the State of Punjab only.

(ii) This certificate remains evidence of Registration only until the publication of the printed Register for the year..... 196...

Registrar

Place of common seal.

**IMPORTANT NOTICE.**

Every registered practitioner should be careful to send to the Registrar immediate notice of any change in his address, and also to answer all inquiries that may be sent to him by the Registrar in regard thereto, in order that his correct address may be duly inserted in the Register. Otherwise under section 14(5) of the Punjab Ayurvedic and Unani Practitioners Act, 1963, the name of such practitioner is liable to be removed from the Register.

GOVERNMENT OF PUNJAB  
DEPARTMENT OF HEALTH AND FAMILY WELFARE  
(HEALTH IV BRANCH)

Notification

No.G.S.R.91/PA.42/63/S.54/Amd.(3)83.- With reference to Government of Punjab, Department of Health and Family Welfare Notification No.8448-P.A.42/S-54/83/17110, dated the 26<sup>th</sup> July, 1983, and in exercise of the powers conferred by section 54 of the Punjab Ayurvedic and Unani Practitioners Act, 1963 (Punjab Act No.42 of 1963), and all other powers enabling him in this behalf, the President of India is pleased to make the following rules further to amend the Punjab Ayurvedic and Unani Practitioners (General) Rules, 1964, namely:-

RULES

1. (i) These rules may be called the Punjab Ayurvedic and Unani Practitioners (General) (First amendment) Rules, 1983.  
(ii) They shall come into force at once.
2. In the Punjab Ayurvedic and Unani Practitioners (General) Rules, 1964 (hereinafter referred to as the said rules), after rule 3, the following new rule shall be inserted, namely:-  
“3-A)1) Every Practitioner, whose name is entered in the register under sub-section (1) or sub-section (3) of section 15 or whose name is deemed to be registered under sub-section (2) or sub-section (4) of the aforesaid section, and in whose name Registration Certificate has been issued under rule 3, shall make an application to the Registrar in the form given in Appendix “D” alongwith a fee of twenty rupees for issuing an Identity Card in his name.

(2) After verification of particulars, the Registrar may issue an Identity Card in the form given in Appendix “E”

In the said rules, after Appendix “C”, the following Appendices shall be added, namely:-

APPENDIX D

(see rule 3-A)

FORM

Name.....  
Father’s/Husband’s name .....  
Permanent Residential Address.....  
Professional Address .....  
Registration No.....  
Part of Register in which registered .....  
System in which practicing .....  
Marks of identification.....  
Date.....

Signature of the Applicant

DECLARATION

I solemnly declare that I am a Registered Ayurvedic/Unani Practitioner and my Registration No. is..... I am practicing as an Ayurvedic/Unani Practitioner since.....

Verified that the information given above is correct to the best of my knowledge and belief and nothing has been concealed therein.

Place.....

Date .....



Signature of the Registered  
Ayurvedic/Unani Practitioner

Dated

Signature and Seal of Issuing Authority.

THE PUNJAB AYURVEDIC AND UNANI PRATITIONERS  
(ELECTION) RULES, 1965.

1. **Short title and commencement** (i) These rules may be called the Punjab Ayurvedic and Unani Practitioners (Election) Rules, 1965.  
(ii) They shall come into force at once.
2. **Definitions**- In these rules, unless the context otherwise requires,-
  - a) **'Act'** means the Punjab Ayurvedic and Unani Practitioners Act, 1963;
  - b) **'Form'** means a form appended to these rules;
  - c) **'Chairman'** means the Chairman of the Board;
  - d) **'Elector'** means the registered practitioner whose name is entered in the Register on the date as may be specified under rule 3;
  - e) **'Government'** means the Government of the State of Punjab;
  - f) **'Returning officers'** means the Chairman or any other person authorized by him to act as Retuning Officer ; and
  - g) **'Section'** means a section of the Act.
3. **Notification about election**- whenever election under clause(b) Whenever election under clause (b) of sections 3,4 sub-section(1) of section 3 becomes necessary the Chairman shall issue a notice calling upon the electors to elect a member or members by a date to be specified in the notice.
4. 15<sup>th</sup> of October shall be the date on which the number of registered Practitioners shall be counted under sub-section (4) of section 3.
5. **Preparation of electoral roll**- The electoral roll shall be prepared by the Registrar from the Register. It shall contain the name, father's name, address and registration number of every elector qualified to vote for the election of a member of the Board.
6. **Publication of draft electoral roll**-The Retuning Officer shall publish in the manner stated in rule 8, the electoral roll along with a notice stating that any objection relating to entries in or omission from the said

electoral roll may be preferred to the Returning Officer at his office during office hours, on or before the date to be specified in the notice.

.....  
*First published with Punjab Government Medical and Health Department Notification No. GSR 120//PA. 42/63/S. 34/65 dated the 4<sup>th</sup> June, 1965. These rules have been framed under section 54 of the Punjab Ayurvedic and Unani Practitioners Act, 1963.*  
.....

7. ***Final publication of electoral roll:-*** The Returning Officer shall soon after the objections have been heard and decided, but not later than ten days after the date fixed for hearing of objections, publish in the manner laid down in rule 8, the final electoral Roll and shall cause to be printed a sufficient number of copies of the electoral roll for supply on payment to such persons as may apply for the same.
8. ***Method of publication-*** Any order, notification or the electoral roll to be published for general information under these rules shall be deemed to be duly published if the same is placed at conspicuous places outside the offices of-
  - a) *Deputy Commissioners, Tehsildars and Sub-Divisional Officers (Civil) in the State.*
  - b) *The Registrar of the Board.*
9. ***Election Programme-*** As soon as may be after the issue of notice under 3, the Returning Officer shall frame the election Programme. The scrutiny of nomination papers shall be held not later than, the third day or the last date fixed for filling nomination papers and three days' time shall be allowed for the withdrawal of nomination papers after their scrutiny. He shall specify for each constituency the date, time and place for the filling of nomination papers, the date by which ballot papers after voting shall

be received by him and the date of publication of names of persons declared to have been elected.

10. ***Amendment variation or modification of election programme-*** The Chairman by an order in writing, may amend, vary or modify an election programme at any time:

Provided that unless the Chairman otherwise directs no such order shall be deemed to invalidate any proceedings taken before the date of the order.

11. ***Publication of order under rule 10.***-Every order under rule 10 shall be published in the manner prescribed under rule 8.

12. ***Nomination of candidates-***(1) Any registered practitioner whose name appears in the electoral roll published under rule 7 and who is not disqualified under the Act may be nominated as a candidate for election to the Board:

Provided that the nomination paper complete in all respects in delivered by the persons nominated or by his proposer or seconder to the Returning Officer on the date, time and place fixed under rule 9.

(2) The nomination of each candidate shall be made on a separate nomination paper in Form 12 and must be subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are included in the electoral roll under rule 7.

13. ***Deposit-*** Each candidate filling a nomination paper under the provisions of rule 1 shall, at or before the time of delivery of his nomination paper, deposit or cause to be deposited a sum of fifty rupees in cash or by money order with Registrar and enclose with nomination paper the cash receipt issued by the Registrar or the money order receipt. No candidate shall be deemed to be duly nominated unless such deposit has been made.

14. ***Forfeiture of deposit***-If a candidate by whom or on whose behalf the deposit referred to in rule 13 has been made is not elected and the number of votes polled by him is less than one half of the votes polled by the candidate who is declared to have been elected with least number of votes, the deposit shall be forfeited to the Board.
15. ***Refund of deposit***:- (1) The deposit in the following cases shall, by an order in writing of the Chairman on the recommendation of the Returning Officer, be refunded to the candidate, or if not made by him to the person by whom it was made or where the candidate has died to his legal representatives:-
- a) where the nomination paper of the candidate has been rejected, or
  - b) where the candidate has withdrawn his nomination paper within the specified time; or
  - c) where the candidate has died before issue of the ballot-papers to the electors.
- (2) The deposit in the following cases shall be refunded after the declaration of the result of the election:
- (a) where the candidate though not elected does not forfeit his deposit under rule 14.
  - (b) where the candidate is elected.
16. ***Scrutiny of nomination papers and decision of objections***-(1) Returning Officer shall examine the nomination papers at the time appointed in this behalf, hear objections, if any presented by the objectors in person, to the eligibility of any candidate and determine these objections after such enquiry as he may consider necessary. The decision, rejecting or accepting a nomination paper, and a brief statement of reasons thereof shall be endorsed on the nomination paper and signed by the Returning officer:
- Provided that the Returning Officer may-

- (a) permit a clerical error, in the nomination paper, in regard to name of number, to be corrected in order to bring them in conformity with corresponding entries in the electoral roll; and
  - (b) where necessary, direct that any clerical or printing error in the said entries shall be ignored.
- (2) The person objecting under sub-rule (1) must be an elector.
17. ***Withdrawal of candidature***-(1) Any candidate may withdraw his nomination by a notice in writing, which shall be subscribed by him and delivered to the Returning Officer, before the expiry of the time allowed for the withdrawal of nomination papers.
- (2) No person who has given a notice of withdrawal under sub-rule(1) shall be allowed to cancel the withdrawal or be re-nominated as candidate for the same election.
18. ***List of nominations to be posted***-(1) The Returning Officer shall on the expiry of the time fixed for withdrawal of nomination papers prepare and publish by posting outside his office, in alphabetical order, a list of the names of each of the validly nominated candidates in Form II(hereinafter called the contesting candidates) and shall except where action is taken under rule 19 cause their names to be entered in the Ballot-paper in Form III.
- (2) The Returning Officer shall inform by registered post every candidate who has been duly nominated.
19. ***Procedure after Publication of list of validly nominated candidates*** :-( 1) if the number of contesting candidates is equal to the number of persons to be elected, the Returning Officer shall declare all such candidates duly elected.
- (2) If the number of contesting candidates is less than the number of persons to be elected, the Returning Officer shall declare all such candidates duly elected, and shall forward a list of such persons to the Government through the Chairman, and if he is the

Chairman then direct to the Government, together with a report, specifying the number of unfilled seats. The Chairman shall, also take action to fill up the remaining vacancies.

20. ***Death of a candidate before election***-If a candidate who has been validly nominated dies and a report his death is received by the Retuning Officer before the issue of ballot-papers to the electors the Retuning Officer shall countermand the poll in respect of that constituency and report the matter to the chairman and all proceedings with reference to the election in that constituency shall be commenced in all respects as if for a new election:

Provided that no fresh nomination shall be necessary in the case of a candidate, whose name is entered in the list of validly nominated candidates published under rule 18.

21. ***Retuning Officer to send ballot-papers by post***-(1) The Returning Officer shall, as soon as may be, after the publication of the list of valid nomination under rule 18, send under certificate of posting to each elector a ballot-paper in Form III and shall enter on the counterfoil of each such ballot-paper the name of the elector to whom the ballot paper is sent and his serial number in the electoral roll
- (2) Along with the ballot-paper the Retuning Officer shall also send-
- (a) a cover addressed to himself in Form IV-A, and
  - (b) an envelope with the number of ballot-paper entered on its face. The Retuning Officer shall have the number of the ballot-paper entered at the left hand bottom corner of the cover in Form IV-B.
- (3) The ballot-paper together with the cover and envelope shall be sent to the address of the elector as shown in the electoral roll.

- (4) After all the ballot-papers have been issued under this rule, the Retuning Officer shall seal up the packet of counterfoils of all such ballot-papers and record on such packet the description of its contents and the election to which it refers.
- (5) No election shall be invalidated by reason that an elector has not received his ballot-paper provided that the ballot-paper has been issued to him in accordance with these rules.
22. ***Ballot-papers to be returned after recording votes thereon***-(1) Every elector on receiving his ballot-paper sent under rule 21, if he desires to vote at the election, shall record his vote thereon and sign the declaration in accordance with the instructions set out on the ballot-paper.
- (2) The elector shall place the ballot-paper in the envelope, close the envelope and enclose it in the cover and send the cover by post or messenger to the Retuning Officer in accordance with the instructions aforesaid so as to reach him before 3 p.m. on the date fixed in this behalf under rule 9. Any cover which is not received by the Retuning Officer before 3.00p.m. on the date so fixed shall be rejected. All such rejected covers shall be kept in a separate sealed packet by the Retuning Officer, and a list thereof shall be prepared.
23. ***Attestation of the electors' signatures on the ballot-paper***-An elector should obtain the attestation of his signatures but not of his vote by a sarpanch of a Gram Panchayat or by a gazetted officer of the Government .
24. ***Issue of undelivered and fresh ballot-papers***-(1) When a ballot-paper and other connected papers sent by post under rule 21 are for any reason returned undelivered, the Returning Officer may re-issue them by delivery to the elector personally on his applying for the same.

(2) In cases where any elector has inadvertently dealt with his ballot-paper or any of the connected papers in such manner that the papers cannot conveniently be used, a second set of ballot-papers and other connected papers may be issued to the elector on the elector returning ballot-paper and other connected papers to the Returning Officer and satisfying him of the inadvertence. The papers so returned to the Returning Officer together with the counterfoil of the ballot-paper so returned shall be marked as cancelled by the Returning Officer. The papers so cancelled except the counter-foils of the ballot-papers shall be kept in a separate envelope set apart for the purpose.

25. ***Manner of recording votes.***-(1) Every elector shall have as many votes as there are seats to be filled at the election.

(2) Such an elector when giving his vote shall place the mark X in the space opposite the name of each one of the contesting candidates for whom he desires to vote.

26. ***Counting of votes.***-(1) Counting of votes shall be done at the office of the Returning Officer on the day next following the date fixed under rule 9 for the receipt of ballot-papers by the Returning Officer and shall commence at 10 a.m.

(2) No person other than a contesting candidate and one agent for each such candidate authorized by him in writing in this behalf may remain present at the place of counting (besides the Returning Officer and the persons assisting him under his orders in the counting of votes.)

27. ***Grounds for declaring ballot-papers invalid.***-A ballot-paper which:-

(a) no mark X has been placed against the name of any candidate:-

(b) the mark X has been placed opposite the names of more candidates than there are seats to be filled at the election;

- (c) any mark is made by which the elector may afterwards be identified
- (d) the signature of the elector is not duly attested; or
- (e) for any reason it is not certain for which candidate or candidates the elector intended to vote; shall be invalid:
  - Provided that in a case under clause (e) if the total number of \marks X does not exceed the number of seats to be filled and there is no uncertainty about a vote having been cast in favour of any candidate then the ballot-paper shall no be invalid as a whole and it will be valid in respect of each candidate in respect of whom there is no such uncertainty.

28. ***Procedure to be followed at the counting of votes.***-(1) On the date and at the time and place mentioned in rule 26, the Returning Officer shall open the cover containing the ballot-papers received by him under rule 22 before 3 p.m. on the date fixed for receipt of ballot-papers under rule 9 and take out and thereafter scrutinize the ballot-papers taken out from the cover and separate the ballot-papers which he deems valid from those which he rejects, endorsing on the latter the word rejected and the ground or rejection.

(2) The Returning Officer shall thereafter cause to be counted the valid votes given to each contesting candidate as recorded on the ballot-papers which he has not rejected.

(3) If the counting of votes be not completed by 6 p.m. on the day appointed, the Returning Officer may adjourn the proceedings until the following day at 10.a.m and in such case shall place all the documents relating to the election, under his own seal and the seals of the candidates on their agents, if any, are present and desire to affix their seals and shall otherwise take proper precautions for the security of the documents. The Returning

Officer may in like manner adjourn the proceedings from day to day until the counting of the votes has been completed.

(4) After the counting is completed the Returning Officer may on his own motion or at the request of any candidate for whom votes have been cast or his agent recount the votes.

29. ***Declaration of result:-*** When counting, or if there is recounting, the recounting of the votes has been completed, the Returning Officer shall forthwith declare the contesting candidate or candidates, as the case may be to whom the largest number of votes has been given to be duly elected and shall forthwith inform such successful contesting candidates by letters of their having been elected to the Board and shall also send a copy of the same to the Chairman and the Government

30. ***Decision in case of equality of votes.-*** When an equality of votes is found to exist between any candidates and the addition of one votes would entitle any contesting candidate to be declared elected the determination of the contesting candidate 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 the presence of such contesting candidates or their agents.

31. ***Sealing and preservation of election material-***After the result 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 him for a period of six months, and thereafter cause them to be destroyed.

32. ***Amount of security to be furnished for filling election petitions:-*** Every registered practitioners filling an election petition to the prescribed authority shall deposit one hundred rupees in the State of India in the current (k). account of the

Board or in the office of the Board and attach the receipt issued by the said Bank or the Chairman with the election petition.

33. ***Authority to whom election petitions may be presented-*** The election petition may be presented to the Chairman and the same will be referred for decision by the Chairman to the Election Tribunal to be appointed by the Chairman by means of a notification in the Government Gazette.
34. ***Form of affidavit-*** Where any corrupt practice alleged, the petitioner shall submit alongwith the election petition an affidavit in Form in support of the allegation of such corrupt practice and the particulars thereof, which shall be attested by a Magistrate of the Ist Class.

**FORM I**

(See rule 12)

**NOMINATION PAPER**

Election of members to the Board of Ayurvedic and Unani Systems of  
Medicine, Punjab.

Particulars about the candidate nominated:-

1. Name of candidate (In Block Letters)
2. Registration Certificate No.
3. Father name
4. Age                      Sex                      Community
5. System for Medicine practised.
6. Registered qualification of the candidate.
7. Address
8. Signature of the proposer.
9. Registered number of the Proposer.
10. Registered number of the Proposer.
11. Signature of Secunder.
12. Registered number of Secunder.
13. Address of the Secunder.

**Declaration by the Candidate**

I hereby declare that I agree to this nomination. My name exists in the electoral roll at Serial No. \_\_\_\_\_ Security of fifty rupees has been deposited by me,—vide receipt No. \_\_\_\_\_ dated \_\_\_\_\_ which is attached herewith.

Signature of the candidate

This nomination paper was received by me at (date and hour)

Returning Officer.

**INSTRUCTIONS**

Nomination papers which are not received by the Returning Officer before  
\_\_\_\_\_ will be invalid.

2. The name of the candidate should be as it appears in the electoral roll.

Receipt to be given to candidate.

Received nomination paper of Shri \_\_\_\_\_ from the  
contesting candidate/the proposer/the seconder/the authorized agent of the  
contesting candidate at (date and hour)

Signature of Returning Officer.

**FORM II**

(See rule 18)

List of validly nominated candidates

Serial No.	Name of the candidate	Address of Candidate
1	2	3
1.		
2.		
3.		
4.		
5.		
6.		
7.		
etc		

Returning Officer.

### FORM III

(See rule 18 and 21(1)]

### FRONT OF BALLOT-PAPER

Outer Foil

---

Counter-foil	Names of Candidates	Following Ayurvedic System	Following Unani systems	Space for marking the ballot-paper
	Elections to the Board of Ayur	1		
	vedic and Unani Systems of	2		
	Medicine, Punjab, Chandigarh	3		
	_____196	4		
	S.No. of Ballot-paper	5		
	No. on the roll of the election	6		
	in the electoral roll_____	7		
	Name fo the elector_____	8.		
	Intial of Despatching Officer,	9.		
	etc._____			

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Note.- On the back of the ballot-paper the number of the elector on the electoral roll to whom it is sent should be noted.

\_\_\_\_\_  
Serial No.  
\_\_\_\_\_

### INSTRUCTIONS

1. The number of contesting candidates for which the elector may vote is \_\_\_\_\_ of which \_\_\_\_\_ will be registered practitioners following Ayurvedic Systems and \_\_\_\_\_ will be registered practitioners following Unani Systems.
2. Out of \_\_\_\_\_ candidates to be returned \_\_\_\_\_ must be persons holding a diploma or degree in Ayurvedic/Unani Systems of Medicine.

3. The candidates whose names are marked \* are holding a diploma or degree in the Ayurvedic System of Unani System.
4. You shall vote by placing the mark X opposite the name or names of candidates whom you prefer. If you do not wish to use all your votes (in case where more than one vote is allowed you need not do so, but more than one vote may not be given to any candidate.
5. The Ballot-paper shall be invalid, if-
  - a) the mark X is placed opposite the name of more candidates than are to be elected ; or
  - b) the declaration is not properly signed by the elector ; or
  - c) it does not bear the initials of the Returning Officer ; or
  - d) no vote is recorded thereon ; or
  - e) a voter signs his name or writes a word or makes any mark on it by which it becomes recognizable as his ballot-paper ; or
  - f) the number of votes recorded thereon exceeds the number of vacancies to be filled 1 or
  - g) it does not conform to the Punjab Ayurvedic and Unani Practitioners (Elections) Rules 1965 ; or
  - h) it is void for uncertainty of one or more votes exercised :

Provided that when more than one vote can be given on the same ballot-paper, if one of the marks is so placed as to render it doubtful to which candidate it is intended to apply the vote concerned and not the whole ballot-paper shall be invalid on that account.
6. You should sign of declaration in Form V (enclosed) and write your number of the electoral roll and the place of your residence on it, in the presence of the Attesting Officer who shall be Gazetted Officer or a Sarpanch. He shall attest only the elector's signatures but not his vote which should not be accorded in his presence. You should return this declaration along with the ballot-paper, which shall be put into the small

envelope. Without such signature, entry and attestation the ballot-paper shall be invalid.

7. In case you fill in more than one ballot-paper the first only of such ballot-papers received by the Returning Officer shall, if otherwise in order be valid ; and if the Returning Officer is unable to determine which of such ballot-paper was first received by him both or all such ballot-papers shall be invalid.
8. The ballot-paper shall be sent to the Returning Officer, by Registered Post or handed over to him personally Ballot-papers which are not received by the Returning Officer before the \_\_\_\_\_day

**FORM IV-A**

[(See rule 21(2)]

**ENVELOPE SMALL**

To

The Returning Officer (Elections)  
Board of Ayurvedic and Unani Systems of Medicine, Punjab,  
Chandigarh.

**FORM IV-A**

[(See rule 21(2)]

**ENVELOPE BIG**

Serial No.

To

The Returning Officer (Elections)  
Board of Ayurvedic and Unani Systems of Medicine, Punjab,  
Chandigarh.

**FORM V**

(See instruction No.6 in Form III)

I hereby declare that my name appears in the electoral roll,-vide entry

No.\_\_\_\_\_

Signature of the Elector.

Residence\_\_\_\_\_

Certified that the above elector has signed the declaration in my presence.

Name of the Officer

Signature of the

Attesting Officer.

Designation and complete address of the Attesting Officer.

**FORM IV-A**

(See rule 34)

**AFFIDAVIT**

I,\_\_\_\_\_

(mention here the name of the petitioner)

son of Shri \_\_\_\_\_

(mention here the name of the Father)

Age \_\_\_\_\_ of \_\_\_\_\_

(Complete address)

make solemn affirmation/oath and say-

- (i) that the respondent has been guilty of the corrupt practices of (mention here one or more of the corrupt practices and particulars thereof)
- (ii) that the particulars stated in the paras No. \_\_\_\_\_ are true to my knowledge.

Signature of the Deponent.

Solemnly affirmed/sworn by

Shri/Shrimati \_\_\_\_\_ at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ 196\_\_\_\_\_ before me.

Name of the Attesting Magistrate  
Date and place of Attesting with  
Seal of the Office.

[Published in the Punjab Government Gazette, Legislative Supplement, dated the 5<sup>th</sup> November, 1971]

**Part III**

**PUNJAB GOVERNMENT**

**HEALTH AND FAMILY PLANNING DEPARTMENT**

**Notification**

The 27<sup>th</sup> October, 1971

**No.G.S.R.71/PA.42/63/S. 54/amd/71**-With reference to the Punjab Government, Health and Family Planning Department Notification No.G.S.R.—57/PA. 42/63/S. 54/Amd./71, dated the 23<sup>rd</sup> August, 1971 and in exercise of the powers conferred by section 54 of the Punjab Ayurvedic and Unani Practitioners Act, 1963 and all other powers enabling him in this behalf, the President of India is pleased to make the following rules further to amend the Punjab Ayurvedic and Unani Practitioners (Election) Rules 1965, namely:-

**RULES**

1. These rules may be called the Punjab Ayurvedic and Unani Practitioners (Election First Amendment) Rules, 1971.
2. In the Punjab Ayurvedic and Unani Practitioners (Election Rules, 1965 (hereinafter referred to as the said rules), in clause (d) of rule 2 and sub-rule(1) of rule 12, between the words “practitioner” and “whose name” wherever occurring, the words “residing in the State of Punjab” shall be inserted.
3. In the said rules, in rule 4, between the words “practitioner” and “shall” the words “residing in the State of Punjab” shall be inserted and after this rule, the following new rule shall be inserted, namely:-  
4-A. Division of Punjab State into constituencies.-For the purposes of section 3, the State of Punjab shall be divided into territorial constituency and the number of seats allotted to that constituency shall, as far as practicable, be the same throughout the State.
4. In the said rules, in rule 14, between the words “votes” and “the deposit” the words “from that constituency” shall be inserted.

5. In the said rules, in sub-rules, in rule, between the words “nominated candidates” and “in form II”, the words “for each constituency” shall inserted.
6. In the said rules, in rule 19, after the words “contesting candidate wherever occurring, the words “for any constituency” shall be insterted.
7. In the said rules, in sub-rule (1)of rule 21, for the word “office” the word “Officer” shall be substituted.
8. In the said rules, for rule 25, the following rule shall be substituted namely:-  

“25 *Manner of recording votes.*-(1) Every elector in a constituency  
Shall have as many votes as there are seats to be filled in that  
constituency at the election.

Sections 4and 54(2) (b)
----------------------------

(2) Such an elector, when giving his votes, shall place the mark “X” in the space opposite the name of the contesting candidates o candidates in a single member constituency or double-member constituency, as the case may be, for whom he desires to vote.”
9. In the said rules, in rule 27—
  - a) in clause(b), for the words “at the election” the words “in a constituency” shall be substituted ; and
  - b) in proviso:-
    - (i) for the word “of” occurring between the brackets and letter “(e)” and the words “the total” the word “the words “if” shall be substituted;
    - (ii) between the words “to be filled” and “and there is no uncertainty” the words “in a constituency” shall be inserted ; and
    - (iii) for the word “than” occurring between the words “candidate” and “the ballot paper” the word “then” shall be substituted
10. In the said rules, in rule 29. between the words “completed” and “the Returning Officer” the words “for a constituency” and between the words “given and “to be fill” the words “in the constituency” shall be inserted.

11. In the said rules in Form I, the word and dash “constituency” shall be added below the heading “Nomination Paper”
12. In the said rules, in Form II, the words and dash “for the constituency” shall be inserted after the words “nominated candidates”
13. In the said rules, in Form III, the words and dash “Name of constituency:- shall be added below the heading “Front of Ballot Paper”.

PRITMOHINDER SINGH

Commissioner for Health and  
Secretary to Government, Punjab,  
Health and Family Planning Department.

## **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

( Act No. 48 of 1970)  
(As on the 1st October, 1997)

This edition of the Indian Medicine Central Council Act, 1970 is being published in diglot form. The English text and the authoritative Hindi text of the Act have been modified up to the 1st day of October, 1977.

K.L.MOHANPURIA  
**Secretary to the Government of India**

**NEW DELHI**  
1st October, 1977

## **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

### **PREFACE TO THE FIRST EDITION**

This is a revised diglot edition of the Indian Medicine Central Council Act, 1970, as on the 1st November, 1975 containing the authoritative Hindi text thereof alongwith its English text. The Hindi text of the Act was published in the Gazette of India, Extraordinary, Part II, Section 1A, No.33, Vol.VII, dated the 9th September, 1971 on pages 285 to 318.

This Hindi text was prepared by the Official Language (Legislative) Commission and it was published under the authority of the President under section 5(1) of the Official Languages Act, 1963 and on such publication, it became the authoritative text of that Act in Hindi.

K.K. SUNDARAM  
**Secretary to the Government of India**

**NEW DELHI**  
1st November 1975.

## **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

### **PREFACE TO THE SECOND EDITION**

As all the copies of the first diglot edition of the Indian Medicine Central Council Act, 1970 (Act No.48 of 1970) have been sold the second edition is being published, incorporating the amendments made in it till 1st October 1986. The present edition also gives Legislative history of the Act.

B.K. SHARMA  
**Additional Secretary to the Government of India**

**NEW DELHI**  
1st October 1986.

**THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

**AMENDING ACT**

The Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983). List of Abbreviations used

Ins..... for Inserted  
S....." Section  
Sch....." Schedule  
Sub....." Substituted  
w.e.f....." with effect from

**First edition,**

1st November, 1975- 1500 copies

**Second edition,**

October 1986- 8000 copies.

**THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

(ACT No. 48 of 1970)

**CHAPTER 1  
PRELIMINARY**

**1. Short title, extent and commencement**

- (1) This Act may be called the Indian Medicine Central Council Act, 1970.
- (2) It extends to the whole of India.
- (3) It shall come into force in a State on such date 1 as the Central Government may, by notification in the Official Gazette, appoint in this behalf for such State, and different dates may be appointed for different States and for different provisions of this Act.

**2. Definitions**

- (1) In this Act, unless the context otherwise requires,
  - (a) "approved institution" means a teaching institution, health center or hospital recognised by a University or Board as an institution in which a person may undergo the training, if any, required by his course of study before the award of any medical qualification to him;
  - (b) "Board" means a Board, Council, Examining Body or Faculty of Indian Medicine (by whatever name called) constituted by the State Government under any law for the time being in force regulating the award of medical qualifications in, and registration of practitioners of, Indian medicine;
  - (c) "Central Council" means the Central Council of Indian Medicine constituted under section 3;
  - (d) "Central Register of Indian Medicine" means the register maintained by the Central Council under this Act.
  - (e) "Indian Medicine" means the system of Indian medicine commonly known as Ashtang Ayurveda, Siddha or Unani Tibb whether supplemented or not by such modern advances as the Central Council may declare by notification from time to time.

\* '(ea) "medical college" means a college of Indian medicine, whether known as such or by any other name, in which a person may undergo a course of study or training including any post-graduate course of study or training which will qualify him for the award of a recognized medical qualification;'

(f) "medical institution" means any institution within or without India, which grants degrees, diploma or licenses in Indian medicine.

(g) "prescribed" means prescribed by regulation;

(h) "recognised medical qualification" means any of the medical qualifications, including Post-graduate medical qualification, of Indian medicine included in the Second, Third or Fourth Schedule;

(i) "regulation" means a regulation made under section 36;

(j) "State Register of Indian Medicine" means a register or registers maintained under any law for the time being in force in any State regulating the registration of practitioners of Indian Medicine;

(k) "University" means any university in India established by law and having a Faculty of Indian Medicine and includes a University in India established by law in which instruction, teaching, training or research in Indian medicine is provided.

(2) Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

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.....

**\* Ammended by s.no. 62 dated 7/11/2003**

1. Provisions of Ss. 2, 13, 32, 33, 34, 35 and 36 came into force in the whole of India and provisions of Ss. 3, 5 to 12 (both inclusive) and 14 to 16 (both inclusive) came into force in all the States (except the State of Nagaland) and in the Union territory of Delhi on the 15th August, 1971, see Notification No. S. O. 2994 dated 10-8-1971, Gazette of India, Extraordinary, Part II, Sec. 3(ii), p.2571.

Provisions of Ss. 17 and 23 to 31 (both inclusive) came into force in the whole of India w.e.f. 1-10-1976, see Notification No. S. O. 626 (E), dated 10-9-1976, Gazette of India, Extraordinary, Part II, Sec. 3(ii), p.1845.

Provisions of S. 4 came into force in the whole of India w.e.f. 7-11-1983 see Notification No. S. O. 816(E), dated 17-11-1983, Gazette of India, Extraordinary, Part II, Sec. 3(ii).

## THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970

### CHAPTER 2 THE CENTRAL CONCIL AND ITS COMMITTEES

#### 3. Constitution of Central Council

(1) The Central Government shall, by notification in the Official Gazette constitute for the purposes of this Act a Central Council consisting of the following members, namely:-

(a) such number of members not exceeding five as may be determined by the Central Government in accordance with the provisions of the First Schedule for each of the Ayurveda, Siddha and Unani systems of medicine from each State in which a State Register of Indian Medicine is maintained, to be elected from amongst themselves by persons enrolled on that Register as practitioners of Ayurveda, Siddha or Unani, as the case may be;

(b) one member for each of the Ayurveda, Siddha and Unani systems of medicine from each University to be elected from amongst themselves by the members of the Faculty or Department (by whatever name called) of the respective system of medicine of that University;

(c) such number of members, not exceeding thirty per cent of the total number of members elected under

clauses (a) and (b), as may be nominated by the Central Government, from amongst persons having special knowledge or practical experience in respect of Indian medicine:

Provided that until members are elected under clause (a) or clause (b) in accordance with the provisions of this Act and the rules made thereunder, the Central Government shall nominate such number of members, being persons qualified to be chosen as such under the said clause (a) or clause (b), as the case may be, as that Government thinks fit; and references to elected members in this Act shall be construed as including references to members so nominated.

(2) The President of the Central Council shall be elected by the members of the Central Council from amongst themselves in such manner as may be prescribed.

(3) There shall be a Vice-President for each of the Ayurveda, Siddha and Unani systems of medicine who shall be elected from amongst themselves by members representing that system of medicine, elected under clause (a) or clause (b) of sub-section (1) or nominated under clause (c) of that sub-section.

#### **4. Mode of Election**

(1) An election under clause (a) or clause (b) of sub-section (1) of section 3 shall be conducted by the Central Government in accordance with such rules as may be made by it in this behalf.

(2) Where any dispute arises regarding any election to the Central Council, it shall be referred to the Central Government whose decision shall be final.

#### **5. Restriction on Elections and Membership**

(1) No person shall be eligible for election to the Central Council unless he possesses any of the medical qualifications included in the Second, Third or Fourth Schedule, is enrolled on any State Register of Indian medicine and resides in the State concerned.

(2) No person may at the same time serve as a member in more than one capacity.

#### **6. Incorporation of Central Council**

The Central Council shall be a body corporate by the name of Central Council of Indian Medicine having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable, and immovable and to contract, and shall by the said name sue and be sued.

#### **7. Term of office of President, Vice-President and members of Central Council**

(1) The President, a Vice-President or a member of the Central Council shall hold office for a term of five years from the date of his election or nomination, as the case may be, or until his successor shall have been duly elected or nominated, whichever is longer.

(2) An elected or nominated member shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Central Council, from three consecutive ordinary meetings of the Central Council or, in the case of a member elected under clause (a) of sub-section (1) of Section 3, if he ceases to be enrolled on the concerned State Register of Indian Medicine, or in the case of a member elected under clause (b) of that sub-section, if he ceases to be a member of the faculty or Department (by whatever name called) of Indian Medicine of the University concerned.

(3) A casual vacancy in the Central Council shall be filled by election or nomination, as the case may be, and the person elected or nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was elected or nominated.

(4) Members of the Central Council shall be eligible for re-election or re-nomination.

(5) Where the said term of five years is about to expire in respect of any member, a successor may be elected or nominated at any time within three months before the said term expires but he shall not assume office until the said term has expired.

## **8. Meetings of Central Council**

(1) The Central Council shall meet at least once in each year at such time and place as may be appointed by the Central Council.

(2) Unless otherwise prescribed, one-third of the total number of members of the Central Council shall form a quorum and all the acts of the Central Council shall be decided by a majority of the members present and voting:-

Provided that no decision of the Central Council in relation to any Indian medicine, shall be effective unless three members representing Ayurveda, Siddha or Unani system of medicine, as the case may be, are present at the meeting and support the decision

## **9. Committees for Ayurveda, Siddha and Unani**

(1) The Central Council shall constitute from amongst its members, -

- a) a committee for Ayurveda
- b) a committee for Siddha and
- c) a committee for Unani,

and each such committee shall consist of members elected under clause (a) or clause (b) or nominated under clause (c) of sub-section (1) of section 3 representing the Ayurveda, Siddha or Unani system of medicine, as the case may be.

(2) The Vice-President for each of the Ayurveda, Siddha and Unani systems of medicine elected under sub-section (3) of section 3 shall be, respectively, the Chairman of the committees referred to in clauses (a), (b) and (c) of sub-section (1).

(3) Subject to such general or special directions as the Central Council may from time to time give, each such committee shall be competent to deal with any matter relating to Ayurveda, Siddha or Unani system of medicine, as the case may be, within the competence of the Central Council.

## **10. Other Committees**

The Central Council may constitute from amongst its members such other committees for general or special purposes, as the Central Council deems necessary to carry out the purposes of this Act.

## **11. Meetings of Committees**

(1) The committees constituted under section 9 and 10 shall meet at least once in each year at such time and place as may be appointed by the Central Council.

(2) Unless otherwise prescribed, one-third of the total number of members of a committee shall form a quorum, and all the acts of the committee shall be decided by a majority of the members present and voting.

## **12. Officers and other employees of Central Council**

The Central Council shall -

- (a) appoint a Registrar who shall act as Secretary and who may also, if deemed expedient, act as Treasurer;
- (b) employ such other persons as it deems necessary to carry out the purposes of this Act;
- (c) require and take from the Registrar, or from any other employee, such security for the due performance of his duties as the Central Council deems necessary; and
- (d) with the previous sanction of the Central Government, fix the remuneration and allowances to be paid to the President, Vice-President and members of the Central Council and to the Members of the committees thereof and determine the conditions of service of the employees of the Central Council.

## **13. Vacancies in the Central Council and committees thereof not to invalidate acts, etc.**

No act or proceeding of the Central Council or any committee thereof shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Central Council or

the committee, as the case may be.

## THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970

### CHAPTER II A PERMISSION FOR NEW MEDICAL COLLEGE, COURSE, ETC.

#### 13A. (1) Notwithstanding anything contained in this Act or any other law for the time being in force,-

- (a) no person shall establish a medical college; or
- (b) no medical college shall-

- (i) open a new or higher course of study or training, including a post-graduate course of study or training, which would enable students of such course or training to qualify himself for the award of any recognised medical qualification; or
- (ii) increase its admission capacity in any course of study or training including a post-graduate course of study or training. except with the previous permission of the Central Government obtained in accordance with the provisions of this section.

**Explanation 1.**-For the purposes of this section, "person" includes any University or a trust, but does not include the Central Government.

**Explanation 2.**-For the purposes of this section, "admission capacity", in relation to any course of study or training, including post-graduate course of study or training, in a medical college, means the maximum number of students as may be fixed by the Central Government from time to time for being admitted to such course or training.

(2) Every person or medical college shall, for the purpose of obtaining permission under sub-section (1), submit to the Central Government a scheme in accordance with the provisions of sub-section (3) and the Central Government shall refer the scheme to the Central Council for its recommendations.

(3) The scheme referred to in sub-section (2), shall be in such form and contain such particulars and be preferred in such manner and accompanied with such fees, as may be prescribed.

(4) On receipt of a scheme from the Central Government under sub-section (2), the Central Council may obtain such other particulars as may be considered necessary by it from the person or medical college concerned, and thereafter, it may-

(a) if the scheme is defective and does not contain necessary particulars, give a reasonable opportunity to the person or medical college concerned for making a written representation and it shall be open to such person or medical college to rectify the defects, if any, specified by the Central Council;

(b) consider the scheme, having regard to the factors referred to in sub-section (8) and submit it to the Central Government together with its recommendations thereon within a period not exceeding six months from the date of receipt of the reference from the Central Government.

(5) The Central Government may, after considering the scheme and recommendation of the Central Council under sub-section (4) and after obtaining, where necessary, such other particulars as may be considered necessary by it from the person or college concerned and having regard to the factors referred to in sub-section (8), either approve the scheme with such conditions, if any, as it may consider necessary or

disapprove the scheme and any such approval shall constitute as a permission under sub-section (1) :

Provided that no scheme shall be disapproved by the Central Government except after giving the person or medical college concerned a reasonable opportunity of being heard:

Provided further that nothing in this sub-section shall prevent any person or medical college whose scheme has not been approved by the Central Government to submit a fresh scheme and the provision of this section shall apply to such scheme, as if such scheme had been submitted for the first time under sub-section (2).

(6) Where, within a period of one year from the date of submission of the scheme to the Central Government under sub-section (2), no order is communicated by the Central Government to the person or medical college submitting the scheme, such scheme shall be deemed to have been approved by the Central Government in the form in which it was submitted, and, accordingly, the permission of the Central Government required under sub-section (1) shall also be deemed to have been granted.

(7) In computing the time-limit specified in sub-section (6), the time taken by the person or medical college concerned submitting the scheme, in furnishing any particulars called for by the Central Council, or by the Central Government shall be excluded.

(8) The Central Council while making its recommendations under clause (b) of subsection (4) and the Central Government while passing an order, either approving or disapproving the scheme under sub-section (5), shall have due regard to the following factors, namely:-

(a) whether the proposed medical college or the existing medical college seeking to open a new or higher course of study or training, would be in a position to offer the minimum standards of medical education as prescribed by the Central Council under section 22;

(b) whether the person seeking to establish a medical college or the existing medical college seeking to Open a new or higher course of study or training or to increase its admission capacity has adequate financial resources;

(c) whether necessary facilities in respect of staff, equipment, accommodation, training, hospital or other facilities to ensure proper functioning of the medical college or conducting the new course of study or training or accommodating the increased admission capacity have been provided or would be provided within the time-limit specified in the scheme;

(d) whether adequate hospital facilities, having regard to the number of students likely to attend such medical college or course of study or training or the increased admission capacity have been provided or would be provided within the time-limit specified in the scheme;

(e) whether any arrangement has been made or programme drawn to impart proper training to students likely to attend such medical college or the course of study or training by persons having recognised medical qualifications;

(f) the requirement of manpower in the field of practice of Indian medicine in the college;

(g) any other factors as may be prescribed.

(9) Where the Central Government passes an order either approving or disapproving a scheme under this section, a copy of the order shall be communicated to the person or medical college concerned.

Non-recognition of medical qualification in certain cases. 13B. (1) Where any medical college is established without the previous permission of the Central Government in accordance with the provisions of section 13

A, medical qualification granted to any student of such medical college shall not be deemed to be a recognised medical qualification for the purposes of this Act.

(2) Where any medical college opens a new or higher course of study or training including a post-graduate course of study or training without the previous permission of the Central Government in accordance with the provisions of section 13A, medical qualification granted to any student of such medical college on the basis of such study or training shall not be deemed to be a recognised medical qualification for the purposes of this Act.

(3) Where any medical college increases its admission capacity in any course of study or training without the previous permission of the Central Government in accordance with the provisions of section 13A, medical qualification granted to any student of such medical college on the basis of the increase in its admission capacity shall not be deemed to be a recognised medical qualification for the purposes of this Act.'.

#### **Time for seeking permission for certain existing medical colleges.**

13C.(1) If person has established a medical college or any medical college has opened a new or higher course of study or training or increased the admission capacity on or before the commencement of the Indian Medicine Central Council (Amendment) Ordinance, 2003, such person or medical college, as the case may be, shall seek, within a period of three years from the said commencement, permission of the Central Government in accordance with the provisions of section 13A.

(2) If any person or medical college, as the case may be, fails to seek permission under sub-section (1), the provisions of section 13B shall apply, so far as as may be, as if, permission of the Central Government under section 13A has been refused.'.

## **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

### **CHAPTER III RECOGNITION OF MEDICAL QUALIFICATIONS**

#### **14. Recognition of medical qualifications granted by certain medical institutions in India**

(1) The medical qualifications granted by any University, Board or other medical institutions in India which are included in the Second Schedule shall be recognised medical qualifications for the purposes of this Act.

(2) Any University, Board or other medical institution in India which grants a medical qualification not included in the Second Schedule may apply to the Central Government to have any such qualification recognised, and the Central Government, after consulting the Central Council, may, by notification in the Official Gazette, amend the Second Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in the last column of the Second Schedule against such medical qualification declaring that it shall be recognised medical qualification only when granted after a specified date.

#### **15. Recognition of medical qualifications granted by certain medical institutions whose qualifications are not included in Second Schedule**

The medical qualifications included in the Third Schedule granted to a citizen of India before the 15th day of August, 1947, by any medical institution in any area which was comprised before that date within India as defined in the Government of India Act, 1935, shall also be recognised medical qualifications for the

purposes of this Act.

**16. Recognition of medical qualifications granted by medical institutions in countries with which there is a scheme of reciprocity**

(1) The medical qualifications granted by medical institutions outside India which are included in the Fourth Schedule shall be recognised medical qualifications for the purposes of this Act.

(2) The Central Council may enter into negotiations with the authority in any State or country outside India, which, by law of such State or country is entrusted with the maintenance of a Register of practitioners of Indian medicine, for the settling of a scheme of reciprocity for the recognition of medical qualifications in Indian medicine, and in pursuance of any such scheme, the Central Government may, by notification in the Official Gazette, amend the Fourth Schedule so as to include therein any medical qualification which the Central Council has decided should be recognised, and any such notification may also direct that an entry shall be made in the last column of the Fourth Schedule against such medical qualification declaring that it shall be recognised medical qualification only when granted after a specified date.

**17. Rights of persons possessing qualifications included in Second, Third and Fourth Schedules to be enrolled**

(1) Subject to the other provisions contained in this Act, any medical qualification included in the Second, Third or Fourth Schedule shall be sufficient qualification for enrolment on any State Register of Indian Medicine.

(2) Save as provided in section 28, no person other than a practitioner of Indian medicine who possesses a recognised medical qualification and is enrolled on a State Register or the Central Register of Indian Medicine, -

(a) shall hold office as Vaid, Siddha, Hakim or physician or any other office (by whatever designation called) in Government or in any institution maintained by a local or other authority;

(b) shall practice Indian medicine in any State;

(c) shall be entitled to sign or authenticate a medical or fitness certificate or any other certificate required by any law to be signed or authenticated by a duly qualified medical practitioner;

(d) shall be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 (1 of 1872) on any matter relating to Indian medicine.

(3) Nothing contained in sub-section (2) shall affect, -

(a) the right of a practitioner of Indian Medicine enrolled on a State Register of Indian Medicine to practise Indian medicine in any State merely on the ground that, on the commencement of this Act, he does not possess a recognised medical qualification;

(b) the privileges (including the right to practise any system of medicine) conferred by or under any law relating to registration of practitioners of Indian medicine for the time being in force in any State on a practitioner of Indian Medicine enrolled on a State Register of Indian medicine;

(c) the right of a person to practise Indian medicine in a State in which, on the commencement of this Act, a State Register of Indian Medicine is not maintained if, on such commencement, he has been practising Indian medicine for not less than five years;

(d) the rights conferred by or under the Indian Medical Council Act, 1956 (102 of 1956) [including the right to practise medicine as defined in clause (f) of section 2 of the said Act], on persons possessing any qualifications included in the Schedules to the said Act.

(4) Any person who acts in contravention of any provision of sub-section (2) shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

## **18. Power to require information as to courses of study and examination**

Every University, Board or medical institution in India which grants a recognised medical qualification shall furnish such information as the Central Council may, from time to time, require as to the courses of study and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualification is conferred and generally as to the requisites for obtaining such qualification.

## **19. Inspectors at examinations**

(1) The Central Council shall appoint such number of medical inspectors as it may deem requisite to inspect any medical college, hospital or other institution where education in Indian medicine is given, or to attend any examination held by any University, Board or medical institution for the purpose of recommending to the Central Government recognition of medical qualifications granted by that University, Board or medical institution.

(2) The medical inspectors shall not interfere with the conduct of any training or examination, but shall report to the Central Council on the adequacy of the standards of education including staff, equipment, accommodation, training and other facilities prescribed for giving education in Indian medicine or on the sufficiency of every examination which they attend.

(3) The Central Council shall forward a copy of any such report to the University, Board or medical institution concerned, and shall also forward a copy with the remarks of the University, Board or medical institution thereon, to the Central Government.

## **20. Visitors at examinations**

(1) The Central Council may appoint such number of visitors as it may deem requisite to inspect any medical college, hospital or other institution where education in Indian medicine is given or to attend any examination for the purpose of granting recognised medical qualifications.

(2) Any person, whether he is a member of the Central Council or not, may be appointed as a visitor under this section but a person who is appointed as an inspector under Section 19 for any inspection or examination shall not be appointed as a visitor for the same inspection or examination.

(3) The visitors shall not interfere with the conduct of any training or examination, but shall report to the President of the Central Council on the adequacy of the standards of education including staff, equipment, accommodation, training and other facilities prescribed for giving education in Indian medicine or on the sufficiency of every examination which they attend.

(4) The report of a visitor shall be treated as confidential unless in any particular case the President of the Central Council otherwise directs:

Provided that if the Central Government requires a copy of the report of a visitor, the Central Council shall furnish the same.

## **21. Withdrawal of recognition**

(1) When upon report by the inspector or the visitor, it appears to the Central Council

(a) that the courses of study and examination to be undergone in, or the proficiency required from candidates at any examination held by, any University, Board or medical institution, or

(b) that the staff, equipment, accommodation, training and other facilities for instruction and training provided in such University, Board or medical institution or in any college or other institution affiliated to the University, do not conform to the standard prescribed by the Central Council the Central Council shall make a representation to that effect to the Central Government.

(2) After considering such representation, the Central Government may send it to the Government of the State in which the University, Board or medical institution is situated and the State Government shall forward

it along with such remarks as it may choose to make to the University, Board or medical institution, with an intimation of the period within which the University, Board or medical institution may submit its explanation to the State Government.

(3) On the receipt of the explanation or, where no explanation is submitted within the period fixed, then, on the expiry of that period, the State Government shall make its recommendations to the Central Government.

(4) The Central Government, after making such further inquiry, if any, as it may think fit, may, by notification in the Official Gazette, direct that an entry shall be made in the appropriate Schedule against the said medical qualification declaring that it shall be a recognised medical qualification only when granted before a specified date, or that the said medical qualification if granted to students of a specified college or institution affiliated to any University shall be recognised medical qualification only when granted before a specified date or, as the case may be, that the said medical qualification shall be recognised medical qualification in relation to a specified college or institution affiliated to any University only when granted after a specified date.

## **22. Minimum standards of education in Indian medicine**

(1) The Central Council may prescribe the minimum standards of education in Indian medicine, required for granting recognised medical qualifications by Universities, Boards or medical institutions in India.

(2) Copies of the draft regulations and of all subsequent amendments thereof shall be furnished by the Central Council to all State Governments and the Central Council shall, before submitting the regulations or any amendment thereof, as the case may be, to the Central Government for sanction, take into consideration the comments of any State Government received within three months from the furnishing of the copies as aforesaid.

(3) Each of the committees referred to in clauses (a), (b) and (c) of sub-section (1) of Section 9 shall, from time to time, report to the Central Council on the efficacy of the regulations and may recommend to the Central Council such amendments thereof as it may think fit.

# **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

## **CHAPTER IV THE CENTRAL REGISTER OF INDIAN MEDICINE**

### **23. The Central Register of Indian Medicine**

(1) The Central Council shall cause to be maintained in the prescribed manner, a register of practitioners in separate part for each of the system of Indian medicine to be known as the Central Register of Indian Medicine which shall contain the names of all persons who are for the time being enrolled on any State Register of Indian Medicine and who possess any of the recognised medical qualifications.

(2) It shall be the duty of the Registrar of the Central Council to keep and maintain the Central Register of Indian Medicine in accordance with the provisions of this Act and of any orders made by the Central Council, and from time to time to revise the register and publish it in the Gazette of India and in such other manner as may be prescribed.

(3) Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (1 of 1872) and may be proved by a copy published in the gazette of India.

### **24. Supply of copies of State Register of Indian Medicine**

Each Board shall supply to the Central Council three printed copies of the State Register of Indian Medicine

as soon as may be after the commencement of this Act and subsequently after the first day of April of each year, and each Board shall inform the Central Council without delay of all additions to and other amendments in the State Register of Indian Medicine made from time to time.

#### **25. Registration in the Central Register of Indian Medicine**

The Registrar of the Central Council may on receipt of the report of registration of a person in a State Register of Indian Medicine or on application made in the prescribed manner by any person, enter his name in the Central Register of Indian Medicine, provided that the Registrar is satisfied that the person concerned is eligible under this Act for such registration.

#### **26. Professional conduct**

- (1) The Central Council may prescribe standards of professional conduct and etiquette and a code of ethics for practitioners of Indian medicine.
- (2) Regulations made by the Central Council under sub-section (1) may specify which violations thereof shall constitute infamous conduct in any professional respect, that is to say, professional misconduct, and such provision shall have effect notwithstanding anything contained in any law for the time being in force.

#### **27. Removal of names from the Central Register of Indian Medicine**

- (1) If the name of any person enrolled on a State Register of Indian Medicine is removed therefrom in pursuance of any power conferred by or under any law relating to registration of practitioners of Indian medicine for the time being in force in any State, the Central Council shall direct the removal of the name of such person from the Central Register of Indian Medicine.
- (2) Where the name of any person has been removed from a State Register of Indian Medicine on any ground other than that he is not possessed of the requisite medical qualifications or where any application by the said person for restoration of his name to the State Register of Indian Medicine has been rejected, he may appeal in the prescribed manner and subject to such conditions, including conditions as to the payment of a fee, as may be prescribed, to the Central Government whose decision, which shall be given after consulting the Central Council, shall be binding on the State Government and on the authorities concerned with the preparation of the State Register of Indian Medicine.

#### **28. Provisional registration for practice**

If the course of study to be undergone for obtaining a recognised medical qualification in Indian Medicine include a period of training after a person has passed the qualifying examination and before such qualification is conferred on him, any such person shall, on application made by him in this behalf, be granted provisional registration in a State Register of Indian medicine by the Board concerned in order to enable him to practice Indian Medicine in an approved institution for the purpose of such training and for no other purpose for the period aforesaid.

#### **29. Privileges of persons who are enrolled on the Central Register of Indian Medicine**

Subject to the conditions and restrictions laid down in this Act regarding practice of Indian medicine by persons possessing certain recognised medical qualifications, every person whose name is for the time being borne on the Central Register of Indian Medicine shall be entitled according to his qualification to practice Indian medicine in any part of India and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances or any fees to which he may be entitled.

#### **30. Registration of additional qualifications**

(1) If any person whose name is entered in the Central Register of Indian medicine obtains any title, diploma or other qualifications for proficiency in Indian medicine which is a recognised medical qualification, he shall, on application made in this behalf in the prescribed manner, be entitled to have an entry stating such other title, diploma or other qualification made against his name in the Central Register of Indian Medicine either in substitution for or in addition to any entry previously made.

(2) The entries in respect of any such person in a State Register of Indian medicine shall be altered in accordance with the alterations made in the Central Register of Indian Medicine.

### **31. Persons enrolled on Central Register of Indian Medicine to notify change of place of residence and practice**

Every person registered in the Central Register of Indian Medicine shall notify any transfer of the place of his residence or practice to the Central Council and to the Board concerned, within ninety days of such transfer, failing which his right to participate in the election of members to the Central Council or a Board shall be liable to be forfeited by order of the Central Government either permanently or for such period as may be specified therein.

## **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

### **CHAPTER V MISCELLANEOUS**

### **32. Information to be furnished by Central Council and publication thereof**

(1) The Central Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.

(2) The Central Government may publish in such manner, as it may think fit, any report, copy, abstract or other information furnished to it under this section or under section 20.

### **33. Commission of inquiry**

(1) Whenever it is made to appear to the Central Government that the Central Council is not complying with any of the provisions of this Act, the Central Government may refer the particulars of the complaint to a commission of inquiry consisting of three persons, two of whom shall be appointed by the Central Government, one being a Judge of a High Court, and one by the Central Council, and such commission shall proceed to inquire in a summary manner and to report to the Central Government as to the truth of the matters charged in the complaint, and in case of any charge of default or of improper action being found by the commission to have been established, the commission shall recommend the remedies, if any, which are in its opinion necessary.

(2) The Central Government may require the Central Council to adopt the remedies so recommended within such time as, having regard to the report of the commission, it may think fit, and if the Central Council fails to comply with any such requirement, the Central Government may amend the regulations of the Central Council, or make such provision or order or take such other steps as may seem necessary to give effect to the recommendations of the commission.

(3) A commission of inquiry shall have power to administer oaths, to enforce the attendance of witnesses and the production of documents, and shall have all such other necessary powers for the purpose of any inquiry conducted by it as are exercised by a civil court under the Code of Civil Procedure, 1908 (5 of 1908).

#### **34. Protection of action taken in good faith**

No suit, prosecution or other legal proceeding shall lie against the Government, the Central Council or a Board or any committee thereof or any officer or servant of the Government or the Central Council or the Board aforesaid for anything which is in good faith done or intended to be done under this Act.

#### **35. Power to make rules**

(1) The Central Government may by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or 1[in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid] both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

#### **36. Power to make regulations**

2[(1) The Central Council, may, with the previous sanction of the Central Government, 2[by notification in the Official Gazette,] make regulations generally to carry out the purposes of this Act, and, without prejudice to the generally of this power, such regulations may provide for-

- (a) the manner of election of the President and the Vice-Presidents of the Central Council;
- (b) the management of the property of the Central Council and the maintenance and audit of its accounts;
- (c) the resignation of members of the Central Council;
- (d) the powers and duties of the President and Vice-President;
- (e) the summoning and holding of meetings of the Central Council and the committees thereof, the times and places where such meetings are to be held, and the conduct of business thereat and the number of members necessary to constitute a quorum;
- (f) the functions of the committees constituted under section 9 or section 10;
- (g) the tenure of office, and the powers and duties of the Registrar and other officers and servants of the Central Council;
- "(ga) the form of the scheme, the particulars to be given in such scheme, the manner in which the scheme is to be preferred and the fees payable with the scheme under sub-section (3) of section 13A;
- (gb) any other factor under clause (g) of sub-section (8) of section 13A;"
- (h) the appointment, powers, duties and procedure of inspectors and visitors;
- (i) the courses and period of study and of practical training to be undertaken, the subjects of examination and the standards of proficiency therein to be obtained, in any University, Board or Medical Institutions for grant of recognised medical qualifications;
- (j) the standards of staff, equipment, accomodation, training and other facilities for education in Indian Medicine;
- (k) the conduct of professional examinations, qualifications of examiners and the conditions of admissions to such examinations;
- (l) the standards of professional conduct and etiquette and code of ethics to be observed by practitioners of Indian Medicine;
- (m) the particulars to be stated, and the proof of qualifications to be given in applications for registration under this Act;
- (n) the manner in which and the conditions subject to which an appeal under section 27 may be preferred;
- (o) the fees to be paid on applications and appeals under this Act; and

(p) any matter for which under this Act provision may be made by regulations.

2[(2) The Central Government shall cause every regulation made under this Act to be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.]

1Subs. by Act 20 of 1983; s. 2 and Sch, for certain words (w.e.f. 15-3-1984).

2S. 36 renumbered as sub-section (1) and in sub-section (1) certain words and sub-section (2) ins. by Act 20 of 1983, s. 2 and Sch. (w.e.f. 15.3.1984).

## THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970

### THE FIRST SCHEDULE

1.The Central Government shall, by notification in the Official Gazette, determine the number of seats allocated in the Central Council to each of the Ayurveda, Siddha and Unani systems of medicine in each State on the following basis, namely:-

(a) Where the number of persons enrolled on a State Register of Indian Medicine for any of such systems exceeds

100 but does not exceed 10000 ..... **1 seat**

(b) Where the number of persons enrolled on a State Register of Indian Medicine for any of such systems exceeds

10000 but does not exceed 20000 ..... **2 seats**

(c) Where the number of persons enrolled on a State Register of Indian Medicine for any of such systems exceeds

20000 but does not exceed 30000 ..... **3 seats**

(d) Where the number of persons enrolled on a State Register of Indian Medicine for any of such systems exceeds

30000 but does not exceed 40000 ..... **4 seats**

(e) Where the number of persons enrolled on a State Register of Indian medicine for any of such systems exceeds

40000 ..... **5 seats**

2. For every subsequent election to the Central Council under clause (a) of sub-section (1) of section 3, the Central Government shall, by notification in the Official Gazette, determine the number of seats allocated in the Central Council to each of the Ayurvedic, Siddha and Unani systems of medicine on the basis laid down in paragraph 1 above.

**THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

**THE SECOND SCHEDULE**  
**[See section 14]**

Recognised medical qualifications in Indian medicine granted by Universities, Boards or other medical institutions in India

S.No	University,Board or Medical Institution	Recognised Medical Qualification	Abbreviation for Registration	Remarks
	1	2	3	4

**Part I - Ayurveda and Siddha**

Andhra Pradesh

1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----
2.	Andhra Ayurveda Parishad Vijayawada (Examining Body).	Vaidyavidwan	----	----
3.	Shri Venkateswar Ayurved Kalasala, Vijayawada.	Ayurvedalankara Ayurveda-Kalanidhi Diploma in Ayurvedic Medicine	---- ---- D.A.M.	---- ---- ----
4.	Shri Rangacharya Ram mohan Ayurvedic College Guntur	Ayurveda Praveen	-----	----
1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----
1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----
1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----
1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----
1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----
1.	Board of Indian Medicine, Hyderabad	Graduate of the College of Ayurvedic Medicine	. G.C.A.M	----

**THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

**THE THIRD SCHEDULE**  
**[See section 15]**

Qualifications granted by certain medical institutions before 15th August, 1947 in areas which comprised within India as defined in the Government of India Act, 1935.

S.No	University, Board or Medical Institution	Recognised Medical Qualification	Abbreviation for Registration	Remarks
	1	2	3	4

### Part I - Ayurveda and Siddha

1.	Dayanand Ayurvedic College, Lahore	Vaidya Vachaspati Vaidya Kaviraj	---- ----	Before 1947 Before 1947
2.	Sanatan Dharam Premgiri , Ayurvedic College, Lahore	Vaidya Shastri Shri Ayurvedacharya Shri Vaidya Kaviraj	---- ---- ----	Before 1947 Before 1947 Before 1947
3.	Manmohan Chatuspati, Dacca	Ayurvedshastri Ayurvedratna	---- ----	---- 1920-1940

### PART II - UNANI

1.	The Islamia College, Lahore	Hakim-I-Haziq Zubdatul-Hukma	---- ----	---- ----
2.	Tibbia College, Lahore	Hasiq-ul-Hukma Mahir-Tib-o-Jarahat Hakim-I-Haziq	HUH MTJ HH	Up to 1947 Up to 1947 Up to 1947

## THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970

### THE FOURTH SCHEDULE [See section 16]

Qualifications granted by Medical Institutions in Countries with which there is a scheme of reciprocity.

S.No	University, Board or Medical Institution	Recognised Medical Qualification	Abbreviation for Registration	Remarks
	1	2	3	4

### Ayurveda and Siddha

1.	Government College of Indigenous Systems of Medicine and Surgery Medicine, Ceylon	Diploma in Indigenous Medicine and Surgery	DIMS	----
2.	Government College of Indigenous Medicine, Colombo, Sri Lanka	Diploma in Indigenous Medicine & Surgery (Ayurved/Siddha/Unani)	DIMS	Upto 1960

	Diploma in Ayurvedic Medicine & Surgery (Ayurved/Siddha/Unani)	DAMS	From 1961 to 1976
2.	Government College of Indigenous Medicine, Colombo, Sri Lanka	Diploma in Ayurvedic Medicine & Surgery (Ayurved/Siddha/Unani)	DAMS From 1977 to 1987
	Diploma in Ayurvedic Medicine & Surgery	DAMS	From 1977 to 1984
	Bachelor of Ayurvedic Medicine & Surgery (Siddha)	BAMS	From 1991 onwards
	Bachelor of Unani Medicine & Surgery	BUMS	From 1991 onwards] 35
2.	University of Jaffna, Sri Lanka	Diploma in Ayurvedic Medicine & Surgery (Siddha)	DAMS From 1984 to 1987] 34
	Bachelor of Siddha Medicine & Surgery	BSMS	From 1989 onwards] 35

#### **THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970**

### **The Second Schedule and Fourth Schedule to the Indian Medicine Central Council Act, 1970 (48 of 1970) has been subsequently amended vide:-**

1. SO No.4068 dated the 30th November 1979
2. SO No.2635 dated the 18th September 1980
3. SO No.2323 dated the 20th August 1981
4. SO No.2314 dated the 22nd August 1981
5. SO No.137 dated the 24th December 1981
6. SO No.638 dated the 25th January 1982
7. SO No.7661 dated the 2nd February 1982
8. SO No.973 dated the 20th February 1982
9. SO No.354(E) dated the 6th May 1983
10. SO No.3550 dated the 5th September 1983
11. SO No.804 (E) dated the 11th November 1983
12. SO No.462 (E) dated the 23rd June 1984
13. SO No.1911 dated the 17th April 1985
14. SO No.2745 dated the 29th May 1985
15. SO No.3404 dated the 5th July 1985
16. SO No.4057 dated the 14th August 1985
17. SO No.5603 dated the 2nd December 1985
18. SO No.5671 dated the 5th December 1985
19. Inserted by SO No.888 dated the 17th February 1986
20. Inserted by SO No.1832 dated the 16th April 1986

21. SO No.627 dated the 2nd February 1987
22. SO No.760 dated the 25th February 1987
23. SO No.1030 dated the 30th March 1987
24. SO No.1946 dated the 9th July 1987
25. SO No.3186 dated the 30th October 1987
26. SO No.1697 dated the 15th April 1988
27. SO No.1504 dated the 22nd April 1988
28. SO No.1041 dated the 6th April 1989
29. SO No.1910 dated the 21st July 1989
30. SO No.2177 dated the 14th August 1989
31. SO No.2594 the 21st September 1989
32. SO No.969 dated the 29th November 1989
33. SO No.2552 dated the 22nd August 1990
34. SO No.3246 dated the 31st October 1990
35. SO No.2669 dated the 29th August 1991
36. SO No.630 dated the 17th January 1992
37. SO No.1435 dated the 7th May 1992
38. SO No.3110 dated the 11th October 1994
39. SO No.3375 dated the 18th October 1996
40. SO No.214 dated the 9th January 1997
41. SO No.923(E) dated the 29th December 1997
42. SO No.518 dated the 17th February 1998
43. SO No.170(E) dated the 6th March 1998
44. SO No.1792 dated the 25th June 1998
45. SO No.1793 dated the 28th August 1998
46. SO No.876(E) dated the 25th October 1998
47. SO No.1020(E) dated the 1st December 1998
48. SO No.116(E) dated the 17th February 1999
49. SO No.117(E) dated the 17th February 1999
50. SO No.303(E) dated the 6th May 1999
51. SO No.403(E) dated the 31st May 1999
52. SO No.378(E) dated the 13th April 2000.
53. SO No.820(E) dated the 12th September 2000.
54. SO No.1008(E) dated the 09th November 2000.
55. SO No.116(E) dated the 07th February 2001.
56. SO No.486(E) dated the 30th May 2001.
57. SO No.1017(E) dated the 8th October 2001.
58. SO No.1018(E) dated the 8th October 2001.
59. SO No.1019(E) dated the 9th October 2001.
60. SO No.1020(E) dated the 8th October 2001.
61. SO No.516(E) dated the 16th May 2002.
62. SO No.951(E) dated the 4th September 2002.
63. SO No.1166(E) dated the 29th September 2003.
64. SO No.1180(E) dated the 7th October 2003.
65. SO No.1181(E) dated the 7th October 2003.
66. SO No.1289(E) dated the 4th November 2003.
67. SO No.131(E) dated the 28th January 2004.
68. SO No.265(E) dated the 24th February 2004.
69. SO No.481(E) dated the 6th April 2004.
70. SO No.534(E) dated the 22nd April 2004.
71. SO No.744(E) dated the 29th June 2004.
72. SO No. 984(E) dated the 2nd September 2004.
73. SO No. 191(E) dated the 8th February 2005.
74. SO No. 1521(E) dated the 20th October, 2005.

75. SO.No.1679 (E) dated the 25th November 2005
76. SO No.1758 (E) dated the 10th December, 2005
77. SO No. 540 (E) dated the 13th April, 2006.
78. SO No. 1368 (E) dated the 23rd August, 2006.
79. SO No. 1472 (E) dated the 11th September, 2006.
80. SO No. 1485 (E) dated the 12th September, 2006.
81. SO No. 1809 (E) dated the 20th October , 2006.
82. SO No.2017 (E) dated the 23rd November, 2006.
83. SO No.33 (E) dated the 11th January 2007.
84. SO No.1135 (E) dated the 6th July 2007.
85. SO No.1175 (E) dated the 10th July 2007.
86. SO No.1700 (E) dated the 27th September, 2007.

# THE BOARD OF AYURVEDIC AND UNANI SYSTEM OF MEDICINES, PUNJAB.

No.BAU/Pb-42/63/S.16/55/9103, dated 7<sup>th</sup> November, 1985.

In exercise of the powers conferred by clause (b) of Sub-Section 1 of section 35, read with clause 'b' of Sub-Section (1) of section 16 of the Punjab Ayurvedic and Unani Practitioners Act, 1963, the Board of Ayurvedic and Unani Systems of Medicine, Punjab with the previous approval of the State Government conveyed,- vide their letter No.8431-6HB IV-821/20048, dated 1<sup>st</sup> September, 1983, hereby make the following regulations, for laying down standards of professional conduct etiquette and code of ethics to be observed by the Practitioner of Indian Medicine, namely:-

## PART I-PRELIMINARY

- (1) Short Title and Commencement .-(i) These regulations may be called the Practitioners of Indian Medicine (Standard of Professional Conduct, Etiquette and code of Ethical Regulations, 1984.
  - (ii) They shall come into force on the date of their publication.
- (2) Definition- (i) In these regulations, unless the context otherwise requires:-
  - (a) "Act" means the Punjab and Unani Practitioners Act, 1963 (Act No.42 kof 1963).
  - (b) Practitioners of Indian Medicine means the Practitioner of Ayurvedic and Unani Systems of Medicine who is for the time being registered with Board of Ayurvedic and Unani Systems of Medicine, Punjab.
  - (c) Section means section of the Act.
  - (ii) Words and expressions used but not defined in these regulations shall have the meanings assigned to them in the Act.
3. Declaration.- Every practitioner of Indian Medicine shall, within a period of 30 days from the date of commencement of these regulations and every practitioner of Indian Medicine who gets himself registered after the commencement of these regulations shall, within a period of 30 days from such registration, make before the Registrar of the Board, a declaration in form 'G' and shall agree to abide by the same.

## PART II-PROFESSIONAL CONDUCT AND ETIQUETTE, DUTIES AND OBLIGATIONS OF PRACTITIONERS OF INDIAN MEDICINE TOWARDS PATIENTS AND PUBLIC

4. Character of the practitioners of Indian Medicine.- The main object of the medical profession is to render service to humanity. Whosoever chooses this profession, assumes the obligation to conduct himself in accordance with its ideals. A practitioner of Indian Medicine shall be an upright man, instructed in the art and science of healing. He shall keep himself pure in character and be diligent in caring for the sick. He shall be modest, sober, patient, prompt to do his duty without anxiety and pious in all the action of the life.

5. Duties of the Practitioners of Indian Medicine towards their patients.-  
(i) A practitioner of Indian Medicine shall be ready to respond to the calls of the patients in emergencies for the sake of humanity and the noble traditions of the profession, though he is not bound to treat each and every one asking his services.

(ii) He shall not permit consideration of religion, nationality race, caste, creed, party politics or social standing to intervene in his duties towards patients.

6. Practitioner's responsibility- A practitioner of Indian Medicine shall merit the confidence of patients entrusted to his care, rendering to each a full measure of service and devotion and shall try continuously to improve his knowledge and skill. He shall make available to his patients and colleges, benefits of his professional and attainment. The honoured ideals of the medical profession imply that the responsibility of such practitioner shall extend not only to individuals but also to society.

7. Patience, delicacy and secrecy.- Patience and delicacy shall characterize the practitioner of Indian Medicine Confidence concerning individuals or domestic life entrusted by patients to a practitioner of Indian Medicine and defects in the disposition or character of patients observed during medical attendance shall never be revealed, unless their revelation is required by law. Some times, however, a practitioner must determine whether his duties to society require him to employ knowledge obtained through confidence to him as such practitioner, to protect a healthy person against a communicable disease to which he is about to be exposed. In such instances, the practitioners of Indian Medicine shall act as he would desire another to act towards one of his own family in like circumstances.

8. Prognosis.-A practitioner of Indian medicine shall neither exaggerate not minimize the gravity of patient's condition and shall assure himself that

the patient, his relatives or his responsible friends have such knowledge of the patient's condition as will serve the best interest of the patient and the family .

9. The patient must not be neglected.- A practitioner of Indian medicine shall be free to choose whom he will serve. He shall, however, respond to any request for his assistance in any emergency or whenever temporary public opinion expect his services. Once having undertaken a case, the practitioner of Indian medicine shall neither neglect the patient, nor shall he withdraw from the case without giving notice to the patient, his relative or his responsible friends sufficiently in advance to allow them to secure another medical attendant. No provisionally or fully registered medical practitioners of Indian medicine shall willfully commit an act of negligence that may deprive his patient or patients from necessary medical care.

10. Upholding the honour of the profession.-A practitioner of Indian medicine shall uphold the dignity and honour of profession.

11.Engagement for an obstetric case.-If a practitioner of Indian medicine agrees to attend a woman during her confinement, he must do so . Inability to do so on an excuse of any other engagement is not tenable except when he is already engaged on a similar or other serious case. When a practitioner, who has been engaged to attend an obstetric case, is absent and another is sent for and delivery accomplished, the acting practitioner is entitled to his professional fees, but shall secure the patient's consent to resign on the arrival of the practitioner engaged earlier.

12. Practitioner as a citizen .- A practitioner of Indian medicine as a good citizen, possessed of special training , shall advise concerning the health of the community wherein he dwells. He shall lend his support in enforcing the laws of the community and in sustaining in the institutions that advance the interest of humanity. He shall co-operate with the proper authorities in the administration of laws and regulations.

13. Public health.-A practitioner of Indian medicine especially engaged in public health work, shall enlighten the public concerning measures for the prevention of epidemics and communicable diseases. At all times, the practitioner shall notify the constituted public health authorities of every case of communicable disease under his care, in accordance with the laws,

rules and regulations of the health authorities. When an epidemic prevails , he shall continue his labour without regard to the risk of his own health.

### PART-III

#### Part III-DUTY OF ONE PRACTITIONER TOWARDS ANOTHER PRACTITIONER.

14. Dependence of practitioners on each other .- There is no rule that a practitioner of Indian medicine shall not charge another practitioner for his services but a practitioner shall cheer fully and without recompense give his professional services to another practitioner or his dependants if they are in the vicinity.

15. Compensation for expenses.- A Practitioner of Indian medicine shall consider it a privilege to render gratuitous service to all practitioners and their immediate family dependents. When he is called from a distance to attend or Advice another practitioner or his dependents, reimbursement shall be made to him for traveling and other incidental expenses.

16. Consultation to be encourages.-In case of first importance. All the practitioners cult conditions, a practitioner may request consultation.

17. Consultation for patient's Benefit.-In every Consultation the benefit to the patient is of first Importance. All the practitioners interested in the case shall be candid with the patient, a member of his family or responsible friend.

18. Punctuality in Consultation.- Utmost Punctuality shall be observed by a practitioner of Indian medicine in meeting for consultation.

19. Conduct in Consultation.-In consultation no insincerity, rivalry or envy shall be indulged in. all due respect shall be observed towards the practitioners in- charge of the case and no statement or remarks be made, Which would impair the confidence reposed in him. for this purpose, no discussion shall be carried in the presence of the patient or his representatives.

20:-Statement to Patient after consultation- All Statement of the case to the Patient or his representatives shall take place in the presence of all the practitioners consulting , except as other wish agreed , the announcement of

the opinion to the patients or his relatives or friends shall rest with the practitioner initially attending on the patient

20:-Difference of opinion shall not be divulged unnecessarily but when there is an irresponci-liable difference of opinion, the circumstance shall be frankly and impartially explained to the patient or his relatives or friends. It would be open to them to seek further advice, if they so desire.

21. Treatment after consultation.- No decision shall restrain the attending practitioner of Indian medicine from making such subsequent variation in the treatment as any unexpected change may require, but at the next consultation, reasons for the variation shall be stated. The same privilege, with its obligation, belongs to the consultant when sent for in an emergency during the absence of attending practitioner of Indian medicine. The attending practitioner may prescribe at any time for the patient, the consultant in case of emergency.

22. Visiting another practitioner's cases.- A practitioner of Indian medicine called to visit a patient who has recently been under the care of another practitioner in the same illness, shall not take charge of ,nor prescribed for such patient. Except in a case of emergency when he shall communicate to the farmer explaining the circumstances under which the patient was seen and treatment given, or when the practitioner has relinquished his case or when the patient has notified such practitioner to discontinue his services or unless the patient specifically refuses to go back to his original practitioner. When it becomes the duty of practitioner occupying an official position to see and report upon an illness or injury, he shall communicate to the practitioner attending so as to give him an option for being present. Such practitioner shall avoid remarks upon the diagnosis or the treatment that has been adopted.

23. Patient referred to specialists.- When a Patient is referred to a specialist by the attending practitioner , a statement of the case shall be given to the specialist who shall communicate his opinion in writing in a closed cover direct to the attending Practitioner.

24. Advertising .- Solicitation of patient directly or indirectly either personally or by advertisement in the news papers , by placards or by distribution of circular , cards or hand bills by a practitioner of Indian medicine is unethical. A practitioner shall not make use of or aid or permit others to make use of him or his name and or photograph as subject of any form or manner of advertising or publicity. This provision shall not apply to authors of purely medical literature written for the advancement of the profession and science.

25. Nomenclature of qualification;- It shall be compulsory for a practitioner of Indian medicine to affix the correct degree or diploma before or after his name.

26. Change the address and announcement relating there to:- A notice of change of address shall be intimated by every practitioner of Indian medicine to the board and the central council.

A practitioner may issue a formal announcement in the press, one-insertion in one or more papers, regarding the following:-

- (a) On starting practice :
- (b) On change of type of practice:
- (c) On change of address :
- (d) On temporary absence from duty:
- (e) On resumption of practice:
- (f) On Succeeding to another practice

27. Payment for professional service:-A practitioner of Indian medicine shall not enter into a contract of “No Cure , No payment.”

28. Rebates and commission:- A practitioner of the Indian medicine shall not give, solicit or receive nor shall he offer to give , solicit or receive any gift, gratuity, commission or bonus in consideration of or in return for the referring, recommending or procuring of any patient for medical , surgical or other treatment. He shall directly or by any subterfuge participate in or be a party to the act of division, transference, assignment, subordination, rebating, splitting or refunding of any fee for medical, surgical or other treatment.

29. Evasion of legal restriction:-A practitioner of Indian medicine shall observe the laws of the country in regulating the practice of medicine and shall not assist others to evade such laws.

30. Professional certificate, report and other documents:-A registered practitioner of Indian medicine is, in certain cases, bounded by law to give or may be called upon or requested from time to time to give certificate, notifications, reports or similar documents signed by him in his professional capacity for subsequent use in the course of justice or for administrative purposes.

2. Such documents include among other certificate, or report.

- (a) Under the acts relating to birth, death or disposal of the dead.
- (b) Under the acts relating to lunacy and mental deficiency and the rules made there under.
- (c) Under The vaccination acts, and the regulations made there under.
- (d) Under the factory acts, and the regulations made there under.
- (e) Under the education acts.
- (f) Under the public health acts and the orders made there under.
- (g) Under the workmen's compensation acts.
- (H) Under the acts, and order relating to the notification of infectious diseases.
- (i) Under the employee's state insurance acts
- (j) In connection with sick benefit insurance and friendly societies.
- (k) Under the merchant shipping act.
- (l) For procuring the issuing of passport.
- (m) In connection with rural and military matters.
- (n) For excusing attendance in courts of justice, in public services, in public offices or in ordinary employments.
- (o) In connection with matter under the control of ministry of the pention.

30. Any practitioner of Indian medicine who shall be shown to have signed or given under his name and authority any such certificate, notification, report or similar documents which is untrue, misleading or improper is liable for professional misconduct or disciplinary action under the act, or under any law for the time being in force in state regulating the registration of such practitioner to have his name removed from the register of Indian medicine.

31. Register of medical certificate issued by practitioner:-A practitioner of Indian medicine shall maintain a register of medical certificate, giving full details of the certificates issued. When issuing medical certificate, he shall always enter the identification marks of the patient and kept a copy of the address. He shall not omit to obtain the signature or thumb marks, address and identification marks of the patient on medical certificate and on the

copies kept by him.

#### Part V

#### DISCIPLINARY ACTION:-

32. (1) The board desire to bring to the nation of the practitioner of Indian medicine, the following list of offences which constitute professional misconduct and may warrent disciplinary action against them under the act or under any law for the time being inforce in the state regulating the registration of such practitioner.

#### LIST

(1) Adultery or improper conduct or association with a patient:- Any practitioner of Indian medicine who abuses his professional position by committing any adultery or improper conduct with a patient or by maintaining an improper association with a patient, Is liable for disciplinary action under the act , rules or regulation made there under.

(ii) Any offence involving moral turptitude.

(iii) If convicted under the provisions of the drugs and cosmetic act, 1940 or the rules made there under.

(iv) (iv) If convicted for selling scheduled poison to the public under the cover of his own qualifications except to his patient and inaccordance with the provision of any law for the time being in force.

(v) Performing or enabling unqualified person to perform an abortion or any illegal operation for which there is no medical surgical or psychological indication.

(vi) A practitioner of Indian medicine shall not issue certificates of efficiency in Indian medicine to unqualified or non medical person.

(Note:- The foregoing does not apply so as to restrict the proper training and instruction of bonafide students , legitimate employees of practitioner, midwives, dispencer surgical attendents or skilled mechanical and technical been learnt in the exercise of the profession . those may be disclosed only in a court of law under orders of the presiding judge.

(ix) Refusing on religious grounds alone to give assistance in conduct of sterility, birth control, craniotomies on living children and there apeutic abortion when there is medical indication, unless the practitioner of Indian medicines feels himself incompetent to do so.

(x) Before performing as opration , the consent in writing shall be obtained from the husband or wife, parents or guardian in the case of

a minor, or the patient himself as the case may be.

In an operation which may result in sterility, the consent of both husband or wife is needed

(xi) The photographs or case reports of patient shall not be Published in any medical or other journal in a manner by which their identity could be made out without their permission. Should the identity be not disclosed, his consent is not needed.

(xii) If a practitioner of Indian medicine is running a nursing home and he employs assistants to help him, the ultimate responsibility rests on such practitioner.

(xiii) No practitioner of Indian medicine shall exhibit publically the scale of fees. But there is no objection to the same being put in the practitioners consulting or waiting room.

(xiv) No practitioner of Indian medicine shall use touts or agents for procuring patients.

(xv) Advertisement through hoarding and tour programme Shall be unethically .

(2) The state Board may issue a letter of warning or may direct the removal of all together or for a specified period from the register the name of any practitioner of Indian medicine who has been convicted of any specified offence or who after an enquiry at which opportunity has been given to him to be heard in person or through a lawyer, has been hold guilty of professional mis-conduct or informous conduct in any professional respect.

[Published in the Punjab Government Gazette, Legislative Supplement, dated the 14th May, 1976]

**PUNJAB GOVERNMENT**  
**HEALTH & FAMILY PLANNING DEPARTMENT**

**Notification**

The 10th May, 1976

No. G.S.R. 50/P.A.42/63/S. 54/76.—With reference to Punjab Government notification No. G.S.R. 22/P.A. 42/63/S. 54/75, dated 3rd March, 1975, published in *Punjab Government Gazette*, dated 7th March, 1975, and in exercise of the powers conferred by clause (c) of sub-section (2) of section 54 of the Punjab Ayurvedic and Unani Practitioners Act, 1963 (Punjab Act No. 42 of 1963), the Governor of Punjab is pleased to make the following rules, namely :—

1. (1) These rules may be called the Board of Ayurvedic and Unani Systems of Medicine (Employees Conditions of Service) Rules, 1976. Short title and commencement. Section 54 (2C).
- (2) These shall come into force on the date of their publication in the Official Gazette. Section 54 (2C).
2. (1) In these rules, unless there is anything repugnant in the subject or context,— Definitions. Section 54 (2C).
  - (a) 'Act' means the Punjab Ayurvedic and Unani Practitioners Act, 1963 (Punjab Act No. 42 of 1963) ;
  - (b) 'Appendix' means an appendix appended to these Rules ;
  - (c) 'employee' means an employee of the Board ;
  - (d) 'fixed deposit' means a fixed deposit in an account in any branch of the State Bank of India, State Bank of Patiala or any other Bank in India functioning as subsidiary to the State Bank of India or functioning under the supervision or control of Reserve Bank of India ;
  - (e) 'Government' means the Government of the State of Punjab ;
  - (f) 'interest' means the interest accrued on the balance at the credit of a subscriber to provident fund calculated as if such balance were a deposit in the Savings Bank ;
  - (g) 'Service' means service of the Board ;
  - (h) 'salary' means monthly salary and includes special pay, if any, but does not include travelling allowance, conveyance allowance or other such allowances ;
  - (i) 'Savings Bank' means the Post Office Savings Bank or the Savings Bank of any branch of the State Bank of India or State Bank of Patiala or its subsidiary ;
  - (j) 'subscriber' means an employee who is a subscriber to the Provident Fund.

(2) Words and expressions used in these rules but not defined shall have the meaning assigned to them in the Act or in the Punjab General Clauses Act, 1898.

Number and character of posts.

3. The Service shall comprise the posts shown in appendix 'A' to these Rules :

Provided that nothing in these rules shall affect the inherent right of the Board to add to or reduce the number of such posts or to create new posts with different designations and scales of pay as may be prescribed whether permanently or temporarily.

Nationality, domicile and character of the candidates. Section 34 (2C).

4. (1) No candidate shall be appointed to the Service, unless he is—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India, or
- (e) a person of Indian origin, who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of India :

Provided further that if a candidate belongs to category (e) and a certificate of eligibility has been given to him as aforesaid, he will be retained in service after one year subject to his having acquired Indian Citizenship.

(2) A candidate, in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview conducted by the Board and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

(3) No person shall be recruited to the Service by direct appointment, unless he produces a certificate of Character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificate from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

Disqualification. Section 54 (2c).

5. No person—

- (a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service :

Provided that the Board may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing exempt any person from the operation of this rule.

6. (1) No person shall be recruited to the Service by direct appointment Age. if he is less than seventeen years of age or is more than twenty-seven years of age or is within such limits of age as may be specifically prescribed by Government from time to time in respect of its own employees of the corresponding category :

Provided that the Board may, for reasons to be recorded in writing, relax the upper age limit for a category or class of persons :

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time in respect of recruitment of its own employees of such classes.

(2) In the case of Demobilised Armed Forces Personnel, the upper age limit shall be such as has been prescribed in the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) Rules, 1968.

7. The appointment to the Service shall be made by the Board.

Appointing  
authority.

8. (1) Appointment to posts in the Service shall be made in the following manner:—

Method of  
appointment

(a) In the case of Registrar—

By direct appointment.

(b) In the case of Head Assistant—

(i) By promotion from amongst Accountants and Assistants ;

(ii) By direct appointment.

(c) In the case of Accountant—

(i) By promotion from amongst the Assistants and Stenographers ;

(ii) By direct appointment.

(d) In the case of Assistants—

(i) By promotion from amongst the Clerks ;

(ii) By direct appointment.

## (e) In the case of Stenographers—

- (i) By promotion from amongst the Clerks ;
- (ii) By direct appointment.

## (f) In the case of Cashier—

- (i) By promotion from amongst the Clerks ;
- (ii) By direct appointment.

## (g) In the case of Clerks—

By direct appointment.

## (h) In the case of Daftri, Peons and Chowkidar—

By direct appointment.

(2) All appointments to the posts in the Service by promotion shall be made on the basis of seniority-cum-merit and no person shall have any right for promotion on the basis of seniority alone.

(3) In the case of posts to which recruitment by promotion is provided in these rules, 50 per cent of the total number of such posts shall be filled up by promotion and the remaining 50 per cent by direct recruitment.

9. (1) No person shall be recruited to a post in the Service by direct appointment unless he possesses the qualifications mentioned in Appendix 'A' to these rules for that post.

(2) No person shall be promoted to a post in the service unless he has an experience in the post from which he is to be promoted for a minimum period of five years.

10. (1) A person appointed to a post in the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited otherwise :

Probation of the persons appointed to Service.

Provided that—

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation ;
- (b) any period of officiating appointment to a post in the service shall be reckoned as period spent on probation for that post, but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may—

- (a) if such person is recruited by direct appointment, dispense with his services or revert him to a post on which he held lien prior to such appointment ; and
- (b) if such person is recruited otherwise—
  - (i) revert him to his former post ; or
  - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may—

- (a) If his work and conduct has, in its opinion been satisfactory :—
- (i) confirm such person from the date of his appointment, if appointed against a permanent vacancy ; or
  - (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy ; or
  - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy ; or
- (b) If his work or conduct has not been, in its opinion, satisfactory—
- (i) dispense with his services, if appointed by direct appointment or if appointed otherwise, revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment permit ; or
  - (ii) extend his period of probation and thereafter pass such orders as it could have passed on the expiry of the first period of probation ;
- Provided that the total period of probation, including extension, if any, shall not exceed three years.

11. The *inter-se* seniority of members of the Service shall be determined separately for each category shown in Appendix 'A' to these rules by the length of continuous service on a post in that category : Seniority of members of Service.

Provided that in the case of members recruited by direct appointment, the order of merit determined by the Board or other recruiting authority, as the case may be, shall not be disturbed in fixing the seniority :

Provided further that in the case of two members appointed on the same date, their seniority shall be determined as follows :—

- (a) a member recruited by direct appointment shall be senior to a member recruited otherwise ;
- (b) in the case of members appointed by promotion, the seniority shall be determined according to the seniority of such members in the appointments from which they were promoted.

*Note. 1.*—This rule shall not apply to members appointed on purely provisional basis pending their passing the qualifying test.

*Note 2.*—In the case of members whose period of probation is extended under rule 10, the date of appointment for the purpose of this rule shall be deemed to have been deferred to the extent the period of probation is extended.

12. The members of the Service shall be entitled to such scales of pay as are given in Appendix 'A' to these Rules or such scale of pay as may be authorised by the Government from time to time for similar posts. Salary of the member of the Service.

**Discipline, penalties and appeals.** 13. (1) In the matter of discipline, punishment and appeals, members of the Service shall, as far as may be, be governed by the Punjab Civil Services (Punishment and Appeals) Rules, 1970 :

Provided that the authority competent to impose penalties and the appellate authority shall respectively be the Board and the Government.

(2) The authority empowered to impose penalties upon the members of the Service shall be the Board and appeal against the decision of the Board shall lie with the Government.

**Liability for vaccination and revaccination.** 14. Every member of the Service shall get himself vaccinated or re-vaccinated when the Board so directs by a special or general order.

**Leave and other matters.** 15. In respect of pay, leave, and all other matters not expressly provided for in these rules, the members of the Service shall be governed, as far as may be, by such rules and regulations as may have been adopted or made for Punjab Government employees of the same status by the competent authority under the Constitution of India or under any law for the time being in force made by the State Legislature and the rules made thereunder.

**Provident Fund.** 16. The employees shall be required to subscribe towards the Provident Fund in accordance with the Contributory Provident Fund Rules of the Board specified in Appendix 'B' to these rules.

**Benefit of Medical reimbursement.** 17. The employees shall be entitled to such benefit of the medical reimbursement of all the medical expenses incurred by them on themselves or any member of their family as may be admissible to employees of the Punjab Government of the same status.

**Gratuity.** 18. Every employee shall be entitled to gratuity equal to one month's salary last drawn by him at the time of retirement for each completed year of his service under the Board :

Provided that if an employee who is a subscriber to the fund, dies while in service, his family shall be paid as gratuity, such sum as shall, when added to the amount of contribution made by the Board towards his Provident fund and the interest thereon be equal to :

- (a) two months' emoluments of the employee, if his death occurs during the first year of service ;
- (b) six months' emoluments of the employee, if his death occurs after one year's service, but before the completion of 5 years' service ; and
- (c) twelve months' emoluments of the employee, if his death occurs after five years' service.

*Note 1.*—The term emoluments for the purpose of these rules means emoluments as defined in Rule 6.19(a) of Punjab Civil Services Rules, Volume II.

*Note 2.*—The term 'family' for the purpose of this rule means,—

- (a) in case of male employee, the wife and children of such employee and widow or widows and children of the deceased son of the employee ;
- (b) in the case of female employee, the husband and children of such employee and widow or widows and children of the deceased son of the employee.

19. The Board shall pay compensatory allowance to its employees at the rates at which it is admissible to Punjab Government employees of the same status. Compensatory allowance.
20. The employees shall also be entitled to such other benefits as may be sanctioned by the Board from time to time in addition to the above, with the prior approval of the Punjab Government. Other benefits.
21. The members of the service shall retire on reaching the age of fifty-eight years, provided that the Board shall be competent to retire any employee on attaining the age of fifty-five years by giving three months' notice. Similarly an employee, on attaining the age of fifty-five years, may seek retirement by giving three months' notice : Retirement age.
- Provided that the Board may retire an employee early if he is reported by the Chief Medical Officer to be medically unfit.
22. For journeys undertaken by the employees in connection with the affairs of the Board within or outside the State of Punjab with the permission of the Registrar or the Chairman, as the case may be, the employees will be paid travelling allowance and daily allowance in accordance with such rules as may be applicable to Punjab Government employees of the same status. Travelling allowance and daily allowance
23. The duties of the staff shall be assigned by the Registrar. Assignment of duties.
24. The employees may be allotted by the Board such residential quarters as may be available according to their status, on payment of such rents as are prescribed by the Government for its employees. In the alternative, the employees will be paid house-rent allowance at the rates admissible to the Government employees. Allotment of residential accommodation to the staff.
25. No journey within or outside the State of Punjab shall be undertaken by the Registrar without the previous approval of the Chairman of the Board. Performance of journeys by Registrar.
26. Every member of the service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law prescribed. Oath of allegiance.
27. Where Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons. Power to relax.
28. If any question arises as to the interpretation of any of the provisions of these rules, it shall be referred to the Government for decision. Interpretation.

## APPENDIX 'A'

(See Rules 3 and 8)

Serial No.	Designation of the post	No. of post	Scale of pay	Prescribed qualifications
1	2	3	4	5
			Rs	
1	Registrar	.. One	700—40—1,100	1. B.A., LL.B. 2. Minimum 5 years' administrative experience as a Registrar in any Board of Ayurvedic and Unani System of Medicine, established by law in India. 3. Registered Ayurvedic Medical Practitioner in part First.
2	Head Assistant	.. One	300—25—500/ 25—550	B.A. with minimum 5 years' experience on any one or more of the posts of Accountant or Stenographer or Assistant.
3	Accountant	.. One	225—15—360/ 20—500	1. B.A. or B. Ccm. 2. Minimum 5 years' experience as Assistant or Stenographer or Cashier. 3. Security in the shape of National Defence Certificates or Fixed Deposit Receipt or cash for Rs. 500.
4	Assistants	.. Two	160—10—280/ 15—400	1. Matric. 2. Minimum experience of 5 years as Clerk. 3. Knowledge of Punjabi and Hindi up to Matric standard.
5	Stenographer	.. One	160—10—280/ 15—400	1. Matric. 2. Minimum experience of 2 years as Steno-typist. 3. Speed of Shorthand 100 words per minute and typewriting 40 words per minute.

1	2	3	4	5
			Rs	
6	Cashier .. One	160—10—280/ 15—400		1. Matric. 2. Minimum experience of 5 years as Cashier in any establishment. 3. Knowledge of Punjabi and Hindi up to Matric Standard. 4. Security of Rs. 500 in the shape of National Defence Certificate, Fixed Deposit Receipt or cash.
7	Clerk .. Four	110—4—130/3— 180/6—210/ 8—250		1. Matric. 2. Knowledge of Punjabi and Hindi up to Matric standard. 3. Knowledge of type writing with a speed of 30 words per minute in Punjabi and English.
8	Driver .. One	100—4—140/ 5—160		1. Driving licence of heavy vehicle. 2. Should be mechanic and able to do minor repairs himself. 3. Ex-Military personnel will be preferred. 4. Literate will be preferred.
9	Daftri .. One	75—3—90/3—105		1. Middle Pass. 2. Must have knowledge of book binding.
10	Peons .. Two	70—2—80/3—95		Literate will be preferred.
11	Chowkidar .. One	70—2—80/3—95		Ex-Military personnel will be preferred.
12	Sweeper (Part-time) One	Pay as may be fixed by the Government from time to time for part-time sweepers.		

## APPENDIX 'B'

(See Rule 16)

## BOARD'S PROVIDENT FUND RULES

**Employee who shall contribute to the Provident Fund.** 1. A Provident Fund to be called the Board of Ayurvedic and Unani Systems of Medicine Punjab, Employees Contributory Provident Fund (hereinafter referred to as 'Fund') shall be established for the benefit of the officers and employees of the Board. Every person appointed to any post in the Service shall be required to subscribe to the Board's Provident Fund at the rate of eight per cent of his salary.

**Recovery of subscription.** 2. (1) Every subscription to the Fund shall be recovered by means of a deduction of the amount of such subscription from salary bill of each subscriber every month :

Provided that in calculating the deduction to be made, fraction of a rupee of salary shall be disregarded.

(2) A subscriber may, at his option, not subscribe during leave.

**Board's Contributions to the Provident Fund.** 3. The Board shall contribute to the Fund of each subscriber an amount equal to the amount of his subscription :

Provided that —

(a) if a subscriber, who is required or permitted to subscribe to the Fund for the first time on or after enforcement of these rules, resigns from the service of the Board before the completion of five years service, except on account of illness or any other cause which the Board may consider to be sufficient, he shall be entitled to only half the contribution made to his provident fund by the Board and interest thereon, and if such a subscriber so resigns before the completion of two years service except on account of illness or such other cause as aforesaid, he shall not be entitled to get any contribution made to his Fund by the Board or interest thereon ;

(b) if a subscriber is dismissed from the service of the Board, the Board may withhold the whole or any part of the contributions made to his provident fund by the Board and the interest thereon.

**per account of subscriptions.** 4. (1) An account shall be opened in the name of each subscriber in which shall be credited :—

(i) subscriptions by the subscriber ;

(ii) contributions made by the Board ; and

(iii) interest.

(2) The amount of interest accrued on the balance at the credit of a subscriber shall be calculated at the end of the year and when the account is closed during the course of a year, the interest for the period falling in that year shall be calculated to the nearest paise of the lowest balance, excluding fractions of a rupee, between the close of the fourth day and the last day of each month of that year.

(3) At the end of each year, the Board shall furnish to each subscriber with a statement in Form No. P.F. 2 appended to these rules showing the balance at his credit at the beginning of the year, the amounts added thereto by way of subscriptions and contributions and the interest accrued during the year and the balance at the credit of his account at the end of the year.

5. The Board shall open an account to be called the Board of Ayurvedic and Unani Systems of Medicine Punjab Employees Provident Fund Account with the saving Bank and as soon as may be at the beginning of each month, and if possible before the fourth day of each month, shall pay into such account the amount of all subscriptions recovered under provisions of rule 2 and of the contributions payable under provisions of Rule 3.

Payment of subscriptions and contributions to be made monthly to the saving Bank.

6. Before a cheque is drawn for payment of subscription and contributions, a bill shall be prepared on the Board's voucher form and submitted with the relevant salary and establishment bill for signatures to the authorised officer of the Board. The Board shall make the payments of the subscriptions and contributions on a single bill by means of a single cheque.

Mode of payment of subscriptions.

7. All cheques under the provisions of rule 6 shall be drawn in favour of the subscriber.

Subscriptions.

8. No sum shall be withdrawn from the fund account with the saving Bank except:—

General Rules of withdrawals.

- (a) under the provisions of rule 9 ;
- (b) under the provisions of rule 14.

9. A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the Board, subject to the following conditions:—

Advances.

- (a) No advance shall be granted unless the Board is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise —
- (i) to pay expenses in connection with the prolonged illness of the subscriber or any member of his family ; or
- (ii) to pay expenses in connection with marriages, funerals, or other ceremonies of persons actually dependent on the subscriber which according to the religious, customary or other social practices governing him, it is incumbent upon him to perform.

Note.—'Family' for the purpose of this rule means:—

- (a) In the case of a male subscriber, his wife and children and the widow or widows and children of his deceased son, if any ;
- (b) In the case of female subscriber, her husband and children and the widow or widows and children of her deceased son if any.
- (c) an advance shall not, except for special reasons to be recorded in writing by the sanctioning authority, exceed six months pay of the subscriber and shall in no case exceed the amount of subscriptions of the subscriber and interest thereon standing to his credit in the Fund.

Recovery of  
Advances.

10. (1) The amount of advance shall be recovered from the subscriber in such number of equal monthly instalments as the Board may direct, but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four.

(2) Recovery shall be made in the manner prescribed in rule 2 for the realisation of subscriptions and shall commence with the issue of pay for the month following that in which the advance was drawn.

Advance to be  
recorded in  
Provident  
Fund  
Ledger.

11. The amount of the advance shall be recorded in column 5 of the Provident Fund Ledger and a note shall be made in column 8 as regards the number of instalments by which the advance is recoverable. Each month the amount of advance repaid shall be shown as recovered, in red ink in column 2 of the Ledger and in column 7 shall be entered the amount of the balance of the advance outstanding. The amount of interest lost on the monthly outstanding balance shall be recovered from the subscriber in the month following that in which the last instalment of the advance is recovered which shall be added to the interest calculated on the monthly balance shown in column 6 at the end of the year.

Nominations.

12. (1) A subscriber shall at the time of joining the Fund, make a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the fund, in the event of his death before that amount has become or having become payable, has not been paid :

Provided that, if at the time of making nomination, the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(2) If a subscriber nominates more than one person under clause (i) he shall specify in the nomination the share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) A subscriber may at any time cancel a nomination by sending a notice in writing :

Provided that the subscriber shall, along with such notices send a fresh nomination made in accordance with the provisions of clauses (1) to (2).

Closing of  
account.

13. When a subscriber dies, the amount shown to the credit of his account in column 4 of the Provident Fund Ledger plus interest accrued to-date shall be withdrawn from the saving Bank and payment of such account shall be made :—

(a) to the nominee ;

(b) if there is no nomination, to his legal heirs, posthumous child shall be considered to be a member of his family at the time of his death and if born alive shall be treated in the same way as surviving child born before the subscribers' death.

*Note 2.*—In case a posthumous child is expected, but is not already born when the case is taken up by the disbursing officer, this shall be brought to the notice of the disbursing officer by the other legal

heirs of the subscriber and the amount which will be due to the child in the event of his being born alive, shall be retained by the disbursing officer and the balance distributed in the normal way under this rule. If the child is born alive, payment of the amount retained shall be made as in the case of a minor child, but if no child is born or the child is still born, the amount retained shall be distributed among the members of the family in accordance with this rule.

14. Subject to the provisions of rule 3, when a subscriber ceases to be an employee the amount shown at the credit of his account in column 4 of the Provident Fund Ledger plus interest accrued to-date shall be withdrawn and paid to him. Withdrawals.

Provided that if he is permanently transferred to the service of another local body which maintains a provident fund or when having been transferred temporarily from the service of another local body he reverts to such service, the amount withdrawn shall be paid to such another local body.

15. When an account is closed under provision of these rules a line shall be drawn in red ink across the page below the last entry in the Provident Fund Ledger Account and the number and date of the voucher with which the amount at the credit of the account is deposited in the Saving Bank shall be recorded below the line. Closing of account.

16. (a) Notwithstanding anything contained in rule 14 if any sum is due from a subscriber to the Board at the time when, the account is closed, the Board may deduct the amount of such sum before making payment under rule 14. Recovery of arrears.

(b) If a subscriber is transferred temporarily to the service of another local body, the amount shown to the credit of his account in column 6 of the provident fund ledger shall not be withdrawn, but shall remain to the credit of his account. t

17. (1) Notwithstanding anything contained in rule 13 or rule 14, no amount shall be withdrawn unless payment of such amount can be made immediately to a subscriber or his heirs under the provisions of these rules. Time limit within which withdrawals to be made.

(2) Every employee on leaving the service of the Board or on retirement shall claim payment of the amount standing at his credit in the Fund within one year of his leaving service of the Board or his retirement as the case may be. Interest on the amount of the Fund shall cease from the date of expiry of one year of his leaving the service of the Board or his retirement.

(3) If the amount standing to his credit in the Fund is ten rupees or less, and its payment has not been claimed within one year or if the amount standing to his credit in the Fund is more than ten rupees and its payment has not been claimed within three years of his leaving the service or retirement, then the Board shall withdraw such amount and credit it to the current account of its own.

## FORM P.F. 1

BOARD OF AYURVEDIC AND UNANI SYSTEMS OF  
MEDICINES, PUNJAB, CHANDIGARH.

(See Rule 5)

## Provident Fund Ledger

No. of Account \_\_\_\_\_ Name of Subscriber \_\_\_\_\_

Year	Deposit	Contri- bution	Total	With- draw- als	Monthly balance on which interest is cal- culated	Monthly balance on with- drawals on which loss of interest is calcu- lated	Remarks
------	---------	-------------------	-------	-----------------------	---	---	---------

1	2	3	4	5	6	7	8
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Opening Balance

April

May

June

July

August

September

October

November

December

January

February

March

## FORM P.F. 2

BOARD OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE,  
PUNJAB, CHANDIGARH

(See Rule 5)

## Subscriber's Annual Account

## Contributory Provident Fund

Name of subscriber \_\_\_\_\_

Details	Amount
Balance at credit of Account on 31st March, 19 .	
Subscription and contributions received during the year	
Interest accrued	
Less amount of interest on balance of advance	
Total	_____
Less amount of advance outstanding	_____
Balance at credit of account on 31st March, 197 . .	_____

Any representation with regard to the corrections of the account which subscriber may wish to make should be made in writing within one month from the date noted below to the Registrar, Board of Ayurvedic and Unani Systems of Medicine, Punjab, Chandigarh.

Dated : \_\_\_\_\_

Initials of Accountant \_\_\_\_\_

G. BALAKRISHNAN,

Secretary to Government, Punjab,  
Health and Family Planning Department.



Fees Structure:-

1.	Provisional Registration for one year internship under Section 28 of IMCC Act, 1970	Rs. 650/-
2.	Permanent Registration including I Card	Rs.2,500/-
3.	Live Certificate/ renewal including I Card (renewal after 05 years in every 5 years block)	Rs. 750/-
4.	Penalty upto one (after one year temporary cancellation)	Rs. 200/-
5.	Re-entry	Rs.2,500/-
6.	Verification from other States	Rs. 500/-
7.	Duplicate Certificate	Rs. 300/-
8.	Duplicate I Card	Rs. 200/-
9.	Inclusion of Additional qualification like PG etc.	Rs. 500/-
10.	Change of Address	Rs. 100/-
11.	Change of Name/Sir Name	Rs. 200/-
12.	Cancellation fees	Rs. 600/-
13.	Good Professional Certificate (including Postage)	Rs.1500/-
14.	Form fee	Rs.200/-
15.	Postage	Rs.50/-

20% increase of rate after every five years