# THE PUNJAB MEDICAL REGISTRATION RULES

## [1]RULES 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.

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.]

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[1]First 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.

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

## THE PUNJAB MEDICAL REGISTRATION RULES 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 ;

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

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

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

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

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

[6]Substituted 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



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

(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.

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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 who 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][2]18. (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.]

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[1]The 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.

[2]Substituted 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 comme n-cement of tenure** | **Date on which the term is to be expire in the ordinary course** | If the app-ointment is terminated before the due date mentioned in column 6, then the date and reason of earlier termination |

**SCHEDULES**

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 |
| | | | | | |

FORM III

[Vide Rule 14(2)]

Nomination Paper

*No.* ..... Nomination paper.....

Counterfoil.....

Name and address of the candidate.....

Serial No. on electoral roll.....

Date of despatch..... Initial of despatching officer

*Serial No.* .....

Name of Candidate.....

Qualifications and dates thereof

Address or appointment.....

Date of registration and registration number .....

Serial number of the candidate on the electoral roll..... Name of the proposer.....

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

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CERTIFICATE OF SCRUTINY

I have scrutinized the eligibility of the candidate, the propser 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

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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.

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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.

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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.

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, he 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 pro-duce his proofs in support of it. At the conclusion of the complainant‘s proofs his case will be closed.

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(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.

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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 meting.

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** | |
| | | | | | | | |

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.

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 flve].

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 particular of professional examinations and their results and submit them to the Council annually with necessary comments thereon.
(5) To consider and forward to the Council reports on the visitation of 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 practitioner for breach of professional conduct and submit its report thereon to the Council.
(8) To consider any other business referred to it by the Council. ]

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

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

5. Every meting 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 meting.

6. (i) If, at the time appointed for a meeting or within 20 minutes thereafter, a quorum is not present, the meting 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 mater 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.



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.

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(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 e 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 meting 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.

[1]Substituted 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 before 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 as 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

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

[2]Inserted 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 Counsel 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].

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

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

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