

The Board and Court of Examiners of Homoeopathic and Biochemic Systems of Medicine (Executive Committees) Rules, 1963

No. BHP. 1162-Unification - In exercise of the powers conferred by clauses (c) and (ea) of sub-section (2) of section 33 of the Bombay homoeopathic and Biochemic Practitioners' Act, 1959 (Born. XII of 1960), and all other powers enabling in that behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section 33, namely:-

1. Short Title. - These rules may be called the Board and Court of Examiners of Homoeopathic and Biochemic Systems of Medicine (Executive Committees) Rules, 1963.

2. Definitions. - In these rules, unless the context otherwise requires,-

- a) "Act" means the Bombay Homoeopathic and Biochemic Practitioners' Act, 1959.
- b) "Executive committee" means the executive Committee of the Board constituted under sub-section (1) of section 15-A, or as the case may be, the Executive Committee of the Court constituted under sub-section (1) of section 19-A;
- c) "Member" means a member of the Executive Committee;
- d) "Section" means a section of the Act.

3. Number of Members of Executive Committee. –

- 1) The executive Committee of the Board shall consist of four members, excluding the President.
- 2) The Executive Committee of the Court shall consist of four members, excluding the Chairman.

4. Term of Office of Members of Executive Committee. –

- 1) The term of office of the members of an Executive Committee shall be for a period of one year from the date of their election;

Provided that, the term of office of the outgoing members shall be deemed to extend to and expire with the day immediately preceding the date on which their successors are elected.

2) An outgoing member shall be eligible for re-election.

5. Cessation of Membership. - A member shall be deemed to have vacated his seat-

a) If he ceases to be a member of the Board or, as the case may be, the Court, or

b) if he has remained absent from two consecutive meetings of the Executive Committee without leave of the Executive Committee.

6. Resignation of Members. - Any member may resign his office by a notice in writing to the President or, as the case may be, the Chairman. Such resignation shall take effect from the date on which it is accepted by the President or, as the case may be, the Chairman.

7. Casual vacancies. -

1) In the event of any vacancy occurring on account of death or resignation of a member or cessation of membership or for any other reason, previous to the expiry of the term of his office, the vacancy shall be filled as soon as conveniently may be, by the Board or, as the case may be, the Court by the election of a member from amongst its members;

Provided that, notwithstanding anything contained in rule 4, if such vacancy occurs within two months preceding the date on which the term of office of the members expires, the vacancy shall not be filled.

2) A member elected to fill a casual vacancy under sub-rule (1) shall, notwithstanding anything contained in rule 4, hold office so long only as the member in whose place he is elected would have held it, if the vacancy had not occurred.

8. Meetings. -

1) The Executive Committee of the Board shall ordinarily meet once every three months on such date, as may be fixed by the President.

2) The Executive Committee of the Court shall ordinarily meet once every two months on such date, as may be fixed by the Chairman.

3) The President or, as the case may be, the Chairman may whenever he thinks fit, and shall, upon a written requisition of not less than three members, call an extraordinary meeting of the Executive Committee.

4) Every meeting of the Executive Committee shall be presided over by the President or, as the case may be, by the Chairman; and if the President or the Chairman is absent, by such one of the members present as the case may be chosen by the meeting to preside at the meeting.

- 5) Three members including the President or the Chairman, as the case may be, shall form a quorum for any meeting of the respective Executive Committee.

9. Minutes of Meetings. - The Registrar shall attend every meeting of the Executive Committee and keep a record of the names of members present and of the proceeding at each meeting in a minute book to be maintained for the purpose. The minutes shall be authenticated by the signature of the President or, as the case may be, the Chairman after confirmation in the manner provided in rule 11, and a copy of such authenticated minutes shall be sent to the Surgeon-General with the Government of Maharashtra and the State Government.

10. Copies of minutes to be sent to members. - A copy of the minutes of each meeting of the Executive Committee shall be sent by the Registrar to each member within thirty days of the meeting.

11. Confirmation of minutes of Meeting. - The minutes of a meeting shall be deemed to have been confirmed if no objection to their correctness is received by the Registrar from any member within fifteen days of the dispatch of copies of the minutes to the members in accordance with rule 10. If any objection is received, confirmation of such minutes shall await the next meeting of the Executive Committee.

12. Volume of Minutes of meeting. - The minutes of the meetings of the Executive Committee shall, as soon as practicable after their confirmation, be made up in sheets and consecutively paged for insertion in separate volumes, which shall be permanently preserved.

13. Powers, Duties and Functions of Executive Committee of Board. –

- 1) The Executive Committee of the Board shall consider all petition or applications addressed to the Board and shall submit its report thereon to the Board.
- 2) It shall also consider and prepare a report on any subject which may seem to require the attention of the Board or which may be referred to it by the Board at its meeting or by the President at other times, and circulate such report among the members of the Board at least ten days before the date of the meeting of the Board at which the subject is to come up for discussion.

14. Powers, Duties and Functions of Executive Committee of the Court. – The Executive Committee of the Court shall –

- a) consider all matters relating to the courses of the training in Homoeopathic and Biochemic Systems of Medicine and report to the Court on the same;
- b) consider all petitions or applications or proposals addressed or made to the Court, including applications for recognition of teaching institutions or for the inclusion in or removal from the First Schedule to the Act, of any qualifications and submit to the Court its report thereon;
- c) consider and prepare a report on any subject which may seem to require the attention of the Court and circulate such report among the members of the Court at least ten days before the date of the meeting of the Court at which the subject is to come up for discussion;

- d) make all arrangement for the holding of the examinations, including the appointment of examiners and fixing of the dates, centres, and programme for the examination, declaration of results and issuing degrees or diplomas;
- e) be in charge of the returns of all examinations held by the Court and prepare a table of results of each such examination and forward a copy thereof to each member of the Court immediately after it is declared;
- f) from time to time, arrange for inspection of the recognized institutions or examining bodies and prepare reports and recommendations regarding their recognition or withdrawal of their recognition, for the consideration of the Court and call from the teaching institutions or examining bodies all such information as it may consider necessary;
- g) issue explanatory instructions consistent with the by-laws made on the subject, regarding admission, concession in terms, exemptions arrangements and result of the examinations and the like matters, for the guidance of the Registrar for deciding such matters;
- h) prepare reports on such subject as may be indicated to it by the Court at its meeting, or by the Chairman at any other time, and shall present such report to the Court after it is finally approved by it.

15. Fees for attendance at Meetings. - Every member shall be entitled to a fee of Rs. 10 for each day of attendance at a meeting of an Executive Committee.

16. Traveling allowance for attending meeting. - The traveling expenses of members for attending meeting of the executive Committee shall be paid as follows:-

- (i) Officials who are Government servants may draw the traveling and halting allowances, which they may be entitled to claim for traveling on official duties according to their grades under the Bombay Civil Services Rules.
- (ii) A non-official member shall draw traveling allowance admissible to a member of a State Committee under rule 1(1)(b) in section 1 of Appendix XLII-A to the Bombay Civil Services Rules, Volume II.

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