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**MEDICAL
REGISTRATION
THE PUNJAB MEDICAL REGISTRATION ACT, 1916
PUNJAB ACT II OF 1916
Arrangement of Sections**

PREAMBLE.

SECTIONS:

1. Short title and extent.
2. Commencement of Act.
3. Definitions.
4. Privileges of registered practitioners.
5. Constitution of Medical Council.
6. Qualifications of members.
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18. Appeal against the decision of Council.
19. Limiting of jurisdiction of civil courts.
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21. Power of Council to call for information regarding efficiency of teaching and to attend examinations.
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THE PUNJAB MEDICAL REGISTRATION ACT, 1916

PUNJAB ACT II OF 1916

[Received the assent of the Lieutenant-Governor of the Punjab on the 6th April, 1916, and that of the Governor-General on the 17th May, 1916, and was First ²published in the Punjab Gazette of the 24th February, 1916.]

1.	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1916	II	The Punjab Medical Registration Act, 1916 (Adaptation Indian)	Amended by Punjab Acts, XII of 1926 ³ and I of 1928 ⁴ Amended, Government of India Laws Order, 1937. Amended, The Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948 (G.G.O. 40 of 1948) Amended, Adaptation of Laws Orders, 1950 Amended by the Adaptation of Laws (Third Amendment) Order, of 1951 Extended to the territories which immediately before the 1st November, 1956, were comprised in the Patiala and East Punjab States Union by Punjab Act No. 30 of 1958

¹For Statement of Objects and Reasons, see Punjab Gazette, 1915, Part V, page 184, for Select Committee's Report, see *ibid*, Part V, 1916, pages 7 – 13, for Debates in Council, see *ibid*, 1915, Part V, pages 210 – 14, and *ibid*, 1916, pages 155-76.

²See Punjab Gazette, 1916, Part V, pages 267-70.

³For Statement of Objects and Reasons, see East Punjab Government Gazette, 1926, Part I, page 1002.

⁴For Statement of Objects and Reasons, see Punjab Gazette, 1928 Part I, page 2.

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**MEDICAL
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PUNJAB ACT II OF 1916**

An Act for the Registration of Medical Practitioners

Preamble.	WHEREAS it is expedient to provide for the registration of certain medical practitioners ¹ Punjab; It is hereby enacted as follows: -
Short Title.	1. (1) This Act may be called the Punjab Registration Act, 1916.
Medical	
Extent.	(2) It extends to ² Punjab.
Commencement	
Of Act.	2. The provisions of section 4 shall come into force on such ³ date as the ⁴ [State] Government may notify in this behalf. The rest of this Act shall come into force at once.
Definitions.	3. In this Act unless there is something repugnant in the subject or context – (1) “The British Medical Acts” means Statutes 21 and 22, Victoria, Chapter 90 (The Medical Act) and any Act amending the same: (2) “Council” means the Medical Council established by this Act; (3) “Prescribed” means prescribed by rule or bye laws made under this Act: (4) “Registered practitioner” means any person registered under the provisions of this Act.
Privileges of registered practitioners	4. Notwithstanding anything to the contrary in any enactment, rule, bye-law or any other provision of law – (1) no certificate required by any Act in force, or that may hereafter be passed, from a medical practitioner or officer shall be valid unless signed by a registered practitioner;

¹Substituted for the words “East Punjab” [which had been inserted for the words “the Punjab” by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order 1948], by the Adaptation of Laws (Third Amendment) Order, 1951.

²Substituted by Adaptation of Laws Order, 1950, for “East Punjab”, which had been substituted for “the Punjab” by A.O. 1948.

³The provisions of section 4 came into force on 1st January, 1918, - vide Punjab Gazette (Home- Medical) notification No. 16493, dated the 27th August, 1919.

⁴Substituted for the word “Provincial” by the Adaptation of Laws Order, 1950.

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(2) except with the special sanction of [State] Government no one other than a registered practitioner shall be competent to hold any appointment as physician, surgeon or other medical officer in any hospital, asylum, infirmary, dispensary or lying-in hospital not supported entirely by voluntary contributions or as medical officer of health.

Constitution of
Medical Council

(5) (1) A Medical Council shall be established for Punjab, and shall consist of ²[eleven] members including a president and a vice-president to be appointed in the following manner : -

(a) The president nominated by the [State] Government.

[(b) ⁴ [Four] members nominated by the [State] Government of whom one shall be ⁵ * * * *
a person recommended by the Chief Commissioner, Delhi.
* * * *

(c) ⁶* * * *

(d) Three members elected by the registered practitioners who are Graduates or Licentiates in Medicine of ⁷[any University in India].

(e) ⁸[Two members elected by the registered practitioners who hold a diploma from a ¹[State] Government declaring them to be

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

²Substituted for the word "sixteen" (which had been substituted for the word "Thirteen" by Punjab Act, XII of 1926, section 2) by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order 1948.

³Substituted for the old clause by Punjab Act, XII of 1926.

⁴Substituted for the word "eight by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

⁵The words "an independent medical practitioner practising in the Punjab, two shall be person recommended by the Chief Commissioner, North-West Frontier Province, and one shall be" were omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order 1948.

⁶Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948, (G.G.O 40)

⁷Substituted for the words "the University of the Punjab" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948 (G.G.O. 40).

⁸Substituted for the words "one member" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948 (G.G.O 40).

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Qualified to perform the duties of a Hospital Assistant or a Sub-Assistant Surgeon.

(f) One member elected by all other registered Practitioners.

(2) The vice-president shall be elected from among the members of the Council in the prescribed manner.

Qualifications of members

6 No person shall be eligible to be a member of the Council unless he is a registered practitioner :

Provided that in the case of first appointments made under this Act the persons electing the members under clauses ^{1*} * (d) (e) and (f) of sub-section (1) of section 5 and the members appointed shall be persons who are qualified to be registered under clauses (a) and (b) of section 13.

Tenure of office 7 members

The members of the Council shall hold office for a term of three years and shall be eligible for reappointment

Cessation of membership

8. A member of the Council shall be deemed to have vacated his seat –

- (1) on sending his resignation in writing to the president or registrar;
- (2) on his absence without excuse sufficient in the opinion of the Council from three consecutive meetings of the Council;
- (3) on his absence out of India for six consecutive months;
- (4) on removal of his name from the register;
- (5) on his becoming insane or being declared an insolvent by any competent court;
- (6) on expiry of the term mentioned in section 7.

Filling up of vacancies

9. When the seat of any member becomes vacant, the vacancy shall be filled up by election or nomination, as the case may be, in accordance with the provisions of section 5.

¹The brackets and letter “ (c” omitted by the Indian Independence, (Adaptation of Bengal and Punjab Acts) October, 1948

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10. (1) The Council shall appoint a registrar who shall act as Secretary of the Council and who shall also act as treasurer, unless the Council shall appoint another person as treasurer. Every person so appointed shall be removable at the pleasure of the Council.

Registrar and
other officers

(2) The Council may also employ such other persons as it may deem necessary for the purposes of this Act.

(3) All persons appointed or employed under this section shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

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11. It shall be the duty of the registrar to open and maintain, in accordance with the provisions of this Act, a register, to be called the Punjab Medical Register, and from time to time to revise the register and publish it in the prescribed manner. Such a register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872.

of 1872

12. No business shall be transacted at a meeting of the Council unless at least ¹[six] members are present.

Meetings of
Council

All questions, other than questions of order, which may come before the Council shall be decided in accordance with the votes of the majority of the members present and voting at the meeting. In the case of an equality of votes the member presiding at the meeting shall have a casting vote.

Questions of order shall be decided by the member presiding at the meeting.

13. Every person who -

Persons who
may be regis-
tered

- (a) is for the time being registered or qualified to be registered under the British Medical Act, or
- (b) is possessed of any of the qualifications described in the schedule.

¹Substituted for the word "seven" by the Indian Independence (Adaptation of Bengal and Punjab Acts), Order of 1948 (G.G.O. 40)

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may apply to the registrar to be registered and on payment of the prescribed fee and on furnishing to the registrar proof of such registration of qualification shall be entitled to be registered, and thereupon, but subject always to the provisos hereinafter contained, the registrar shall register him in the Punjab Medical Registrar :

Provided that any person already registered under any Medical Registration Act in force in any other ¹[State] in India shall be exempted from the registration fee leviable under this clause :

Provided also, that the ²[State] Government may after consulting the Council permit the registration of (a) any person who shall furnish to the registrar proof that he is possessed of a medical degree, diploma or certificate of any University, medical college or school approved by the Council, other than those described in the schedule, and (b) any person who was actually practising medicine in ³Punjab ⁴[* * ⁵ * *] or the Delhi ¹[State], before the 25th day of September, 1915.

Provided further, that the Council may refuse to permit the registration of any person who has been convicted of any such offence as implies in the opinion of the Council a defect of character or who, after an inquiry at which opportunity has been given to the candidate to be heard in person or by pleader, has been held by the Council to have been guilty of infamous conduct in any professional respect :

Provided further, that the registrar on receiving an application for entry in the register from any person in respect of whom he considers that the Council may wish to exercise the power of refusal conferred by the last foregoing proviso may refer the application to the Council, and shall not make any entry in the register in respect of such a person.

¹Substituted for the word "Province" by the Adaptation of Laws Order, 1950.

²Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

³Substituted by Adaptation of Laws Order, 1950 for "East Punjab", which had been substituted for "the Punjab" by G.G.O. 40 of 1948.

⁴Inserted by section 2 of Punjab Act, I of 1928.

⁵The words "or the North West Frontier Province" omitted by the India (Adaptation of Existing Indian Laws) Order, 1947, page 4(i).

until the Council informs him that the entry is permitted.

14. If any person whose name is entered in the register obtain any title or qualification other than the title or qualification in respect of which he has been registered he shall on payment of the prescribed fee be entitled to have an entry stating such other title or qualification made against his name in the register either in substitution for or in addition to any entry previously made.

Entry of new titles and qualifications in register.

15. An appeal shall lie to the Council against any order of the registrar under section 13 or section 14. The said appeal shall be preferred within three months from the date of the order appealed against.

Appeal against the decision of registrar.

16. (1) The Council may, if it sees fit, and after giving notice to the person concerned and inquiring into his objections, if any, order that any entry in the register which shall be proved to the satisfaction of the Council to have been fraudulently or incorrectly made or brought about, be cancelled or amended.

Alteration of register by Council

(2) The Council may direct the removal altogether or for a specified period from the register of the name of any registered practitioner who has convicted of any such offence as implies in the opinion of the Council a defect of character or who, after an enquiry at which opportunity has been given to such registered practitioner to be heard in person or by pleader, has been held by the Council to have been guilty of infamous conduct in any professional respect. The Council may also direct that any name so removed shall be restored.

17. (1) The Council may at its discretion hold an inquiry under section 13 or section 16 in camera.

Procedure in Inquiries and appeals.

(2) For the purpose of any inquiry or of any appeal under section 15, the Council shall be deemed to be a court within the meaning of the Indian Evidence

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Act, 1872, and shall exercise all the power of a Commissioner appointed under the Public Servants' (Inquiry) Act, 1850; and such inquiries and appeals shall be conducted, as far as may be, in accordance with the provisions of section 5 and sections 8 to 20 of the said Public Servants' (Inquiries) Act, 1850). 1 of 1872 XXXVII of 1850

Appeal against the decision of Council.

18. An appeal shall lie to the ¹[State] Government against every decision of the Council under section 13 or section 16. Such appeal shall be preferred within three months from the date of the Council's decision.

Limiting jurisdiction civil courts

19. No act done in the exercise of any power conferred by this Act on the ¹[State] Government or the Council or the registrar shall be questioned in any civil court.

Power of State Government to Alter schedule.

20. It shall be lawful for the ¹[State] Government by notification in the ²[Official Gazette] to alter the Schedule.

Power of Council to call for information regarding efficiency of teaching and to attend examinations.

21. The Council shall have power to request the governing body or authorities of any University, medical college or school, included in or desirous of being included in the schedule –

- (a) to furnish such reports, returns or other information as the Council may require to enable to judge of the efficiency of the instruction given therein, in medicine and surgery and midwifery; and
- (b) to provide facilities to enable any member of the Council deputed by the Council in this behalf to be present at the examination held by such University, college or school.

If the said body or authorities refuse to comply with any such request the ²[State] Government may upon report by the Council remove such University, college

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

²Substituted for the words "Punjab Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937

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or school from the schedule or refuse to include it in the schedule.

22. If at any time it shall appear to the ¹[State] Government that the Council 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 ¹[State] Government may communicate the particulars of such neglect, excess or abuse to the Council; and, if the Council fails to remedy such neglect, excess or abuse within such time as may be fixed by the ¹[State] Government in this behalf, the ¹[State] Government may, for the purpose of remedying such neglect, excess or abuse, cause any of the powers and duties of the Council to be exercised and performed by such agency and for such period as the ¹[State] Government may think fit.

23. Every person who falsely pretends to be a registered practitioner shall, whether any person is actually deceived by such pretence or not be liable to be punished on conviction by a magistrate of the first class with fine that may extend to three hundred rupees.

24. (1) The ¹[State] Government may after previous publication make rules for the purpose of carrying out the provisions of this Act.

In particular and without prejudice to the generality of the foregoing provision, the ¹[State] Government may make rules –

- (i) for the election of members to the Council under Sections 5 and 6;
- (ii) for the election of the vice-president of the Council;
- (iii) to regulate the procedure at an inquiry held under section 13 or section 16;
- (iv) for the institution, hearing and disposal of appeals under section 15 or section 18;
- (v) for the compilation and publication of the register;

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950

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- (vi) to fix the amount of fees to be levied under this Act;
 - (vii) for the disposal of fees received under this Act.
- (2) The Council may, with the previous sanction of the¹[State] Government, make bye-laws -
- (i) for the convening of meetings of the Council;
 - (ii) for the conduct of business at such meetings;
 - (iii) for the appointment control pay and allowances of the establishment employed under section 10.
- ¹[25. * * * * *].

THE SCHEDULE

(Vide section 13.)

- (1) The Degree of Doctor, Bachelor or Licentiate of Medicine, or Master, Bachelor or Licentiate of Surgery of the University of Madras, Bombay, Calcutta, Allahabad, ²[the Punjab or the Punjab in Pakistan] the Universities of Sheffield, Bristol and Wales, the National University of Ireland and the Queen's University of Belfast.
- (2) The Degree of Doctor, Bachelor or Licentiate of Medicine, Master, Bachelor or Licentiate of Surgery or Master in Obstetrics of the Universities of Oxford, Cambridge, London, Durham, Manchester, Birmingham, Liverpool, Leeds, Edinburgh Aberdeen Glasgow, St. Andrews and Dublin, the Royal University of Ireland and the Universities of Adelaide, Malta, Melbourne, New Zealand, Sydney, Dalhousie, McGill and Laval.
- (3) The Degrees of Fellow, Member or Licentiate of the Royal Colleges of Physicians of London, Edinburgh and Ireland.

¹Section 25. Inserted by the Government of India (Adaptation of Indian Laws) Order, 1937, has been omitted by the Adaptation of Laws (Third Amendment) Order, 1951.

²Substituted for "the Punjab or East Punjab" by Adaptation of Laws (Third Amendment) Order, 1951. "The Punjab or East Punjab had been substituted for the Punjab" by G.G.O. 40 of 1958.

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4. The Degree of Fellow, Member or Licentiate of the Royal Colleges of Surgeons of England, Edinburgh and Ireland.

5. The Degree of Fellow Member or Licentiate of the College of Physicians and Surgeons of Bombay.

6. The Degree of Licentiate of the Apothecaries’ Society of London, Fellow and Licentiate of the Royal Faculty of Physicians and Surgeons of Glassgow, Licentiate of the Apothecaries Hall of Dublin, Licentiate of Medicine and Surgery of the Medical College of Ceylon, the Nova Scotia Provincial Medical Board, and the Prince Edward Island Medical Council.

7. A Diploma or Certificate ¹[granted] by a ²[State] Government or the Government of Burma to any person trained in a Medical College or School declaring him to be qualified to practise medicine, surgery and Midwifery, or to perform the duties of a military assistant surgeon, hospital assistant or sub-assistant surgeon.

8. A Diploma or Certificate granted by the King Edward Hospital Medical School at Indore to any person declaring him to be qualified to practise medicine surgery and Midwifery, or to be qualified for the duties of a Military assistant surgeon, hospital assistant or sub-assistant surgeon.

¹Substituted for the words “granted by a Local Government” by the Government of India (Adaptation of Indian Laws) Order 1937.

²Substituted for the word “Provincial” by the Adaptation of Laws Order, 1950.

THE PUNJAB MEDICAL REGISTRATION RULES

¹RULES MADE BY HIS HONOUR THE LIEUTENANT GOVERNOR, UNDER SECTION 24 OF THE PUNJAB MEDICAL REGISTRATION ACT, 1916.

PART I DEFINITIONS

1. In these rules, unless there is anything repugnant in the subject or context –
 - (1) “the expression” the Act means the Punjab Medical Registration Act, 1916;
 - (2) “the President” means the President of the Punjab Medical Council nominated under Section 5(1) (a) of the Act; and
 - (3) “the Registrar” means the Registrar appointed under Section 10(1) of the Act.

PART II – COMPILATION AND PUBLICATION OF THE PUNJAB MEDICAL REGISTER.

2. The Punjab Medical Register shall be maintained in Form No.1 in the Appendix to these rules.
3. The names of persons entitled to be registered shall be entered in the register in the order in which the applications are admitted and sufficient space shall be left for future additions or alterations in the qualifications and addresses of such persons.
4. Each page of the register shall be verified by the Registrar’s signature.
5. The Registrar shall in every year, on or before a date to be fixed in this behalf by the Council, cause to be printed and published in Form No. 11 appended to these rules, the list to be known as the Punjab Annual Medical List, setting forth –
 - (a) all names for the time being entered in the Punjab Medical Register, arranged in alphabetical order;
 - (b) the registered address or appointment of each person whose name is entered in the register;
 - (c) the registered titles and qualifications of each person, and the date on which each such title was granted or each such qualification was certified; and
 - ²(d) a district-wise index of registered medical practitioners.]

¹First published – vide Punjab Government Notification No. 10115, dated the 20th April, 1917. These rules have been framed under section 24 of the Punjab Medical Registration Act, 1916.

²Added by Punjab Government Notification No. 348-M-38/14280 dated the 9th April, 1938

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PART III – FEES

6. Every person other than a person registered under the British Medical Acts or a person already registered under any Medical Registration Act in force in any other Province in India applying for registration under the Act, shall pay a fee of ¹[Rs. 20] which shall accompany the application for registration.

²[6-A. Every registered practitioner who applies to the Registrar for a duplicate copy of his registration certificate shall pay a registration fee of Rs. 3 (including cost of stamp affixed on Registration certificate).]

³[6-B. Every registered practitioner who applies to the Registrar for an alteration in his name other than the additions of recognised titles shall pay a fee of Rs. 5 and furnish such particulars as the Council may desire. Lady doctors whose names are changed on account of marriage shall, however, be exempted from the payment of the fee.]

7. Every registered practitioner who applies to the Registrar in respect of any additional qualification obtained subsequent to registration or for any alteration, shall under the Act pay a fee of Rs. 5 for each addition or alteration ⁴[unless the additional qualification has already been registered under any Medical Registration Act in force in any other Province in India.]

⁵[7-A. The Registrar is empowered to erase from the Register with the written approval of the President the name of any registered person with whom he is unable to establish communication provided that any name so erased may be re-entered in the Register by direction of the Medical Council upon payment of a fee of Rs. 10/-.]

8. The Registrar shall receive all fees payable under the Act and shall credit them to the account of the Council in the Imperial Bank of India.

⁶[9. Definition –

(a) “roll” means the roll of persons entitled to vote at an election under these rules ;

¹Substituted by Punjab Government Notification No. 4641-M-47/41442 dated the 19th October, 1940.

²Inserted by Punjab Government Notification No. 5756-M-36/22548, dated the 3rd June, 1937

³Inserted by Punjab Government Notification No. 3315-M-39/30609, dated the 25th September, 1939

⁴Added by Punjab Government Notification No. 2721-M-37/38870, dated the 29th September, 1937.

⁵Inserted by Punjab Government Notification No. 21774, dated the 19th August, 1933.

⁶Substituted for rules 9 to 326, by Punjab Government Notification No. 13587-C.H.P. – 55/70370, dated the 8th November, 1955, and rules 33 to 54 renumbered as rules 18 to 39 by the same notification.

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- (b) “the Act” means the Punjab Medical Registration Act, 1916.
- (c) “the Council” means the Punjab Medical Council.
- (d) “the President” means the President of the Punjab Medical Council.
- (e) “the Registrar” means the Registrar of the Punjab Medical Council.

APPOINTMENT OF MEMBERS OF THE PUNJAB MEDICAL COUNCIL

10. The Registrar shall maintain a list in Form 1 appended to the rules, containing the names of members elected on the Punjab Medical Council, the electorates they represent, the date of election of each such member, the term of his office and date of retirement, resignation, death or removal of each such member. The list shall also contain similar particulars in regard to the members nominated by Government. The Registrar shall keep the list always up-to-date so that it may show at glance when the election or nomination, as the case may be, is to be made.

11. Ninety days before the expiration of the term of office of any member appointed on the Council the Registrar shall make a report in writing regarding the vacancy to the President if the vacancy be in respect of an elected member and to Government through the President if the vacancy is to be in respect of a nominated member.

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

PROCEDURE TO BE OBSERVED FOR FILING VACANCIES ON THE PUNJAB MEDICAL COUNCIL

13. A vacancy occurring in any manner whatsoever in relation to an elected member shall be filled by election in the manner hereinafter provided.

The State Government shall appoint any person as a Returning Officer –

- (i) in the case of a vacancy to arise as a result of the expiry of the term of any member, not later than 60 days before the expiry of such term; and
- (ii) in the case of a vacancy occurring as a result of death resignation or removal as soon after such death; resignation or removal as may be

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convenient and issue a notification in the official Gazette of the coming election, for the information of the electorate and requiring the election of the member by a date specified therein.

14. The following procedure shall be adopted for the filling of vacancies by election: -
 - (1) The Electoral Roll shall be prepared by the Registrar, in Form II appended to these rules. It shall contain the name, qualifications and address of every person qualified to vote for the election of a member to fill up the vacancy or vacancies.
 - (2) Candidates qualified for being elected shall be proposed and seconded by persons qualified as electors in Form III appended to these rules. No elector shall propose or second the nomination of more persons than are required to fill up the vacancy or vacancies. If more nomination than are required to fill up the vacancy or vacancies be subscribed by the same elector all nominations subscribed by him shall be held to be void.
 - (3) The candidate shall sign the nomination papers declaring that he is willing to serve on the Council, if elected. In the absence of such declaration the nomination shall be treated as invalid.
 - (4) Every proposal for nomination shall be in writing and shall be signed by the proposer and seconder, and sent by registered post or delivered personally to the Returning Officer so as to reach him not less than twenty-eight days before such date as may be notified under rule 13 of these rules.
 - (5) Any candidate shall be at liberty to withdraw his candidature within seven days from the last date fixed for the receipt of nomination paper.
 - (6) If in case of any election the number of candidates duly nominated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forthwith declare all such candidate to be elected.
 - (7) If in case of any such election more candidates than are necessary to fill up the vacancy or vacancies are nominated, the Returning Officer, after scrutiny of the nomination papers shall forthwith publish their names and addresses in the Punjab Government Gazette and shall further cause their names to be Gazette entered in ballot paper in Form IV appended to these rules.
 - (8) Twenty-one days before such date, as may be appointed by the Returning Officer in this behalf the Returning Officer shall send by post and under certificate of posting to each elector a ballot paper in Form IV appended to these rules, signed by the Returning Officer.

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- (9) Before such date, as may be appointed by the Returning Officer in this behalf every elector, desirous of voting, shall send by registered post his ballot paper to the Returning Officer after recording his vote or votes and affixing his signatures thereon in the manner prescribed therein.

Provided that any ballot-paper which is not received by the Returning Officer before 12 noon on the date preceding the date fixed for the counting of votes or which does not in any way confirm to these rules shall be rejected.

- (10) The Returning Officer shall attend for the propose of counting the votes on such date and at such time and place as may be appointed in this behalf. Any candidate may also be present either in person or an accredited representative at the counting of votes.

- (11) When the counting of votes has been completed, the Returning Officer shall forth with declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected and shall forth with inform the successful candidates by letter of his having been elected to the Council.

- (12) When an equality of votes is found to exist between any candidates and the addition of the vote will entitle any one or more of the candidates to be declared elected, the determination of the person or persons 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 the candidates or their representatives who may be present at the time of the counting of votes.

- (13) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal the voting papers and all documents relating to the election and shall retain the same with himself for a period of six months and thereafter cause them to be destroyed.

- (14) The Returning Officer shall notify in the Punjab Government Gazette and in such other manner as the Council may deem fit the date, time and place fixed for each of the following proceedings:-

- (i) the date fixed for the receipt of nomination paper.
- (ii) the date fixed for the withdrawal of the nomination.
- (iii) the date fixed for the issue of the voting papers by the Returning Officer.
- (iv) the date fixed for the receipt of the Ballot papers by the Returning Officer.
- (v) the date fixed for the counting of the ballot papers.

15. The State Government may, of its own motion, or on an objection made before it, declare any election that has been held to be void on account of corrupt practice or any sufficient cause and may call upon the electorate to make a fresh election.

THE PUNJAB MEDICAL REGISTRATION RULES

The decision of the State Government under this rule shall be final.

16. If any question arises as to the intention, construction or application of any of these rules, which in the opinion of the Returning Officer, should be referred to the State Government the Returning Officer shall refer such question to the State Government whose decision thereon shall be final.

17. After the declaration of the election of any member, and when the President himself is not the Returning Officer, after the receipt by him of notice of such election from the Returning Officer the President shall Publish the notice of the election in the Punjab Government Gazette and send a copy of the State Government.

PART V- B - ELECTION OF VICE-PRESIDENT

¹[²18. (1) No election of a Vice President of the Council shall be held at a meeting unless not less than fourteen days notice of the holding of such meeting has been given to all members of the Council by delivery at their ordinary place of resident of a notice, which shall specify that such election is to take place at the meeting in question.

(2) A candidate for election to the office of Vice-President shall be nominated by a proposer and a seconder who shall be members of the Council present at the meeting.

(3) The person elected shall assume office from the date of election].

18-A. Ballot to be taken-Voting for the office of Vice-President shall be by ballot, and if only one candidate for the office is proposed, the members present shall be required to vote by writing "Yes" or "No" on the ballot paper, and if a majority of votes is not in the affirmative, the election shall be postponed to the next meeting of the Council when a further ballot shall be taken in respect of such candidates as may then be proposed, and the Chairman of the meeting shall not have a casting vote.

18-B. Method of electing Vice-President.-When the office of Vice-President of the Council has to be filled-

(a) if one candidate obtains more votes than any other, then such candidate shall be deemed to be elected;

(b) if two or more candidates obtain an equal number of votes, the Chairman of the meeting shall decide between the candidates by drawing lots in the presence of all the members of the Council who may attend, after due notice to be present for the purpose.]

¹The existing rules 33 to 54 renumbered as 18 to 39 by Punjab Government, Health Department Notification No. 13587-Ch.-IHB-55/70370, dated the 18th November, 1955.

²Substituted by the Punjab Government Notification No. 22014, dated the 25th July, 1934.

THE PUNJAB MEDICAL REGISTRATION RULES
APPENDIX
FORM No. 1
(Vide Rule 10)

Register showing the particulars of the Members of the Council

1	2	3	4	5	6	7
Name	Address	Whether nominated or elected	Tenure	Date of commencement of tenure	Date on which the term is to be expire in the ordinary course	If the appointment is terminated before the due date mentioned in column 6, then the date and reason of earlier termination

APPENDIX
FORM II
[Vide Rule 14(1)]
Electoral Roll

Punjab Medical Council

1	2	3	4	5	6
Serial No.	Name	Qualification and dates thereof	Address or appointment	Date of registration	Serial No. as in the Register of Registered Medical Practitioners

THE PUNJAB MEDICAL REGISTRATION RULES
FORM III
[Vide Rule 14(2)]
Nomination Paper

No.	Serial No.
Nomination paper.....	Name of Candidate..... Qualifications and dates thereof
Counterfoil.....	
Name and address of the candidate.....	Address or appointment..... Date of registration and registration number
Serial No. on electoral roll.....	Serial number of the candidate on the electoral roll.....
Date of despatch.....	Name of the proposer.....
Initial of despatching officer	Serial number of the proposer on the electoral roll
	Signature of the proposer.....
	Name of the seconder.....
	Serial number of the seconder on the electoral roll
	Signature of the seconder

DECLARATION BY CANDIDATE

I hereby declare that I agree to this nomination.

Date.....

Signature of the Candidate.....

Note: - This nomination paper will not be valid unless it is delivered to the Returning Officer at this office between the hours of eleven O'clock of the forenoon and three O'clock of the afternoon on or before

.....200

(TO BE FILLED BY THE RETURNING OFFICER)

CERTIFICATE OF DELIVERY

Serial No.

The nomination paper was delivered to me at office at (date and hour)

Date.....

Signature of the Returning
Officer

THE PUNJAB MEDICAL REGISTRATION RULES
CERTIFICATE OF SCRUTINY

I have scrutinized the eligibility of the candidate, the proposer and seconder, and find that they are respectively qualified to stand for election, to propose and to second the nomination, and I therefore, accept the nomination.

Or

I have scrutinized this nomination and reject it for the following reasons:-

Date

Signature of Returning Officer

THE PUNJAB MEDICAL REGISTRATION RULES
APPENDIX
FORM No. IV
[Vide Rules 14 (8)]
Form of front of Ballot-Paper

Counterfoil	Outerfoil	Front
No.		
Number on the roll of the elector to whom it is sent		
Date of despatch.		
Initials of despatching officer.		

Note: - On the back of the ballot paper the No. on the roll of the elector to whom it is sent should be noted.

Serial No.

The above ballot paper should accompany the covering letter as under:-

1. Your electoral number is _____
2. The date of counting votes is _____
3. You have as many votes as there are members to be elected.
4. You should vote by placing the mark * 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 to do so, but more than one vote may not be given to any one candidate.
5. The ballot-paper shall be invalid, if the mark * is placed opposite the name of more candidates than are to be elected, or if the mark denoting any vote is so placed as to render it doubtful to which candidate such vote is intended to apply.
6. You should sign the following declaration, and append your number on the electoral roll and the place of your residence thereto and then return this letter along with the ballot paper, which shall be put into a separate envelope. Without such signature and entry 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 President, shall, if otherwise in order, be valid and if the Returning Officer is unable to determine which of such ballot-papers was first received by him both or all such ballot-papers shall be invalid.

THE PUNJAB MEDICAL REGISTRATION RULES

8. Ballot-papers shall be sent to the Returning Officer by registered post. Ballot-papers which are not received by the Returning Officer before the _____ day _____ 200 _____ will be rejected.

I hereby declare that my name appears on electoral roll
_____ vide No. _____.
Signature of elector _____
Residence _____

PART VI. PROCEDURE TO BE FOLOWED IN CONDUCTING AN ENQUIRY

19. Whenever information is received by the Registrar that a medical practitioner who is an applicant for registration or whose name has already been registered, has been guilty of conduct which prima facie, constitute infamous conduct in a professional respect, the Registrar shall make an abstract of such information.

20. Where the information in question is in the nature of a complaint by a person or body charging the practitioner with infamous conduct in a professional respect, such complaint shall be made in writing addressed to the Registrar and shall state the grounds of complaint and shall be accompanied by one or more declaration as to the facts of the case.

21. Every declaration must state description and true place of abode of the declarant and where the fact stated in a declaration is not within the personal knowledge of the declarant, the source of the information and grounds for the belief of the declarant in its truth must be accurately and fully stated.

22. (1) The abstract and where a complaint has been lodged, the complaint and all other documents bearing on the case, shall be submitted by the Registrar to the President, who shall if he thinks fit, instruct the Registrar to ask the practitioner by means of a registered letter for any explanation he may have to offer. The documents, including any explanation forwarded by the practitioner to the Registrar, shall then be referred to a committee appointed by the Council who shall consider the same and shall have power to cause further investigations to be made and further evidence to be taken and to refer, if necessary, to a legal practitioner for advice and assistance, and to instruct him to take the opinion of the counsel and otherwise to obtain such advice and assistance, as it shall think fit.

(2) The Committee shall report to the Council and if the Council considers that the case is one in which any inquiry ought to be held, the President shall direct the Registrar to take steps for the institution of an inquiry and for having the case heard and determined by the Council.

THE PUNJAB MEDICAL REGISTRATION RULES

23. The inquiry shall be instituted by the issue of a notice in writing on behalf of the Council, by the Registrar addressed to the practitioner, such notice shall specify the nature and particulars of the charges and shall inform the practitioner of the day on which the Council intends to deal with the case and shall call upon him to answer the charge in writing and to attend before the Council on that day.

24. The notice referred to in rule 23 shall be in form III in the Appendix to these rules with such variations as circumstances may require. It shall be sent three weeks before the date of the inquiry, and shall be accompanied by a copy of sections 13 or 16 of the Act, as the case may be and of the rules to regulate the procedure for conducting an inquiry referred to in these sections.

25. In every case in which the Council resolves that an inquiry shall be instituted and a notice for an inquiry is issued accordingly, the complainant (if any) and the medical practitioner charged shall upon request in writing for that purpose signed by him or his legal practitioner, be entitled to be supplied by the Registrar with a copy of any declaration, explanation, answer or other document given or sent to the Council by or on behalf of the other party, which such other party will be entitled on proper proof to use at the hearing as evidence in support of or in answer to the charge specified in the notice of inquiry.

26. Any answer, evidence or statement forwarded or application, made by the medical practitioner between the date of issue of the notice and the day named for hearing of the charge shall be dealt with by the President in such manner as he shall think fit.

27. All material documents which are to be laid before the Council as evidence in regard to the case shall be printed and a copy shall be furnished to each member of the Council before the hearing of the case.

28. At the hearing of the case by the Council the complainant and also the practitioner may be represented or assisted by a legal practitioner.

29. Where a complainant appears personally or by legal practitioner the order of procedure shall be as follows : -

- (1) The Registrar will read to the Council the notice of the inquiry addressed to the medical practitioner.
- (2) The complainant will then be invited to state his case by himself or by his legal representative and to produce his proofs in support of it. At the conclusion of the complainant's proofs his case will be closed.

THE PUNJAB MEDICAL REGISTRATION RULES

(3) The practitioner will then be invited to state his case by himself or by his legal representative and to produce his proof in support of it. He may address the Council either before or at the conclusion of his proofs, but only once.

(4) At the conclusion of the practitioner's case, the Council will, if the practitioner has produced evidence, hear the complainant in reply on the case generally but will hear no further evidence except in any special case in which the Council may think it right to receive such further evidence. If the practitioner produces no evidence the complainant will not be heard in reply except by special leave of the Council.

(5) Where a witness is produced by any party before the Council he will be first examined by the party producing him, and then cross-examined by the adverse party, and then re-examined by the party producing him. The Council may decline to admit in evidence any declaration where the declarant is not present for, or declined to submit to cross-examination.

(6) The President may put questions to any witness and members of the Council through the President may also put questions to any witness.

30. Where there is no complainant or no complainant appears the order of procedure shall be as follows: -

- (1) The Registrar will read to the Council the notice of inquiry addressed to the practitioner and will state the facts of the case and produce before the Council the evidence by which it is supported.
- (2) The practitioner will then be invited to state his case by himself or by his legal representative, and to produce his proof in support of it. He may address the Council either before or at the conclusion of his proofs, but only once.

31.(1) Upon the conclusion of the case, the Council will deliberate thereon in private and at the conclusion of the deliberations the President shall call upon the Council to vote on the question whether the medical practitioner charged is guilty of infamous conduct in a professional respect.

(2) If the Council by a majority, voting at the meeting find the medical practitioner guilty of infamous conduct in a professional respect, the President shall direct the Registrar not to register his name if he be an applicant for registration or to erase his name from the register of registered practitioners if he is already a registered practitioner.

THE PUNJAB MEDICAL REGISTRATION RULES

32. When the registration of the name of any practitioner is refused, or when the name of any practitioner is removed from the register (in accordance with the provision of the preceding rules) the Registrar shall forthwith send notice of such refusal or removal to the practitioner, and such notice shall be sent by a registered letter addressed to the last known address of the practitioner. The Registrar shall also send, forthwith, intimation of any such refusal or removal to the body or bodies from whom the practitioner received his qualification or qualifications.

PART VII. INSTITUTION, HEARING AND DISPOSAL OF APPEALS UNDER SECTION 15 OR SECTION 18 OF THE ACT

33. An appeal to the Council referred under section 15 of the Act, against a refusal of the Registrar to register any title or qualification of any person on the register of registered practitioners shall be in writing and shall state the title or the qualification, the grounds on which registration is claimed, and the date on which the authority from whom the title or qualification was received.

34. On receipt of such an appeal, it shall be referred to a Committee of the Council for consideration and report.

35. The Committee shall have the power to call for the original diploma, license or certificate from the appellant for inspection and also such other documentary or oral evidence as may be considered necessary by it.

36. At the conclusion of its inquiry, the Committee shall make a report to the Council embodying such recommendations as it shall think fit to make with the reasons for recommendations.

37. The appeal, the Committee's report on it and all other documents in connection with the case shall be laid before the Council at their next meeting.

38. The date on which the appeal is to be taken up by the Council shall be notified to the appellant. The appellant shall also be allowed if he so chooses, to represent his case before the Council either by himself or by his legal representative

39. Every appeal to the Local Government referred under section 18 of the Act shall be addressed direct to the Chief Secretary to the Government, Punjab, and shall be accompanied by all the papers, in print, which the appellant considers material to his case.]

THE PUNJAB MEDICAL REGISTRATION RULES
APPENDIX
FORM No. 1
(Vide Rule 2)

The Punjab Medical Register

1	2	3	4	5	6		7
					Date and Reason of Removal		REMARKS
Serial No.	Date of Registration	Name	Address or appointment	Qualification and dates thereof	Date	Section of the Act under which the name is removed	

FORM No. II
(Vide Rule 5)
ANNUAL MEDICAL LIST

1	2	3	4	5
Name	Qualifications and dates thereof	Address or appointment	Date of Registration	Serial No. as in the Register of Registered Practitioners

The Registrar shall keep an inter-leaved copy of such printed list wherein he shall make during the year any entry alteration or erasure that may be necessary.

THE PUNJAB MEDICAL REGISTRATION RULES
FORM No. III
(Vide Rule 24)

Notice to practitioner to attend proceedings in connection with the inquiry under section 17 of the Act.

Sir,

On behalf of the Punjab Medical Council I give you notice that information and evidence has been laid before the Council by which the complainants make the following charge against you namely (here set out the circumstances briefly) and that in relation thereto you have been guilty of infamous conduct in a professional respect.

And I am directed further to give you notice that on the _____ of _____ 19____ a meeting of the Council will be held at _____ O'Clock in the _____ to consider the above mentioned charges against you and decide whether or not they should direct that your name shall not be registered in the _____.

Your name be removed from the Register of Registered Practitioners pursuant to Section 16 of the Punjab Medical Registration Act, 1916. You are invited and requested to answer in writing the above charges and to attend before the Council at the above-named place and time to establish any denial or defence that you may have to offer to the above mentioned charges and you are hereby informed that if you do not attend as requested the Council may proceed to hear and to decide upon the said charges in your absence.

Any answer of other communication or application which you may desire to make respecting the said charges of your defence thereto must be addressed to the Registrar of Punjab Medical Council and transmitted so as to reach him not less than _____ days before the day appointed for the hearing of the case.

A copy of Section _____ of the Punjab Medical Registration Act, 1916, and of the rules to regulate the procedure for conducting any inquiry referred to in that section to which your particular attention is invited is enclosed herewith for your information.

Registrar,
Punjab Medical Council

BY-LAWS FRAMED BY THE PUNJAB MEDICAL COUNCIL UNDER
SECTION 24(2) OF THE PUNJAB MEDICAL REGISTRATION ACT, 1916
1.—MEETINGS OF THE COUNCIL

1. The Council shall ordinarily meet twice yearly in April and November for the transaction of business.

2. (i) Notice of every meeting shall be served on each member of the Council by the Registrar not less than 30 days before the date of the meeting.

(ii) A Programme of business to be transacted at any meeting shall be sent to the address of each member not less than 7 days before the date of such meeting.

²[(iii) The President may at his discretion permit registered medical practitioner to attend as a visitor a meeting of the Punjab Medical Council, provided that the number of such visitors at any meeting shall not be more than five].

3. An extraordinary meeting of the Council may be called by the President whenever it appears to him to be necessary, and shall be called by him on a requisition in writing made by not less than 6 members stating the purpose or purposes for is being called.

³[3-A. The Council shall appoint a Sub-Committee to be known as "Executive Committee" consisting of: -

- (1) The President;
- (2) The Vice-President; and
- (3) Three other members elected by the Council.]

¹[3-B The term of the members of the Registration Sub-Committee shall be co-terminus with their membership of the Council.

¹Added by Punjab Government Notification no. 2795-M-40/26447, dated the 18th June, 1940.

²Substituted by Punjab Government Notification No. 5370-M-48/44475, dated the 8th August, 1948.

³Substituted by Punjab Government Notification No. 5370-M-48/44575, dated the 18th August, 1948.

⁴Added by Punjab Government Notification No. 96-M-37731854, dated the 28th May, 1937.

3-C. Three members of the Registration Sub Committee shall form a quorum. The notice of the meeting of the Sub-Committee shall be sent to the members not less than 15 days before the date of the meeting.

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

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

3-F. The functions of the Executive Committee shall be as follows: -

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

4. The meetings of the Council shall be held at such times and places as the President may direct.

Ordinarily the meeting shall be held in Lahore in the winter and in Simla in the summer.

5. Every meeting of the Council shall be presided over by the President or in his absence, by the Vice-President. Should the office of the President be vacant or should for any cause the President be unable to carry out any of the duties belonging to his office, the Vice-President shall act for him. In the absence of both the President and Vice-President from a meeting, the members present shall elect a Chairman from among themselves to preside at the meeting.

6. (i) If, at the time appointed for a meeting or within 20 minutes thereafter, a quorum is not present, the meeting shall stand adjourned to some future day to be appointed by the President.

(ii) It shall be the duty of the Registrar to ascertain if a quorum is present. Seven members constitute a quorum.

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

8. Notice of an amendment shall reach the Registrar at least 10 days before the date fixed for a meeting and a copy of such amendment shall, if approved by the President, be sent by the Registrar to the address of each member at least 4 days before the date of the meeting : -

- (a) The president may disallow any motion or amendment or part of a motion or amendment without giving any reason therefore other than that in his opinion it cannot be moved consistently with the objects for which the Council has been constituted or that the matter is outside the province of the Medical Council.
- (b) A motion or amendment disallowed under bye-laws 8(a) shall not be circulated to members nor shall it be entered in the minutes of the proceedings of the Council, nor shall any discussion in Council be permitted in respect of any order passed by the president under bye-law 8 (a) ; provided that any member of the Council on application to the Registrar may inspect the notice received in respect of a motion or amendment disallowed by the president.

THE PUNJAB MEDICAL REGISTRATION RULES

9. A roll-book shall be kept by the Registrar in which each member attending a meeting shall enter his name on the date of such attendance.

10. (i) The President may adjourn at any time any meeting or any business to any future day or to any hour of the same day.

(ii) Whenever any meeting is adjourned to a future day, the Registrar shall, if possible, send notice of the adjournment to each member, who was not present at such meeting.

(iii) When any meeting has been adjourned to a future day the president may change such day to any other day, and the Registrar shall send written notice of the change to each member.

11. Every motion or amendment at a meeting must be seconded; otherwise the motion or amendment shall drop.

12.(i) A member desiring to make any observations on any subject before the Council shall speak from his place shall rise when he speaks and shall address the president.

(ii) At any time, if the president rises, any member speaking shall immediately resume his seat.

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

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

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

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

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

18.(i) When any member has made a motion, other members may speak on it in such order as the President may direct; provided that the seconder of a motion may with the permission of the president, reserve his remarks and may speak at any period of the debate.

THE PUNJAB MEDICAL REGISTRATION RULES

(ii) After all the members, have had an opportunity of speaking, the mover may speak once by way of reply, his speech being limited to 5 minutes.

(iii) No member other than the mover shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

(iv) A member who has spoken upon a motion may speak against upon any amendment there of afterwards moved.

19. A motion or an amendment shall be recorded in writing if so directed by the Chair.

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

21.(i) Every matter to be determined by the Council shall take the form of a motion by a member, to be put to the Council by the President and decided by a majority of votes, the President having, in the case of equality of votes, a second or casting vote.

(ii) Votes may be taken by voices, by show of hands or by division, and shall always be taken by division if any member so desires.

(iii) The President shall so determine the method of taking votes by division.

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

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

24. If and when all the amendments have been negatived, the original motion shall be put to the vote.

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

26. When a motion is under debate, no further proposal shall be received except one of the following : -

- (i) An amendment, namely –
“That the motion be amended as follows: - “

- (ii) The postponement of the question, namely –
“That the consideration of the motion be postponed.”
- (iii) The adjournment of the debate, namely –
“That the debate on the motion be now adjourned.”
- (iv) The adjournment of the Council, namely –
“That the Council do now adjourn.”
- (v) The closure of the debate, namely –
“That the Council do now proceed to vote on motion.”
- (vi) The previous question as to the motion, namely –
“That the Council, instead of proceeding to deal with the motion, do pass to the next item on the programme of business.”

27. When an amendment is under debate, no further proposal shall be received except one of the following : -

- (i) The adjournment of the debate on the amendment, namely –
“That the debate on the amendment be now adjourned.”
- (ii) The adjournment of the Council, namely –
“That the Council do now adjourn.”
- (iii) The closure of the debate on the amendment, namely –
“That the Council do now proceed to vote on the amendment.”

28. The proposal for the postponement of the question may specify a date for the further consideration of the question, or may be to the effect that the postponement be made sine die.

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

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

31. On the proposal for the adjournment of the Council being made and seconded, it shall be competent for the president or Chairman, as the case may be, before putting the question, to take the opinion of the Council, as to whether it will, before rising, proceed to the transaction of unopposed business.

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

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

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

35. When for the purpose of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member relating to the business before the Council, he shall ask the question through the President : -

- (a) When a resolution or an amendment has been defeated no resolution or amendment raising substantially the same question shall be moved within a period of eleven months; provided that with the permission of the President such resolution or amendment may be brought up again before the Council after the expiry of five months but that it shall not be moved except with the approval of a majority of three-fourths of the members present.

II – CONDUCT OF BUSINESS

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

37. A copy of the minutes of each meeting shall be sent to each member within 30 days of the meeting and a copy of the minutes of each meeting shall also be sent by the President to the press.

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

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

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

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

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

III REGISTRAR AND CLERKS

43. The Registrar shall fulfil all the duties that may be required of him by the Act and by the rules and regulations framed thereunder.

¹[43-A. It shall be competent to the Council to grant leave to their establishment in accordance with the provisions of Fundamental Rules.]

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

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

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

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

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

¹Substituted by Punjab Government Notification No. 94-M/2052, dated the 18th January, 1937.

49. The Council shall consider the estimate so submitted to it and shall sanction the same either unaltered or subject to such alteration as shall be deemed fit.

50. The Council 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 and sanctioned by the Council in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is about duly provided for in the budget or in a supplementary budget estimates.

51. The Registrar shall not retain in his hands a sum of more than Rs. 100 for contingent expenditure.

52. The Registrar shall by the 15th January each year, prepare a statement of income and expenditure of the preceding calendar year ending with the 31st day of December and draw the attention of the Council to such matters as seem deserving of notice.

¹[53. A bill or other vouchers presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum not exceeding Rs. 20 and the bill is in order, he shall pay it. If the claim be for a sum exceeding Rs. 20/- ¹[it shall be paid with the sanction of the President, provided that the claim is not unusual; if it is, it shall be held over and placed before the Council at its next meeting for orders. All expenditure sanctioned by the President or the Registrar shall be reported to the Council at its next meeting.]

²[53-A The Registrar shall be authorised to incur expenditure up to Rs. 20/- and above that sum the President.]

²[54. All transactions to which an officer of the Council in his official capacity is a party, shall without any reservation, be brought to account and all moneys received shall be paid in full without undue delay, into the current account of the Council with the Imperial Bank of India, Lahore. The appropriation receipts of the Council to its expenditure except when specifically authorised by the Council is strictly prohibited. All drawings will be made by means of cheques which shall be signed jointly by the President and the Registrar.]

Any amount in excess of current requirements shall, however, be placed in fixed deposit, or invested in Government Promissory Notes or Cash Certificates as the Council May 5, 2004

¹Substituted by Punjab Government Notification No. 96-M-37/21854, dated the 28th May, 1937.

²Inserted by Punjab Government Notification No. 809-39/8259, dated the 5th March, 1938.

direct. The fixed deposits, receipts and securities, etc., belonging to the Council will be deposited with the Imperial Bank of India for safe custody.

55. The accounts of the Council shall, if possible, be audited by the Local Audit Department, once in each year.

IV. TRAVELLING ALLOWANCE AND FEES

¹[56. (I) An official member shall draw travelling allowance, which he is entitled to claim according to his grade under Civil Services Rules (Punjab), Volume III, for journeys performed for attending meetings of the Council or its Sub-Committee.

(ii) A non-official member shall be allowed one and a half second class fare when travelling by rail and halting allowance and road mileage according to the rules for the time being applicable to Government Officers drawing a pay exceeding Rs. 500/- per mensem, when travelling in connection with the business of the Council or its Sub-Committee.]

57. A fee of Rs. 20/- shall be paid to each member who attends a meeting of the Council or of a Sub-Committee of the Council.

²[58. Employees of the Council shall be entitled to travelling allowance at the same rates as Government servants of the same status under the Punjab Travelling Allowance Rules. The Registrar of the Council shall, however, be considered to be of the rank of an officer belonging to the Punjab Provincial Service.]

V. MISCELLANEOUS

²[59. Tenders for printing work the cost of which exceeds Rupees twenty, shall be called for from various reputable presses. Such tenders shall be approved by the President.

60. The Council shall be authorised to fix the price of its publications]

61. The President shall be authorised to order destruction of an unserviceable article or otherwise to dispose of it in the manner he may consider necessary].

¹Substituted by Punjab Government Notification No. 10353-2HB 53/5010, dated the 16th February, 1954.

²Added by Punjab Government Notification No. 96-M-37/21854, dated the 28th May, 1937.

³Added by Punjab Government Notification No. 349-M-38/3156, dated 26th January, 1938.

¹THE PUNJAB MEDICAL REGISTRATION (AMENDMENT AND
VALIDATION) ACT, 1980
Punjab Act No. 3 1980

[Received the assent of the Governor of Punjab on the 24th July, 1980, and was first published in the Punjab Government Gazette (Extraordinary), dated the 28th July, 1980]

An Act to amend the Punjab Medical Registration Act, 1916, and to validate certain acts of the Council and other authorities.

BE it enacted by the Legislature of the State of Punjab in Thirty-first Year of the Republic of India as follows : -

1. (1) This Act may be called the Punjab Medical Registration (Amendment and Validation) Act, 1980, Short title and commencement

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. In the Punjab Medical Registration Act, 1916 (hereinafter to as the principal Act), after section 5, the following section shall be inserted, namely :- Insertion of new section 5-A in Punjab Act 2 of 1916.

“5-A. (1) Notwithstanding anything contained in this Act, as Constitution of Medical Council for a temporary period. anything contained in this Act, as from the commencement of the Punjab Medical Registration (Amendment and Validation) Act, 1980, the State Government shall constitute a Council, in the

specified in section 5, for the State of Punjab to be known as the Punjab Medical Council :

Provided that members referred to in clauses (d), (e) and (f) of sub-section (1) of section 5 shall also be nominated by the State Government from amongst the registered practitioners instead of being elected in the manner indicated in those clauses.

(2) The Vice-President of the Punjab Medical Council shall, notwithstanding anything contained in sub-section (2) of section 5, also be nominated by the State Government from amongst its members.

(3) Each member of the Punjab Medical Council shall, notwithstanding anything contained in section 7, hold office for a period of two years from the date of nomination or until the Council is duly constituted under section 5, whichever is earlier.”

¹For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary) 1980. Page 695.
Price: Rs. 0-20 P.

3. Notwithstanding anything contained in this Act, -

(a) anything done or any action taken or purporting to have been done or taken by the Council as it existed immediately before the first day of August, 1975, or by the Director, Health and Family Welfare or any other officer authorised by him, during the period commencing from the first day of August, 1975, and ending on the commencement of this Act, under the provisions of the principal Act or the rules made thereunder including appointment of the Registrar and other staff of the Council and the registration of persons under the principal Act, shall be deemed to be as valid and effective as it would have been if a duly constituted Council had been in existence and all such things or actions had been done or taken by that Council during the aforesaid period and according no such thing or action shall be called into question merely on the ground that no duly constituted Council had been in existence, or that any such thing or action was done or taken by the Director, Health and Family Welfare, or any other officer authorised by him, during the aforesaid period; and

(b) any appeal under section 15 of the principal Act, which could be filed during the period referred to in clause (a) may be filed within a period of thirty days of the constitution of the Punjab Medical Council under Section 5-A:

Provided that in counting the period of thirty days the time spent in obtaining a copy of the order appealed against shall be excluded.

PUNJAB GOVERNMENT GAZETTE
EXTRAORDINARY
Published by Authority

CHANDIGARH, TUESDAY, MAY 3, 1977
(VAISAKHA 13, 1899 SAKA)

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PART i

LEGISLATIVE DEPARTMENT

Notification

The 3rd May, 1977

No. 8-Leg./77 – The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 20th April, 1977, and is hereby published for general information : -

Punjab Act No. 6 of 1977

THE PUNJAB MEDICAL CONCIL, PUNJAB NURSES REGISTRATION COUNCIL, BOARD OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE PUNJAB AND COUNCIL OF HOMEOPATHIC SYSTEM OF MEDICINE, PUNJAB

(MISCELLANEOUS PROVISIONS ACT, 1977.

AN

ACT

to provide for the term of office of the Registrar and other employees, to fix the headquarters, and to provide for the emergency powers of the Chairman of the Punjab Medical Council, the Punjab Nurses Registration Council, the Board of Ayurvedic and Unani Systems of Medicine, Punjab and the Council of Homoeopathic System of Medicine, Punjab.

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

1. (1) This Act may be called the Punjab Medical Council, Punjab Nurses Registration Council, Board of Ayurvedic and Unani Systems of Medicine, Punjab and Council of Homoeopathic System of Medicine, Punjab (Miscellaneous Provisions) Act, 1977

Short title and commencement

(2) It shall be deemed to have come into force on the 5th January, 1977.

2. In this Act, unless there is anything repugnant in the subject or context, -

Definitions

(a) "Board" means the Board of Ayurvedic and Unani Systems of Medicine, Punjab, established and constituted under the Punjab Ayurvedic and Unani Practitioners Act, 1963

(b) "Chairman" means the Chairman of the Board of Ayurvedic and Unani Systems of Medicine, Punjab, or the Chairman of the Council of Homoeopathic System of Medicine, Punjab and includes the President of the Punjab Medical Council or the President of the Punjab Nurses Registration Council ;

(c) "Council" means the Punjab Medical Council established under the Punjab Medical Registration Act, 1916, the Punjab Nurses Registration Council established under the Punjab Nurses Registration Act, 1932, or the Council of Homeopathic System of Medicine, Punjab, established and constituted under the Punjab Homeopathic Practitioners Act, 1965 ; and

PUNJAB GOVT. GAZ. (EXTRA), MAY 3, 1977
(VYSK. 13, 1899 SAKA)

(d) "Registrar" means the Registrar of the Punjab Medical Council, the Punjab Nurses Registration Council, the Board of Ayurvedic and Unani Systems of Medicine or the Council of Homoeopathic System of Medicine, Punjab.

Term of office of the Registrar and other employees. 3. Save with the prior approval of the State Government, no Registrar or other employee of the Council or the Board, as the case may be, shall hold office after the last day of the month in which he attains the age of fifty-eight years of such age of superannuation as may, from time to time, be fixed by the State Government for its employees and every such Registrar or other employee holding office on the date of commencement of this Act shall cease to hold office on such commencement, if he has attained the age of fifty-eight years on or before such commencement.

Headquarters of the Council or the Board. 4. The headquarters of the Council or the Board shall be at Chandigarh or such other place as may be fixed in this behalf by the State Government in each case.

Emergency powers of the Chairman 5. (1) In any emergency arising out of the business of the Council or the Board as the case may be, which in the opinion of the Chairman, requires immediate action, the Chairman shall take such action as he deems necessary and shall, thereafter report the action to the Council or the Board, as the case may be, as its next meeting. Every such action shall, for all intents and purposes, be deemed to be the action taken by the Council or the Board, as the case may be.

(2) If any question arises whether or not a particular situation is of emergency warranting action under sub-section (1) the decision of the Chairman shall be final.

Overriding effect. 6. The provisions of the Act shall have effect notwithstanding anything contained in the Punjab Medical Registration Act, 1916, the Punjab Nurses Registration Act, 1932, the Punjab Ayurvedic and Unani Practitioners Act, 1965, or any rule, regulation or bye-law framed under any of these Acts.

Repeal and Saving 7. (1) The Punjab Medical Council, Punjab Nurses Registration Council, Board of Ayurvedic and Unani Systems of Medicine, Punjab and Council of Homeopathic System of Medicine, Punjab (Miscellaneous Provisions) Ordinance, 1976 (Punjab Ordinance No. 1 of 1977) is hereby repealed.

(2) Notwithstanding such repeal, any thing done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

S.S. KALHA,
Secretary to Government, Punjab,
Legislative Department

PART-I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

Notification

The 25th November, 2010

No.32-Leg./2010.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 10th November, 2010 and is hereby published for general information :-

THE PUNJAB MEDICAL REGISTRATION (AMENDMENT) ACT, 2010

(Punjab Act No. 24 of 2010)

AN

ACT

further to amend the Punjab Medical Registration Act, 1916.

Be it enacted by the Legislature of the State of Punjab in the Sixty- first Year of the Republic of India, as follows :-

1. (1) This Act may be called the Punjab Medical Registration (Amendment) Act, 2010.

Short title and commencement.

(2) It shall come into force at once.

2. In the Punjab Medical Registration Act, 1916 (hereinafter referred to as the principal Act), for section 5, the following section shall be substituted, namely:-

Substitution of section 5 of Punjab Act 2 of 1916.

Constitution of Council

“5. (1) The State Government shall establish a Council for the State of Punjab, to be called the Punjab Medical Council, which shall consist of the following twenty one members, namely :-

(a) seven members, to be nominated by the State Government from amongst the registered practitioners, registered with the council:

Provided that out of seven nominated members, one shall be the immediate past President of the Council.

(b) the following three *ex-officio* members :-

(i) the Director, Research and Medical Education, Punjab;

- (ii) the Director, Health Services, Punjab ; and
- (iii) the State President of the Indian Medical Association ; and

(c) ten members, to be elected by the registered practitioners from amongst the registered practitioners, who are residing or practicing in the State of Punjab.

- (2) The State Government shall nominate a person, to be the President of the Council from amongst the registered practitioners.
- (3) The Vice-President shall be elected from amongst the members of the Council in the prescribed manner.

Amendment in section 6 of Punjab Act 2 of 1916.

3. In the principal Act, in section 6, for the existing proviso, the following proviso shall be substituted, namely :-

“Provided that the persons, electing the members under clause(c) of sub-section (i) of section 5, shall be the persons, who are qualified to be registered under section 13 of this Act.”.

Amendment in section 7 of Punjab Act 2 of 1916.

4. In the principal Act, in section 7, for the words “three years”, the words “five years” shall be substituted.

Amendment in section 11 of Punjab Act 2 of 1916.

5. In the principal Act, in section 11, for the words “and publish it in the prescribed manner”, the words “and provide it on the official website of the Council” shall be substituted.

Amendment in section 12 of Punjab Act 2 of 1916.

6. In the principal Act, in section 12, for the word “six”, the word “eight” shall be substituted.

Amendment in section 13 of Punjab Act 2 of 1916.

7. In the principal Act, in section 13, -

(a) in clause (a), for the words “the British Medical Acts, or”, the words “this Act ; or” shall be substituted ; and

In section of new sections in Punjab Act 2 of 1916.

(b) in clause (b), the first proviso shall be omitted.

8. In the principal Act, after section 13, the following sections shall be inserted, namely :-

“13-A. In case, a person, registered with a Medical Council of any other State or Medical Council of India, intends to practice in the State of Punjab, he shall have to get himself registered with the Punjab Medical Council on payment of the prescribed fee”.

13-B. Every registered practitioner shall get his registration

Person, registered with any other State shall have to be registered in the State of Punjab.

Renewal of registration

renewed after every five years within a period of two months from the date of the expiry of his previous registration on payment of the prescribed fee:

Provided that before getting his registration renewed, the registered practitioner shall have to obtain a certificate from a State Medical Council or Medical Council of India or National or International Bodies to the effect that he had got fifty credited hours of Continuing Medical Education in every five years.

Explanation :- For the purpose of this section, the expression “credited hours” shall mean the hours, accredited to the credit of registered practitioner by the aforesaid Council or bodies.”.

Amendment in section 23 of Punjab Act 2 of 1916.

9. In the principal Act, in section 23, for the words “with fine that may extend to three hundred rupees” the words “with a sentence of imprisonment for a term, not exceeding three years and with fine, not exceeding ten thousand rupees” shall be substituted.

REKHA MITTAL,

Secretary to Government of Punjab
Department of Legal and Legislative

Affairs