

**JAMMU & KASHMIR
AYURVEDIC & UNANI
PRACTITIONERS
ACT, 1959**

JAMMU & KASHMIR AYURVEDIC & UNANI PRACTITIONERS ACT, 1959

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JAMMU & KASHMIR AYURVEDIC & UNANI PRACTITIONERS ACT, 1959

[Act No. XXVI of 1959]

[26th November, 1959]

An Act to regulate the qualifications and to provide for the Registration of Practitioners of Ayurvedic and Unani Systems of Medicine with a view to Encouraging its Development.

Be it enacted by the Jammu and Kashmir State Legislature in the Tenth Year of the Republic of India as follows :-

PART I PRELIMINARY

1. Short title, extent and commencement

(1) This Act may be called the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959.

(2) It extends to the whole of the State of Jammu and Kashmir.

(3) It shall come into force at once.

PART II AYURVEDIC AND UNANI SYSTEMS OF MEDICINES

2. Definitions

In this Act, unless there is anything inconsistent in the subject or context,-

(1) "Board" means the Board of the Ayurvedic and Unani System of Medicine, Jammu and Kashmir established and constituted under section 3;

(2) the "Ayurvedic System" means Ashtang Ayurvedic System & includes modernized form thereof including the Siddha;

(3) the "Unani System" means the Unani Tibbi System of Medicine and includes the modernized form thereof;

- (4) "Inspector" means an Inspector appointed by the Board under section 20;
- (5) "Practitioner" means one who practises the Ayurvedic and/or Unani System of Medicine;
- (6) "President" means the President of Board.
- (7) "Qualifying Examination" means the examination held for the purpose of granting a degree, diploma, licence or certificate conferring the right of registration under this Act;
- (8) "Register" means the register of practitioner maintained under section 15;
- (9) "Registered Practitioner" means a practitioner whose name is for the time being entered in the Register;
- (10) "Registrar" means a Registrar appointed under section 14;
- (11) "Regulations" means regulations made under section 29;
- (12) "Rules" means rules made under section 28;
- (13) "Schedule" means the Schedule appended to this Act.

3. Establishment, constitution and corporation of the Board

(1) The Government shall, by notification in the Government Gazette, establish a Board to be called the Board of Ayurvedic and Unani Systems of Medicine, Jammu and Kashmir, for the purposes of carrying out the provisions of this Act. Such Board shall be a body corporate, having perpetual succession and a common seal with power to acquire or hold property, both movable and immovable, and shall by the said name sue and be sued.

(2) The Board shall consist of eleven members residing in Jammu and Kashmir State of whom-

- (a) four members shall be nominated by the Government, one of them, if possible, being a person connected with institutions established in the State and affiliated to the Board for the purpose of giving instructions in Ayurvedic and/or Unani Systems of medicine as the Government may determine;
- (b) Seven members, of whom not less than four shall be persons holding a certificate or Diploma in the Ayurvedic or Unani

System, shall be elected by the Registered Practitioners from among themselves.

(3) The President of the Board shall be elected by the members from amongst themselves; provided that ¹[for the first term of the Board after the commencement of the Jammu and Kashmir Ayurvedic and Unani Practitioners (Amendment) Act, 1968,] the President shall be a person nominated by the Government from amongst the members, who shall hold the office during the pleasure of the Government.

(4) Save as otherwise provided, the seven seats of members under clause (b) of sub-section (2) shall be distributed proportionately to their numbers, as counted on the prescribed date before the election between those registered practitioners who follow the Ayurvedic System and those who follow the Unani System:

Provided that in determining the proportion a fraction of one-half and less shall be ignored and a fraction of more than one-half shall be counted as one.

(5) Notwithstanding anything in sub-section (4) the seven members mentioned under clause (b) of sub-section (2) shall, in the case of the first Board to be constituted after the commencement of the Jammu and Kashmir Ayurvedic and Unani Practitioners (Amendment) Act, 1968, be nominated by the Government in such proportion as it may think fit from among practitioners of either system who are eligible to be registered practitioners, and such members shall be deemed to have been duly elected under clause (b) of sub-section (2):

Provided that not less than four of such members shall be persons holding a certificate or Diploma in Ayurvedic or Unani System of Medicine.

4. Nomination of members in default of elections

If any of the members is not elected under clause (b) of sub-section (2) of section 3, the Government may, notwithstanding anything contained in sub-section (2) of the said section, nominate such registered Practitioners as it deems fit and the practitioners so nominated

¹ Substituted by Act No. VII of 1968.

shall for the purpose of this part be deemed to have been duly elected under clause (b) of sub-section (2) of section 3.

5. Election of members

The election of practitioners entitled to be members of the Board under clause (b) of sub-section (2) of section 3, shall be held at such time and place and in such manner as may be prescribed by rules and where any dispute arises regarding any such election, it shall be referred to the Tribunal to be appointed by the Government for the purpose whose decision shall be final.

6. Term of Office

(1) Save as otherwise provided, the term of office of elected and nominated members shall be for a period of five years commencing from the date on which the first meeting of the Board is held after the members are elected under sub-section (2) of section 3:

Provided that the term of office of members appointed to ¹[the Board constituted immediately after the Jammu and Kashmir Ayurvedic and Unani Practitioners (Amendment) Act, 1968 comes into force,] shall be for a period of three years from the date on which the first meeting of such Board is held.

(2) An outgoing member shall continue in office until the election or nomination of his successor, as the case may be.

(3) The outgoing member shall be eligible for re-nomination or re-election.

7. Vacancies

If a vacancy occurs in the office of a member of the Board through death, resignation, removal or disability of such member or otherwise, prior to the expiry of the period of his office, the vacancy shall be filled in the manner prescribed by rules. Any person nominated or elected to fill the vacancy shall, notwithstanding anything contained in section 6, hold office only so long as the member in whose place he is nominated or elected would have held office if the vacancy had not occurred.

¹ Substituted by Act No. VII of 1968.

8. Resignation of a member

Any member may at any time resign his office by letter addressed to the President, such resignation shall take effect from the date on which it is accepted by the Board.

9. Disabilities for continuing as member

If any member during the period for which he has been nominated or elected-

- (a) absents himself without such reasons as may, in the opinion of the Board, be sufficient, from three consecutive ordinary meetings of the Board; or
- (b) becomes subject to any of the disqualification mentioned in section 10,

the Board shall declare his office to be vacant.

10. Disqualifications

No person shall stand as a candidate for election as a member of the Board or shall be member of Board-

- (a) who is undischarged insolvent; or
- (b) who has been adjudicated by a competent court to be of unsound mind; or
- (c) whose name has been removed from the Register.

11. Validity of proceeding

No disqualification or defect in the election or nomination of any person acting as a member of the Board or as the President or Presiding authority of a meeting shall be deemed to vitiate any act or proceedings of the Board, in which such person has taken part.

12. Time and place of meeting of the Board

The Board shall meet at such time and place and every meeting of the Board shall be summoned in such manner as may be proscribed by regulations :

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

13. Procedure at meetings of the Board

(1) The President shall preside at every meeting of the Board. In the absence of the President, the members present shall elect one of them to preside.

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

(3) Five members shall form a quorum, provided that when a meeting is adjourned for want of a quorum to subsequent date, no quorum shall be required for the meeting held on such date.

(4) At every meeting of the Board, the President, for the time being shall, in addition to his vote as a member of the Board, have a second or casting vote in case of equality of votes.

14. Registrar

(1) The Board shall, with the previous approval of the Government, appoint a Registrar. The Registrar shall receive such salary and allowances and be subject to such conditions of service as may be prescribed by rules. The Board may, from time to time, grant him leave and may appoint a person to act in his place. Any person duly appointed to act as Registrar shall be deemed to be Registrar for all the purposes of this Act, provided that for the first four years¹ [from the first constitution of the Board after the commencement of the Jammu and Kashmir Ayurvedic and Unani Practitioners (Amendment) Act, 1968,] the Registrar shall be a person appointed by the Government and shall hold office during the pleasure of the Government.

(2) Any order of the Board appointing, punishing or removing a Registrar from office shall not be passed, without the previous approval of the Government.

(3) The Board may appoint such other officers and servants as may be necessary for the purposes of this Act :

¹ Substituted by Act No. VII of 1968.

Provided that the number and designation of such officers and servants, their salaries and allowances shall be subject to the previous approval of the Government.

(4) The Registrar and any other officer or servant appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Ranbir Penal Code, 1989.

15. Duties of Registrar

(1) Subject to the provisions of this Act and the rules made thereunder and subject to, any general or special orders of the Board, it shall be the duty of the Registrar to keep the Register.

(2) The Register shall be in such form as may be prescribed by the rules and shall contain the name, address and qualifications of every registered practitioner together with the dates on which such qualifications were acquired. The Register shall be divided into three parts

- (i) that containing the names of the practitioners qualified to practise the Ayurvedic System;
- (ii) that containing the names of the practitioners qualified to practise the Unani System ; and
- (iii) that containing the names of the practitioners registered under sub-section (2) of section 16.

(3) The Registrar shall keep the Register correct as far as possible and may, from time to time, enter therein any material alteration in the address or qualifications of the practitioners. The names of the registered practitioners who die, or whose names are directed to be removed from the Register under sub-section (3) of section 16, shall be removed from the Register.

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

(5) For the purpose of this section, the Registrar may write by registered post to any registered practitioner at the address which is entered in the Register to enquire whether he has ceased to practise

or has changed his residence and, if no answer is received to the letter within six months, the Registrar may remove the name of the said practitioner from the Register:

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

16. Registration

(1) Every person possessing the qualification mentioned in the Schedule shall, subject to the provisions contained in this Act and on payment of such fees as may be prescribed in this behalf, be entitled to have his name entered in the Register subject to such conditions as the Board may prescribe:

Provided that an application for entry in the Register made by a person whose case is not clearly covered by the provisions of this Act or by the rules and regulations made thereunder, shall be referred to the Board for such decision as it may deem fit.

(2) Notwithstanding anything contained in sub-section (1), every person, who, within a period of two years from the date on which this Act comes into force proves to the satisfaction of the Registrar that he has been in regular practice as a practitioner for a period of not less than ten years preceding the date on which he makes an application for being registered as a practitioner under this Act, shall be entitled to have his name entered in the Register on payment of the prescribed fee.

(3) The Board may direct that the name of any practitioner who has been convicted of a cognizable offence as defined in the Code of Criminal Procedure, Samvat 1989 which discloses such defect of moral character as is, in the opinion of the Board, sufficient to make him unfit to practise his profession, or who has been found, after due inquiry, guilty of conduct which is, in the opinion of the Board, infamous in any professional respect, shall be removed from the Register.

(4) The Board may, on sufficient cause being shown, also direct that the name of the practitioner so removed, shall be re-entered in the Register.

powers of the Board

(1) Any person aggrieved by the decision of the Registrar regarding registration of any person or any entry in the Register may appeal to the Board.

(2) Such appeals shall be filed and shall be heard and decided by the Board in the manner prescribed by the rules.

(3) The Board may, on its own motion or on the application of any person, after due and proper enquiries and after giving an opportunity to the person concerned of being heard, cancel or alter any entry in the Register, if, in the opinion of the Board, such entry was fraudulently or incorrectly made.

18. Qualified practitioner certificates

Notwithstanding anything contained in any law for the time being in force,

(1) The expression "legally qualified medical practitioner" or "duly qualified medical practitioner" shall in all laws for the time being in force in the State include a registered practitioner whose name is entered in Part I or Part 11 of the Register.

(2) A certificate required by any Act from any medical practitioner or medical officer shall be valid, if such certificate has been signed by a registered practitioner whose name is in Part I or Part 11 of the Register:

Provided that a certificate of illness may be issued by any practitioner registered under this Act.

(3) A registered practitioner shall be eligible to hold any appointment as a Medical Officer in any Ayurvedic or Unani dispensary or hospital supported by or receiving a grant from the Government and treating patients according to the Ayurvedic or Unani Systems of Medicine or in any public establishment, body or institution dealing with such systems of medicine.

19. Examination before registration

Notwithstanding anything contained in sub-section (2) of section 16, on and after the expiry of one year from the date from which this Act comes into force, a person shall not be entered in the Register as

a registered practitioner unless he holds the qualification mentioned in sub-section (1) of section 16.

20. Qualifying examination

(1) The Board shall by regulations—

- (a) recognise institutions as required under paragraph 3 of the Schedule;
- (b) prescribe the course of training and qualifying examinations, including the course of training and examinations prior to qualifying examinations. Such regulations shall provide that instruction and examinations shall, as far as possible, be given or held in the languages specified therein.

(2) A qualifying examination shall be an examination in the Ayurvedic and Unani Systems, held for the purpose of granting a diploma, degree or certificate conferring the right of registration under this part, by any of the institutions which on the recommendations of the Board, may be specified by the Government by a notification in the Government Gazette as being authorised to hold a qualifying examination.

(3) It shall be the duty of the Board to secure the maintenance of an adequate standard of proficiency for the practice of the Ayurvedic and Unani Systems of Medicine. For the purposes of securing such a standard, the Board shall have authority to call on the governing body or authorities of any institution giving instructions in the Ayurvedic or Unani Systems of Medicine and on any examining body, authorised by or desirous of being authorised under sub-section (2)-

- (a) to furnish such particulars as the Board shall require of any course of study prescribed by regulations or examination held by such body or authority or in such school or college with reference to the grant of any qualification; and
- (b) to permit Inspectors appointed by the Board from amongst the registered practitioners in this behalf to attend and be present at all or any of the qualifying or prior examinations.

(4) The Inspectors shall not interfere with the conduct of any examination, but it shall be their duty to report to the Board their opinion as to the sufficiency or insufficiency of every examination

which they attended and any other matters in relation to such examinations on which the Board may require them to report.

(5) Every qualifying examination and every prior examination leading up to it held by the Bodies or Institutions authorised under this section shall be inspected by the Inspectors at least once in three years and more frequently if the Board so directs.

(6) The Board shall forward a copy of every such report to the body which held the examination in respect of which the said report was made and shall also forward a copy of such report, together with any observations thereon made by the said body, to the Government.

(7) An Inspector shall receive such remuneration to be paid as part of the expenses of the Board, as the Board, with the previous sanction of the Government, may determine.

21. Removal of Institutions authorised to hold qualifying examinations

If it shall appear to the Government on the report of the Board that the course of study and examinations prescribed by any of the institutions specified in the notification under section 20 are not such as to secure the maintenance of an adequate standard of proficiency for the practice of the Ayurvedic and Unani Systems of Medicine, as the case may be, it shall be lawful for the Government from time to time, by notification in the Government Gazette, to direct that the said institution shall be removed from the said notification and shall not be authorised to hold a qualifying examination:

Provided that before any direction for the removal of an institution from the said notification is made under this section, the Board shall require the institution to take steps within such time as it thinks fit to provide that the course of study and examinations prescribed by the institution are of an adequate standard.

22. Exemption from serving on inquests

Notwithstanding anything in any other law for the time being in force, every registered practitioner shall be exempt, if he so desires, from serving on any inquest or as a juror or assessor under the Code of Criminal Procedure, 1989.

23. Fees payable to member of the Board

There shall be paid to the members of the Board such fees and allowances for attendance and such reasonable travelling allowances as shall from time to time be prescribed by rules.

24. Fees received by the Board

All money received by the Board as fees under this Act shall be applied for the purposes of this Act in accordance with the rules.

25. Annual list of practitioners

(1) The Registrar shall in every year, on or before a date to be fixed by the Board, cause to be printed and published a correct list of the names and qualifications of practitioners for the time being entered in the Register and the dates when such qualifications were acquired.

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

26. False assumption of certificate or diploma to be an offence

Whosoever voluntarily and falsely assumes or uses any title or description or any addition to his name implying that he holds a diploma, licence or certificate, conferred, granted or issued by any of the institutions specified in the notification under section 20, or that he is qualified to practise the Ayurvedic or Unani Systems of Medicine, or that he is a registered practitioner shall, on conviction, be punishable with fine which may extend to Rs. 250 for the first offence and to fine which may extend to Rs. 500 for every subsequent offence.

27. Alteration of the Schedule

It shall be lawful for the Government by notification in the Government Gazette to alter the Schedule.

28. Rules

(1) The Government may, after previous publication, make rules to carry out all or any of the purposes of this part.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules for any of the following matters :-

- (a) the time at which and the place and manner in which election shall be held under section 5;
- (b) the manner in which vacancies shall be filled under section 7;
- (c) the manner in which the meetings of the Board shall be convened and held;
- (d) the salary, allowances and other conditions of service of the Registrar under section 14;
- (e) the form of the Register and the particulars to be entered therein under section 15;
- (f) fees chargeable for the alteration of entries in the Register;
- (g) the manner in which appeals against the decision of the Registrar shall be heard by the Board under section 17;
- (h) the application fees;
- (i) fees and other allowances payable to members of the Board under section 23;
- (j) the furtherance of any of the objects of the Board;
- (k) the form of the certificate of registration mentioning therein the part in which the registered practitioner is registered.

29. Regulations

(1) The Board may, with the previous sanction of the Government, make regulations, not inconsistent with this part or the rules, for any of the following matters, namely:-

- (a) the time and place at which the Board shall hold its meetings under section 12;
- (b) the salary, allowances and other conditions of service of officers and servants of the Board other than the Registrar, under section 14;
- (c) the course of study for training and qualifying examinations;
- (d) the language in which the examination shall be conducted and instruction shall be imparted;
- (e) the admission of students to the bodies or institutions authorised under section 20;

- (f) the conditions under which students shall be admitted to the diploma, licence or certificate course and to the qualifying and prior examinations;
- (g) the conditions of appointment of examiners and the conduct of examination ; and
- (h) all other matters which may be necessary for the purposes of carrying out the objects of this Act.

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

(3) The Government may, by notification in the Government Gazette, cancel any regulations :

Provided that in submitting regulations under clauses (c) to (g) for sanction of the Government under this section, the Board shall send a copy of its proceedings relating to the passing of such regulations and shall state the number representing either systems of Ayurvedic or Unani Medicine who have voted for or against such regulations or not voted in respect of such regulations :

Provided further that in sanctioning the said regulations due consideration shall be given to the opinion of the members of either system of medicine as expressed in the said proceedings.

30. Control of State Government

If at any time it shall appear to the Government that the Board has failed to exercise or has exceeded or abused any of the powers conferred upon it by or under this part, or has failed to perform any of the duties conferred upon it by or under this part, the Government may, if it considered such failure, excess or abuse to be of a serious character, notify the particulars thereof to the Board, and if the Board fails to remedy such default, excess or abuse, within such time as the Government may fix in this behalf, the Government may dissolve the Board and cause all or any of the powers and duties of the Board to be exercised and performed by such person and for such period not exceeding two years as it may think fit.

31. Courts competent to try offences under this Act and cognizance of offences

(1) No court other than the Court of the ¹[Judicial Magistrate] of the First Class shall take cognizance of or try an offence under this Act.

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

PART III

MEDICAL PRACTITIONERS GENERALLY

32. Power of the Government to enforce the provisions of Part III

The Government may, at any time after the expiry of one year from the date on which this Act comes into force, by notification published in the Government Gazette, apply the provisions of this part or any portion thereof to the whole or any part of the State from such date as is notified therein :

Provided that the Government shall give wide publicity to the notification in such other manner also as it deems proper.

33. List of practitioners

(1) After the publication of the notification mentioned in section 32, the Registrar shall prepare and maintain a list called a "List of persons in practice belonging to the Ayurvedic and Unani System of Medicine" on such date as is mentioned in the said notification.

(2) Every person not being a person qualified or registered under this Act, who, within a period of one year from the date from which this part comes into force, proves to the satisfaction of the Registrar that he has been in regular practice of the Ayurvedic or Unani Systems of Medicine in this State, on the date mentioned in the notification under sub-section (1), shall be entitled to have his name entered in the aforesaid list on payment of five rupees.

(3) The provisions of sub-sections (3) and (5) of section 15, sub-section (3) of section 16 and section 17 shall mutatis mutandis apply to this list.

34. Prohibition to practise of persons not listed

No person other than a practitioner registered under Part II of this Act or person whose name is entered in the list mentioned in

section 33 shall practise or hold himself out, whether directly or by implication as practising or as being prepared to practise the Ayurvedic and Unani Systems of Medicine :

Provided that the Government may, by notification in the Government Gazette, direct that the provisions of this section shall not apply to any class of person or in a specified area.

35. Penalty

Any person who acts in contravention of the provisions of section 34 shall, on conviction, for each offence be punishable with fine, which may extend to two hundred rupees.

36. Examination before registration

Notwithstanding anything contained in any section of this Act, on and after the expiry of one year from the date from which Part III comes into force, a person shall not be entered in the Register as a registered practitioner unless he has passed a qualifying examination recognised by the Board.

37. Saving

Nothing in section 34 and 35 shall apply to any person—

- (a) who is a dentist registered under the Jammu and Kashmir Dentists Act, 1958; or
- (b) who, being a nurse or midwife registered under the Jammu and Kashmir Nurses and Midwives and Health Visitors Registration Act, 1956, or a Dai, attends on a case of labour; or
- (c) who is entitled to registration under section 36 of this Act.

38. Conferring, granting or issuing diploma, licence, etc. by unauthorised person or institution

(1) No person other than an association or institution recognised or authorised by the Board under this Act shall confer, grant or issue or hold itself out as entitled to confer, grant or issue any diploma, licence, certificate or other documents stating or implying that the holder, grantee, or recipient is qualified to practise the Ayurvedic or Unani Systems of Medicine.

(2) Whoever contravenes the provisions of this section shall, on conviction, be punishable with fine, which may extend to five hundred rupees and if the person so contravening is an association, every

member of such association who, knowingly and wilfully authorities or permits the contravention shall, on conviction, be punishable with fine which may extend to two hundred rupees.

THE SCHEDULE

Person who are entitled to have their names entered in the Register of Vaidayas and Hakims

(1) Vaidayas or Hakims who hold a diploma or certificate of any Government Ayurvedic or Unani College or school within the State or outside it, or a degree in the Ayurvedic or Unani Systems of Medicine of any University established by law in India ¹[or who hold a diploma or certificate or 'Al Hakim" awarded by Mumb-ul-Tib College, Lucknow].

(2) Vaidayas and Hakims who have passed the final examinations held by the Board of Ayurvedic and Unani Systems of Medicine, Jammu and Kashmir or by any institution affiliated to the Board.

(3) Vaidayas or Hakims who have passed an examination from any Ayurvedic or Unani Institution in State or outside it recognised by the Board for purposes of registration.

(4) Vaidayas or Hakims who have been registered by State Board of Ayurvedic or Unani Systems of Medicine established by law anywhere in the Indian Union by virtue of their having passed a qualifying examination from recognised institution.

**JAMMU & KASHMIR
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RULES, 1965**

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JAMMU & KASHMIR AYURVEDIC & UNANI PRACTITIONERS RULES, 1965

[SRO 179 dated 20th April, 1966]

In exercise of the powers conferred by section 28 of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959 (Act No. XXVI of 1959), the Government of Jammu and Kashmir hereby make the following rules:-

1. Short Title

These rules may be called the Ayurvedic and Unani Practitioners Rules, 1965.

2. Definitions

Unless there is anything repugnant in the subject or context,-

- (i) "Act" means the Jammu and Kashmir Ayurvedic and Unani practitioners Act, 1959.
- (ii) "Appendix" means Appendix appended to these Rules;
- (iii) "Government" means the Government of Jammu and Kashmir State;
- (iv) "Section" means a section of the Act;
- (v) "Board" means the Board of Ayurvedic and Unani Systems of Medicine, Jammu and Kashmir State;
- (vi) "The Committee" means the executive committee of the Board;

The words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

MAINTENANCE OF THE LIST OF MEMBERS

3. Appointment of Members of the Board

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

4. Reporting of vacancy due to expiration of the term of office of any Member

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

5. Resignation etc. of any Member

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

PROCEDURE FOR FILLING VACANCIES ON BOARD

6. Procedure to be observed for filling of vacancies on the Board

In case of vacancies of elected members, an election shall be held to fill the vacancy. The person appointed by the Government shall act as the Returning Officer for such election. If the vacancy is to occur in consequence of the expiry of the term of office of a member, such Returning Officer shall some time not less than forty-two days and not more than sixty days before the day on which the term of office of such member is due to expire or, if the vacancy has already occurred through death, resignation, removal or disability of such member or

otherwise, as soon as conveniently may be, after the occurrence of the vacancy, issue a notice to the electorate concerned, requiring the said electorate to elect a member or members by a date mentioned in the notice.

PROCEDURE FOR FILLING VACANCIES BY ELECTION

7. Procedure to be adopted for the filling of vacancies by election

(i) The Electoral Roll shall be prepared by the Registrar from the Register. It shall contain the names, qualification and address of every person qualified to vote for the election of a member to fill up the vacancy or vacancies:

Provided that for the first election the Registrar shall prepare and publish in the Government Gazette a draft Electoral Roll in Form I annexed to these rules for each of the electorates specified therein together with a notice stating that any objections relating to the entries in, or omissions from the said Electoral Roll, may be preferred to the Registrar at his office address within 21 days of the publication of the draft Electoral Roll in the Government Gazette. On or after this date the Registrar shall consider the objections so received and revise the Electoral Roll, if necessary, and shall publish in the Government Gazette the final Electoral Rolls as early as possible thereafter. These Electoral Rolls shall then be deemed to be final and conclusive.

(ii) **Eligibility of candidate for election.**— Any person whose name is on any of the Electoral Rolls and who is not disqualified under section 10 and who fulfils the conditions laid in sub-section (2) (b) of section 3, as may be required, may be nominated as a candidate for election.

(iii) Such nomination shall be made by means of a nomination paper on Form I annexed to these rules, which shall be supplied free of cost by the Returning Officer to any elector who may apply for the same.

(iv) Each nomination paper shall be subscribed by two qualified electors, as proposer and seconder. No elector shall propose or second the nomination of more persons than are required to fill up the vacancy or vacancies. If more nominations 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.

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

(vi) On or before the date appointed for the receipt of nomination papers, each candidate wishing to stand for election shall pay the Returning Officer a fee of Rs. 50/- in cash, and no candidate shall be deemed to be duly nominated unless such fee has been paid. The fee so paid shall be credited to the Board and shall not in any circumstances be refunded except election is postponed.

(vii) Every proposal for nomination shall be in writing duly signed by the proposer and seconder and also by the candidate for election and sent by post or otherwise, so as to reach the Returning Officer not later than 12 Noon of the date fixed by him, which shall not be less than sixty days before the date appointed by him for counting of votes.

(viii) On receipt of each nomination paper the Returning Officer shall forthwith endorse thereon the date and hour of its receipt.

(ix) Nomination papers which are not received by the Returning Officer before the date and time appointed therein shall be rejected.

(x) Any candidate shall be at liberty to withdraw his candidature within fifteen clear days from the date of his nomination by sending to the Returning Officer a written and signed withdrawal. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be recommended as a candidate for the same election.

(xi) On receiving notice of such withdrawal the Returning Officer shall publish the fact of such withdrawal in an extraordinary issue of the Government Gazette.

(xii) If a candidate who has been duly nominated and has not withdrawn his candidature in the manner and within the time specified in sub-rule (x) dies after the expiry of the time for submitting notice of withdrawal of candidature and before commencement of the polls, the Returning Officer shall upon being satisfied of the fact of the death of the candidate, countermand the poll and all proceedings

with reference to the election shall be commenced a new in all respects as if for a new election.

(xiii) The Returning Officer shall decide all questions which may arise as to the validity of any nomination and his decision thereon shall be final.

(xiv) 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 candidates to be elected.

(xv) If in case of such election more candidates than are necessary to fill up the vacancy or vacancies are nominated, the Returning Officer shall forthwith publish their names and addresses in the Government Gazette and in such other manner as the Returning Officer may deem fit, and shall further cause their names to be entered in Ballot Papers in the form annexed to these rules.

(xvi) Twenty one days before such date, as may be appointed by the Returning Officer in this behalf, the Returning Officer shall send by registered post to each elector a Ballot Paper signed by the Returning Officer. No election shall be invalidated by reason of an elector not receiving his ballot paper, provided that a paper has been issued to him in accordance with these rules.

(xvii) Before such date as may be appointed by the Returning Officer in this behalf, every elector desirous of voting shall personally deliver or send by post his ballot paper to the Returning Officer after recording his vote or votes:

Provided that any ballot paper which is not received by the Returning Officer before 12 Noon on the date so appointed for the counting of votes shall be rejected.

(xviii) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the President in this behalf. The ballot papers shall then be scrutinized and the valid votes counted. Any candidate may also be present either in person or by an accredited representative to watch the counting of the votes.

A ballot paper shall be invalid if—

- (a) it does not in any way conform to these rules, or
- (b) it is not properly signed by the elector, or
- (c) it does not bear the initials of the Returning Officer, or
- (d) no vote is recorded thereon, or
- (e) a voter signs his name or writes a word or makes any mark on it, by which it becomes recognisable as his ballot paper, or
- (f) the number of votes recorded thereon exceeds the number of vacancies to be filled, or
- (g) it is void for uncertainty of one or more votes exercised:

Provided that when more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it is intended to apply, the vote concerned and not the whole ballot paper shall be invalid on that account.

(xix) If any objection is made to any ballot paper on the ground that it does not comply with the specified requirements or to any rejection by the Returning Officer of a ballot paper, it shall be decided at once by the Returning Officer whose decision shall be final.

(xx) *Nomination of scrutinizers.*— The Returning Officer, in consultation with the President, shall nominate such number of scrutinizers not exceeding four as he thinks fit. The scrutinizers shall be the officers of the Government.

(xxi) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected, and shall forthwith inform the successful candidates by letter of his having been elected to the Board. Every candidate who is elected shall within such period as may be specified by the Returning Officer in letter signify to the Returning Officer his acceptance of a seat on the Board. If any candidate thus shown to be elected refuses to accept a seat on the Board after election, then one of the remaining candidates to whom the next largest number of votes has been given shall be declared to have been elected in the manner prescribed above in the place of the candidate who has refused and

the same procedure shall be followed in further vacancies as a caused by refusal of a candidate to accept a seat on the Board.

(xxii) When an equality of votes is founded to exist between any two candidates and the addition of one 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 drawn by the Returning Officer in such manner as the President may determine.

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

(xxiv) The Returning Officer shall notify in the Government Gazette and in such manner as the Board may think fit the date, time and place fixed for the following proceeding, namely:-

- (a) the sending of ballot papers to the electors under rule 7 (xvi)
- (b) the last date for receiving ballot paper and the date for the counting of the votes under rule 7 (xvii) and 7 (xviii).

(xxv) The Government may, of its own motion, or on an objection made before them, declare any election that has been held, to be void on account of corrupt practice or any other sufficient cause, and then call on the electorate to make a fresh election. The decision of the Government under this rule shall be final.

(xxvi) If any question arises as to the intention, construction or application of this rule which, in the opinion of the Board, should be referred to the Government, the Board shall refer such question to the Government whose decision shall be final.

(xxvii) (a) The election of the President shall be by ballot at a meeting specially convened for that purpose for which due notice has been given to each member stating the time and place of the meeting;

(b) the members shall choose from amongst themselves a person other than the candidate for election to preside over the meeting for the election;

(c) every candidate shall be duly proposed and seconded;

- (d) the President of the meeting shall declare the candidate securing the largest number of votes as duly elected;
- (e) in the event of two or more candidates securing an equal number of votes, the President of the meeting shall decide by drawing lot the candidate whom he shall declare as duly elected.

8. 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 inform Government of the same for its publication in the Government Gazette. The notification of the election of a member shall be read by the Registrar at the next meeting of the Board and the new member shall then be introduced to the meeting by an existing member of the Board.

9. Meeting of the Board : (1) April & (2) October

The Board shall ordinarily meet for the transaction of business in the months of April and October each year on such dates as the President may fix, of which not less than fifteen days notice shall be given.

10. Summoning of extra-ordinary meeting of Board

The President may, at any time suo moto and shall on a written requisition signed by not less than five members of the Board summon an extra-ordinary meeting of the Board, of which not less than fifteen days notice shall be given:

Provided that in case of an emergency, the President may summon such meeting at such shorter notice less than seven days as he may deem fit:

Provided further that no such meeting shall be summoned if the motion for consideration is inadmissible under rule 15.

11. Notice for meetings

All meetings of the Board shall be convened by the Registrar by notice addressed to each member stating the time and place of the meeting.

12. The notice convening any meeting shall declare the purpose of the meeting, whether it is general business or any (named) special

business, and at any meeting which is convened for special business no other business than that specified in the notice shall be transacted unless the Board, by a resolution of the meeting, agrees to consider any further business.

13. Agenda for meeting

Prior to any meeting of the Board the Registrar shall under the instructions of the President, prepare a provisional programme of business and shall furnish a copy thereof to each member of the Board not less than ten days before the day of the meeting and at the same time forward to all members of the Board copies of the documents and evidence in any cases for disciplinary action to be brought before the Board in that meeting.

14. Notice of any motion

Notice of any motion to be inserted in the programme of business for a meeting of the Board must be sent to the Registrar at least twenty days before the beginning of the meeting.

15. Conditions under which motion cannot be admitted

(1) A motion shall not be admitted.-

- (a) if the matter to which it relates is not within the scope of the Boards' functions; or
- (b) if it raises substantially the same questions as a motion or amendment which had been moved and either decided or withdrawn with the leave of the Board within six months of the date of the meeting at which it is designed to move the new motion; or
- (c) unless it is clearly and precisely expressed and raises substantially only one definite issue; or
- (d) if it contains arguments, inferences, ironical expressions or defamatory statements.

(2) The President shall disallow any motion which in his opinion is inadmissible under sub-rule (1):

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

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

16. Discretion of President to admit any motion

Notwithstanding anything contained in rules 13 and 14, the President may in his discretion.-

- (a) admit for discussion at any meeting a motion notice of which has not reached the Registrar in time for inclusion in the programme of business set under rule 13;
- (b) allow a motion to be discussed at a meeting notwithstanding the fact that notice was received too late to admit of compliance with rule 14.

17. President or chairman to preside over meeting

(1) Every meeting of the Board shall be presided over by the President or, if he is absent by a chairman to be elected by the members present from among themselves.

(2) In this Part all references to the President shall be read as references to the person for the time being presiding over a meeting.

18. Quorum at the meeting

For a meeting of the Board six members including the President or chairman shall form a quorum. If at the time appointed for a meeting a quorum is not present, the meeting shall not commence until a quorum is present, and if a quorum is not present on the expiration of twenty minutes from the time appointed for the meeting, the meeting shall stand adjourned to such future date as the President may appoint.

19. Decision on a motion

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

(2) Votes shall be taken by voices, show of hands or division, as the President may direct:

Provided that Vote shall be taken by division if any member so desires.

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

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

(5) In the event of an equality of votes the President shall, in addition to his vote as a member of the Board, have a second or casting vote.

20. Admission of motion identical in purport

When motions, identical in purport, stand in the names of two or more members, the President shall decide whose motion shall be moved and the other motion or motions, identical in purport, shall not thereupon be moved.

21. After a motion has been moved any member may subject to the provisions of rules 22 and 23, move an amendment to the motion:

Provided that the President shall not allow an amendment to be moved which, if it had been a substantive motion, would have been inadmissible under rule 15.

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

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) The President may refuse to put an amendment which is in his opinion frivolous.

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

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

24. Seconding of motion or amendment

Every motion or amendment shall be seconded and if not seconded shall be deemed to have been withdrawn.

25. Procedure for discussion of motion or amendment

(1) When any motion or amendment is under debate no proposal with reference thereto shall be made other than—

- (a) an amendment of the motion or of the amendment, as the case may be;
- (b) a proposal for the adjournment of the debate on the motion or amendment or both either to a specified time or sine die;
- (c) a motion for the closure, namely, a motion that the question be now put.

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

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

Provided that the President shall allow the mover of the substantive motion to exercise his right of reply before the substantive motion under debate is put.

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

27. (1) When a motion has been moved and seconded members other than the mover and seconder may speak on the motion in such order as the President may direct :

Provided that the seconder may, with the permission of the President, confine himself to seconding the motion and speak thereon at any subsequent stage of the debate before the final reply.

(2) No member other than the mover who shall be entitled to a final right of reply shall speak more than once on any motion except with the permission of the President and for the purpose of making an explanation or putting a question to the member addressing the Board:

Provided that a member who has spoken on a motion may speak against on an amendment subsequently moved to the motion.

(3) No member shall save with the permission of the President speak for more than ten minutes :

Provided that the mover of a motion when moving the same may speak for twenty minutes.

(4) A speech shall be strictly relevant and confined to the subject matter of the motion on which it is made.

(5) The business of the Board shall be transacted in English and any member may address the Board in any recognised language of the State.

28. (1) A member desiring to make any observation on any matter before the Board shall speak from his place, shall rise when he speaks and shall address the President.

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

(3) In case a member disobeys the President and continues to misbehave in spite of the President's warning the President may ask the member to leave the meeting.

29. No member shall be heard except upon the business before the Board or, with the special permission of the President in personal explanation in connection with some previous debate.

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

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

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

32. Adjournment of the meeting

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

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

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

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

33. Interpretation of rules

If any question arises with reference to the interpretation of the rules in this part, or with reference to procedure in respect of a matter for which the said rules make no provision, the President shall decide the same and his decision shall be final.

34. The President may, instead of calling a meeting, obtain the views of the members by issuing a circular letter explaining the facts and the proposals and take action according to the opinion of the majority of the members who respond within the time specified in the letter.

35. 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 meeting.

36. Minutes

The proceedings of the meeting of the Board shall be preserved in the form of printed or typed minutes which shall be authenticated after confirmation, by the signature of the President.

37. A copy of the minutes of each meeting shall be sent to each member within thirty days of the meeting.

38. The minutes of each meeting shall contain such motions and amendments as have been moved and adopted, or negatived, with the names of the mover and the seconder, but without any comment and without any record of any observation made by any member at the meeting.

Any walkout by a member or members as a protest shall, however, be recorded in the minutes.

39. The minutes shall be deemed to have been confirmed if no objection to their correctness is received by the Registrar from any member within thirty days of the despatch of a copy of the minutes to a member in accordance with rule 37 or before the date of the next meeting whichever is earlier. If any such objection is received, confirmation of the minutes shall await the next meeting of the Board.

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

EXECUTIVE COMMITTEE

41. Executive Committee

For the expeditious disposal of business before the Board, there shall be an Executive Committee of the Board consisting of the President and four members of the Board elected by ballot at the first meeting of the Board in each year.

42. The Executive Committee shall ordinarily meet as often and on such dates as may be fixed by the President.

43. Quorum of Executive Committee

For a meeting of the Executive Committee three members including the President or Chairman shall be the quorum.

44. Vacancy in Executive Committee

If there is any vacancy in the Executive Committee, the Committee shall itself fill up such vacancy by election of a member of the Board, except in cases where a notice has been issued for a meeting of the Board on the occurrence of such vacancy, when the Board itself shall fill up the vacancy by election in the committee. If any member of the Executive Committee is absent from two consecutive meetings without the leave of the Committee, he shall ipso facto cease to be a member of the Committee.

45. Proceedings of Executive Committee

The proceedings of meetings of the Executive Committee shall be preserved in the form of printed or typed minutes which shall be authenticated, after confirmation by the signature of the President.

46. Appointment of substitute in the event of death or incapacity

In the case of the death of the Registrar or his incapacity from illness, when the Board is not in session, the Executive Committee shall appoint a person, with the previous approval of the Government to perform temporarily the duties of Registrar.

47. Publishing the Register and the list

The Registrar shall, on a date to be fixed by the President, publish under the superintendence of the Executive Committee a Register and the list of persons in practice. A statement of the distribution of the copies of the Register and the list to Government offices as approved by the Government and to others as may be directed by the Executive Committee shall be added to the Register and the list as printed.

48. Printing of Register and the list

The Executive Committee shall order each year such number of copies of the Register and the list to be printed as may seem to the Registrar to be required on a revision of the annual distribution list.

49. Consideration and preparation of reports on any subject

The Executive Committee shall consider and prepare reports upon any subject, that may seem to require the attention of Board, and such reports shall be printed and circulated among the members of the Board at least ten days before the meeting of the Board, at which the subject is to come up for discussion.

50. Preparing of agenda by Executive Committee for the Board

The Executive Committee shall, before each meeting of the Board, prepare the business for the consideration of the Board.

51. Printing of minutes

The printing of the volumes of minutes shall be done under the direction of the Executive Committee.

52. Referring of petitions to Executive Committee

All petitions presented to the Board shall be referred to the Executive Committee to be examined and reported upon before being considered by the Board.

53. Subject to the provisions of the last preceding rule, all petitions addressed to the Board immediately before or during the session of the Board shall be laid upon the Table.

54. Granting of authority of institutions to hold qualifying examination

The Executive Committee shall inquire into all cases for the purposes of carrying out the provisions of section 21 relating to the grant of authority to institutions to hold qualifying examinations and shall report to the Board the decision arrived at by it.

55. Reporting on matters relating to courses of training and qualifying

The Executive Committee shall consider and report to the Board on all matters concerning the course of training and qualifying examinations including the course of training and examinations prior to qualifying examinations.

56. Preparation of reports by Executive Committee

The Executive Committee shall prepare reports on such subjects as may be indicated to it by the Board at its meeting or by the President at other times. The reports, when finally approved by the Committee, shall be presented to the Board.

57. Fees payable to members for attendance

The scale of fees for attendance at meetings of the Board and of the Executive Committee and the travelling expenses for such attendance shall be paid at the rates set forth in the following rules.

58. The rate of payment for attendance at any meeting of the Board shall be the same for all members of the Board.

59. Every member shall be entitled to a fee of Rs. 15/- for each day of attendance at a meeting of the Board or of the Executive Committee or of a Sub-Committee, in addition to the travelling allowance admissible according to rule 60.

60. Travelling Allowance

The travelling expenses of official members for journeys performed for attending meetings etc. shall be paid in accordance with the Travelling Allowance Rules contained in the Jammu and Kashmir Civil Service Regulations, 1956 and the travelling allowance of non-

official members will be paid at the rates admissible to officers of Class II.

61. T.A. of employees

Employees of the Committee shall be entitled to travelling allowance at the same rates as Government servants of the same status are entitled in accordance with the Travelling Allowance Rules contained in Jammu and Kashmir Civil Services Regulations, 1956.

62. Appointment of sub-committees by the Board

The Board may appoint sub-committees from amongst its members to report upon any matters which it may deem necessary to refer to them.

63. Registrar

(1) The appointment of the Registrar shall be on probation for the first two years, after which he will be confirmed by the Board with the previous approval of the Government, if the Board is satisfied as to his efficiency and general conduct. The probationary period may, however, be further extended by one year, if considered necessary by the Board. The first Registrar shall be appointed by the Government of Jammu and Kashmir.

(2) Any order of the Board punishing or removing a Registrar from office shall not be passed without the previous approval of the Government.

(3) The Registrar shall get such salary, allowance or honorarium as the Government may from time to time, on the recommendation of the Board, specify in this behalf. The Board may from time to time grant him such leave as is generally admissible to a Government servant of his status under the Jammu and Kashmir Civil Services Regulations, 1956.

64. Appointment of other officers

(1) The Board may appoint such other officers, clerks, subordinates as are considered necessary and give them such salary and allowances as the Board may determine.

(2) All the employees of the Board may be given such leave and leave salary as admissible to a Government servant of their status under the Jammu and Kashmir Civil Services Regulations and the

President may appoint a person (other than the Registrar) to act in their places subject to the approval of the Board.

65. The Registrar shall keep the Register in accordance with the provisions of the Act and these rules and regulations of the Board.

66. The Registrar shall be present at every meeting of the Board and of the Executive Committee and shall take minutes of the proceedings at such meetings.

67. The Registrar, as Secretary of the Board, shall conduct and have charge of the correspondence of the Board and shall issue all the requisite notices in the manner required under these rules.

68. The Registrar shall fulfil all the duties that may be required of him by these rules and the regulations, for the time being, of the Board.

69. The Registrar shall not remain absent from his duties except with the permission of the President.

70. The Registrar shall have the general control of the management of the office and authority over the clerks and servants and shall superintend the building. He shall also grant them such leave as is admissible to Government servants under the rules in vogue for the employees of the State Government.

MAINTENANCE OF REGISTER

71. Registration

The Register shall be divided into three parts:-

- (i) that containing the names of practitioners qualified to practise the Ayurvedic System, hereinafter referred to as registered Ayurvedic practitioners,
- (ii) that containing the names of practitioners qualified to practise the Unani System, hereinafter referred to as registered Unani practitioners, and
- (iii) that containing the names of practitioners registered under sub-section 2 of section 16.

2. Particulars of practitioners in Register

The Register shall show in respect of each practitioner the following particulars:-

- (a) Consecutive registered number.
- (b) Full name and in the case of a married woman her maiden name and full married name.
- (c) Date of birth.
- (d) Permanent address.
- (e) Place or places and period or periods of training.
- (f) Approved qualification (Under this heading the nature of the qualifications and the dates of certificates should be entered.)
- (g) Date of registration.
- (h) Remarks.

73. The names of all practitioners registered under the Act shall be entered in the Register in alphabetical order together with all the relevant particulars required under the preceding rules.

74. Every person desirous to be registered and have his/her name entered in the Register maintained by the Board shall apply to the Registrar in Form No. IV appended to the Rules.

¹[**75.** The fee chargeable for registration/renewal of registration certificates under these rules shall be as under:

(i) For original registration	...	Rs. 950/-
(ii) For insertion of each title or qualification in substitution for, or in addition to, any entry previously made	...	Rs. 400/-
(iii) For re-entry in the Register of the Registered Practitioners entered under orders of the Board.	...	Rs. 400/-
(iv) For registering a change of address in the register.	...	Rs.400/-
(v) For issuing the certificate in Form No. V in lieu of duplicate certificate of registration.	...	Rs. 200/-
(vi) For issuing a certificate of Registration.	...	Rs. 100/-
(vii) Fee for renewal of certificate after every years	...	Rs. 300/-]

76. (1) On payment of the prescribed fees as provided in rule 75, the Registrar shall enter in the Register, in respect of each original registration any title or qualification approved by the Board and obtained by a Registered Practitioner in substitution for or in addition to any entry previously made.

(2) Any entry in the Register which is proved to the satisfaction of the Board to have been fraudulently or incorrectly made may be erased under order, in writing of the Board.

77. Each page of the Register shall be verified by the Registrar's Signature.

78. Any appeal to the Board against the refusal of the Registrar to register in the case of first registration or to alter any existing entry in the Register shall be filed within thirty days of such refusal and shall state the grounds on which registration or alteration is claimed and furnish the names of the qualifications and the dates on which they were received. On receipt of such appeal the Executive Committee shall conduct an enquiry and submit a report to the Board which may conduct such further enquiries as it deems fit.

79. Every person whose name has been entered on the Register shall be entitled to receive from the Registrar a Certificate of Registration on payment of prescribed fee viz. Re. 1/-. Such certificate shall set forth the full name of the person registered, his designation, his address, the date and place of registration and the qualifications in respect of which he has been registered. Such certificate shall be in Form No. V appended to these rules.

80. Duplicate Certificate

No application for duplicate certificate of the original registration in the Register shall be entertained but a certificate in Form VI may be issued to any one on payment of fee of Rs. 4/-

81. Change of name

A fee of Rs. 10 as prescribed in rule No. 75 shall be levied for registering a change of name in the Register.

82. Voluntary withdrawal of name

(1) Every application by a registered practitioner for the removal of his name from the register at his request shall be accompanied by

a declaration to be made by the applicant that he is not aware of any proceeding or any reason for the institution of any proceeding which might result in establishing some cause for the removal of his name from the Register without his consent or for depriving him without his consent or any qualification or licence entitling him to be registered.

(2) The application shall also be accompanied by an undertaking by the applicant that he shall not apply for registration either in Jammu and Kashmir State or in any other State in India within a period of two years from the date of the removal of his name also that he will submit testimonials of two registered practitioners who know him to the effect that he has not committed any act during a period extending from one year previous to the removal under sub-rule (1) and an application for registration which might result in establishing some cause for the removal of his name from the register without his consent or in depriving him without his consent of any qualification or licence entitling him to be registered in case he was to apply for registration after that period.

(3) Every application under sub-rule (1) shall in the first instance, be referred by the Registrar to the Medical authorities who granted the applicant his qualification or qualifications, to ascertain whether there is any valid objection to such removal.

(4) The Registrar shall bring such application before the next meeting of the Board who will consider the application and any objections thereto and the President may put from the Chair the question "whether the Registrar shall remove the applicant's name from the Register."

(5) The Registrar shall upon the removal of the applicant's name from the Register send notice of such removal to the applicant by a letter addressed to his registered address.

83. Re-entry of name after removal

The Executive Committee shall re-enter in the Register if it deems fit, the name of any person which may have been removed therefrom under section 15, but no application for the restoration to the Register of the name of a person which has been removed under section 15 shall be entertained unless it be accompanied by a decla-

ration made by the applicant setting forth the facts of the case and stating that he is the person originally registered, and unless it be accompanied also by a certificate as to his identity from two practitioners registered under the Act or in the case of an applicant residing abroad a certificate as to his identity signed by two persons who shall be magistrates or officers holding a gazetted rank. Prescribed fee of Rs. 10/- shall be levied for the registration of practitioners whose names have been removed from the Register under section 15.

84. Publishing of upto date list of Registered practitioners

The Registrar shall as early as possible in each year cause to be printed and published in the Government Gazette, in the same form as the original Register itself a correct list of all persons whose names appear in the Register on the 31st December, preceding. The Registrar shall keep an interleaved copy of such printed list wherein he shall make during the year any entry, alteration or erasure that may be necessary.

85. There shall be made every year and entered in the printed list referred to in the last preceding rule, an enumeration of—

- (1) the total number of practitioners in the published register,
- (2) the number of the persons added by registration during the year,
- (3) the number re-entered in register,
- (4) the number removed from the register stating the section of the Act under which the name has been erased, and
- (5) the number removed by death.

PENAL REMOVAL FROM THE REGISTER

86. Whenever information reaches the office of the Board that a registered practitioner has been convicted of a cognizable offence, as specified in sub-section (3) of section 16, or has been censured by any judicial or other competent authority in relation to his professional character, or has been guilty of conduct which prima facie constitutes infamous conduct in his professional capacity or is contrary to the code of medical ethics approved by the Board, the Registrar shall make an abstract of such information and shall submit the same to the President.

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

88. Every declaration must state the description and true place of abode of the declarant and where the facts stated in a declaration are 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. Declaration or parts of declarations which are made in contravention of this rule will not be accepted as evidence.

89. 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. The explanation forwarded by the practitioner to the Registrar shall then be referred to the Executive Committee, who shall consider the same and shall have power to cause further investigation to be made and further evidence to be taken and to refer the case if necessary to the legal adviser to the Board for his advice and assistance and to instruct him to take the opinion of counsel and otherwise to obtain such legal advice and assistance as it may think fit. If the Committee is of opinion that a prima facie case is not made out the case shall not be proceeded with further and the Registrar shall inform the complainant of the resolution of the Committee. If the Committee is of opinion that the circumstances suggest that a letter of warning be sent, the Committee may do so. If the Committee resolves that the case is one in which an enquiry ought to be held the President shall direct the Registrar to take steps for the institution of an enquiry and for having the case heard and determined by the Board.

90. An enquiry for removal of a name from the Register under sub-section (3) of section 16 shall be instituted by the issue of a registered notice in writing on behalf of the Board by the Registrar

addressed to the practitioner. Such notice shall specify the nature and particulars of the charge and shall inform him of the day on which the Board intends to deal with the case and shall call upon the practitioner to answer the charge in writing and to attend before the Board on such day. The notice shall be in Form No. VI appended to these rules with such variations as circumstance may require, and shall be sent three weeks before the date of inquiry and shall be accompanied by a copy of sub-section (3) of section 16 and of the following rule.

91. In every case in which the Executive Committee resolves that an inquiry shall be instituted and a notice for an inquiry is issued accordingly, either party shall, for the purpose of his defence or reply, as the case may be, and upon request in writing for that purpose signed by himself or his legal adviser, be entitled to be supplied by the Registrar with a copy of any declaration, explanation, answer or other document given or sent to the Board 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 and every notice of enquiry shall draw the particular attention of the practitioner to this rule.

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

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

94. At the hearing of the case by the Board, its legal adviser may be present to advise it as to the conduct of the case. The complainant and also the practitioner may be represented or assisted by their legal advisers.

95. Where on the day of the hearing a complainant appears personally or by his legal adviser, the following shall be the order of procedure:-

(1) The Registrar shall read to the Board the notice of the inquiry addressed to the practitioner.

(2) The complainant shall then be invited to state his case by himself or by his legal adviser and to produce his proofs in support of it. At the conclusion of the complainant's proofs, his case will be closed.

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

(4) At the conclusion of the practitioner's case the Board will, if the practitioner has produced evidence, hear the complainant in reply on the case generally, but will admit no further evidence except in any special case in which the Board 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 Board.

(5) Where a witness is produced by any party before the Board, he will be first examined by the party producing him, and then cross examined, if necessary, by the adverse party and then re-examined, if necessary, by the party producing him. The Board shall have the right to decline to admit in evidence any declaration where the declarant is not present or declines to submit to cross-examination.

(6) The President and the legal adviser when present may put questions to any witness and members of the Board, through the President, may also put questions to any witness.

96. Where there is no complainant or no complainant appears on the day of hearing, the following will be the order of procedure:-

(1) The Registrar will read to the Board the notice of inquiry addressed to the practitioner, and will state the facts of the case and produce before the Board the evidence by which it is supported.

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

(3) The legal adviser to the Board may be heard in reply, if the Board so desires.

97. Upon the conclusion of the case the Board will deliberate thereon in camera and at the conclusion of the deliberations the President shall, for the purpose of summing up the result of the deliberations, call upon the Board to vote on such of the following resolutions to be put from the Chair as may be applicable to the circumstances of the case:-

(1) In the case of the practitioner who has been convicted of a cognizable offence:

That _____ has been proved to have been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1989 alleged against him in the notice of inquiry.

(2) In the case of a practitioner charged with infamous conduct in a professional capacity:-

(a) That the Board do not proceed to decide whether the facts alleged against him in the notice of inquiry have been proved or have not been proved.

If this resolution is carried the Board shall be called upon by the President to vote on the following resolution to be put from the chair:-

(b) That the facts (for the following facts specifying them) alleged against him in the notice of inquiry have been proved to the satisfaction of the Board.

If this resolution is carried, the Board may either proceed to judge whether, on the facts proved, the accused practitioner has been guilty of infamous conduct in his professional capacity and, if so, to direct the Registrar to remove his name from the Register or may postpone its judgement and adjourn the case until the next or some other session.

(3) In the case of a practitioner convicted of a cognizable offence or charged with infamous conduct in his professional capacity, for the purpose of deciding whether or not the judgement of the Board at the conviction (or facts) proved shall be postponed, the Board shall be called upon by the President to vote on the following resolution to be put from the Chair:-

(c) That the Board do now proceed to pronounce its judgement on the conviction (or facts proved against _____). If this resolution is not carried, the judgement of the Board will stand postponed till the next or some other future session of the Board as the Board shall direct and the case will be taken at such next or other session as a case in which judgement has been postponed.

If this resolution is carried, the Board shall proceed at once to pronounce its judgement on the case and shall be called upon by the President to vote upon the following resolution to be put from the Chair:-

In the case of conviction:-

(d) That _____ having been proved to have been convicted of a cognizable offence alleged against him in the notice of inquiry, the Registrar be directed to remove his name from the Register.

In the case of a practitioner charged with infamous conduct in his professional capacity:-

(e) That the Board do now judge _____ to have been guilty of infamous conduct in a professional capacity and do direct the Registrar to remove from Register the name of _____.

If resolution (d) or (e), as the case may be, is not carried, the President may announce the judgement of Board in the form:

That the Board does not see fit to direct the Registrar to remove from the Register the name of _____.

98. In the event of an adjournment of the hearing, or a postponement of the judgement, to another session, the Board on the case coming on again for consideration, may hear the practitioner, and the complainant (if any) and receive such further evidence in relation to the charge and in relation to the conduct of the accused practitioner subsequent to the last hearing of the charge by the Board, as it may think fit.

Notice, in writing shall be given by the Registrar to the practitioner and to the complainant (if any) of the day fixed for the further consideration. The notice shall request the attendance of the practitioner on that day before the Board and the complainant and the practitioner shall each be requested to furnish to the Registrar in

writing not less than fifteen days before the day so fixed, a statement in writing of any further facts or evidence which he may desire to be laid before the Board. The notice shall be given so as to allow at least twenty eight days between the day on which the notice is given and the day appointed for the further consideration. No further facts or evidence presented by a party to the inquiry shall be received or considered by the Board unless a statement thereof has been previously furnished to the Registrar in compliance with this rule.

99. (1) On the case coming up before the Board for further consideration the legal adviser to the Board, if present, or the Registrar, when the legal adviser is not present, shall, if necessary, state the facts and explain the position of the case to the Board. The practitioner shall then be invited to address the Board, either personally or by his legal adviser and lay before the Board any further facts or evidence of which he may have duly given notice to the Registrar and the complainant (if any) shall then be invited to address the Board either personally or by his legal adviser and lay before the Board any further evidence of which he shall have duly given such notice.

(2) At the conclusion of the further hearing the Board shall deliberate on the case in camera, and at the conclusion of the deliberations the President shall call upon the Board to vote in an adjourned case on the same resolutions as the original hearing in a case in which judgement was postponed on resolutions (c) and (d) or (c) and (e) in rule 97, as the case may be.

100. When the Board has received notice from a licensing body that any qualification has been duly and legally withdrawn from a registered practitioner by such body, the Board shall, if it thinks fit, by formal resolution put by the President from the Chair, direct the Registrar to remove such qualification or qualifications from the Register as appertain to such medical practitioner.

101. If under the direction of the Board, all the qualifications of any registered practitioner have been removed from the Register, the Board shall if it thinks fit, by formal resolution put by the President from the Chair, direct the Registrar to remove the name of such practitioner from the Register.

102. The Registrar shall, upon the removal of any name from the Register pursuant to the provisions of the preceding rules or of direction made under sub-section (3) of section 16, forthwith send notice of such removal to the practitioner, and such notice shall be sent by registered letter addressed to the last known address or to the registered address of the practitioner. The Registrar shall also send forthwith intimation of any such removal to the Dean or Secretary or other proper officer of any body or bodies from which the practitioner had received his qualification or qualifications.

103. The Registrar shall, within one month after any names have been removed from the Register by order of the Board under a direction made under sub-section (3) of section 16, send to the bodies concerned a list of such names and shall call the attention of each licensing body to the following rule of the Board:—

The Board recommends that no person whose name has been once removed from and has not been restored to the Register shall without previous reference to it be admitted to an examination for any new qualification which is registerable in the Register.

RESTORATION OF NAMES TO THE REGISTER

104. Application for re-entering in the Register a name removed under sub-section (3) of section 16, shall be entertained at the next session of the Board.

105. If any person whose name has been removed from the Register by direction of the Board and who (in the case of practitioner still possessing qualification entitling him to be registered) makes application to the Board for re-entering his name in Register, the following shall be the procedure:

- (i) The application shall be in writing addressed to the Board, and signed by the applicant, and must state the grounds on which the application is made.
- (ii) No application for re-entering in the Register the name of a person which has been removed under a direction made under sub-section (3) of section 16, shall be entertained unless it is accompanied by a declaration made by the applicant setting forth the facts of the case, and stating that

he is the person originally registered and by a certificate from two practitioners registered under the Act as to his identity or in the case of an applicant residing outside State by an identity certificate signed by two persons who shall be magistrates or officers holding a gazetted rank.

- (iii) The statement in the application must also be verified by certificate in writing to be given by a Gazetted Officer and by a registered practitioner resident in the neighbourhood where the applicant had been residing since his removal who were and are well acquainted with him before and since the removal of his name and they must testify to his present good character.
- (iv) On receipt of the application, it shall be referred by the Registrar to the Executive Committee for consideration and report. Before an application is considered by the Committee, the Registrar shall notify the same to the licensing bodies whose qualifications were held by the applicant at the time his name was removed and shall further, by letter addressed to the person or body (if any) on whose complaint the applicant's name has been erased, give notice of the application and of the time when the Committee intends to consider the same.
- (v) The Executive Committee shall consider the application and may, if it thinks fit, adjourn the consideration to a future date or require further evidence or explanations from the applicant.
- (vi) The Executive Committee shall in camera consider the application and submit a report upon it to the Board embodying in such report such recommendations as the Committee may think fit together with the reasons for the recommendations.
- (vii) The declaration and the certificate under sub-rule (ii) shall be in Form Nos. VII (A), VII (B) and VII (C) with such variations as the circumstances may require. The certificate of identity shall be in Form No. VIII (C). Printed

forms shall be kept by the Registrar who shall supply them to the intending applicants.

106. Corporate Seal

The Board shall have a corporate seal and the seal shall be kept in a box having two different locks. The key of one of those locks shall be in the custody of the President and that of the other in the custody of the Registrar.

107. The seal shall be affixed only by order of the Board or when the Board is not sitting, by order of the Executive Committee but its use by such Committee shall be limited to such acts as may be necessary to carry into effect the powers delegated and duties entrusted to it by the Board.

108. Application of fees

An account shall be opened in the Jammu and Kashmir Bank Ltd., in the name of the Board and all moneys of the Board shall be deposited in the Bank subject to the reservation mentioned in rule 109.

109. The Registrar shall receive all money payable to the Board. He shall not retain in his hand a sum exceeding Rs. 200/- the balance being lodged in the Bank to the credit of the Board.

110. The Registrar shall in the month of July in each year prepare a statement of the income and the expenditure of the preceding financial year ending 31st March and draw the attention of the Board to such matters as seen deserving notice.

111. The annual accounts shall be made up by the Registrar under the direction of the Executive Committee. They shall be audited by the Accountant General Jammu and Kashmir State, as soon as possible after the close of each financial year.

112. In the month of September in each year or on such a date as the President may fix an estimate of the revenue and of the expenditure of the Board and for the year commencing on 1st April next ensuing, shall be laid before the Board.

113. Such estimate shall make provision for the fulfilment of the liabilities of the Board for effectually carrying out its objects. It shall

include on its revenue side besides all revenue ordinarily anticipated such grant as Government may allot and all fees received from registration and other sources.

114. The Board shall consider the estimate so submitted to it and submit same to Government for its approval. The Government may approve the budget with or without modification.

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

116. A bill or other voucher 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 in order, he shall pay it. If the claim be for a sum exceeding Rs. 20 payment shall not be made until it has been examined and passed by the President or Executive Committee, as the Board may decide by general order.

117. The Registrar shall immediately bring into account in the general cash book all moneys received or spent by the Board.

118. Any money received by the Board in advance towards payment of fees, shall, if not claimed by the person entitled thereto within a period of three years, be credited at the end of the month of March next following to the account of the Board.

119. All cheques on the Bank shall be signed by any one member of the Executive Committee and by the Registrar.

FORM I

[See Rule 7 (i) (a)]

ELECTORAL ROLL

List of persons, qualified to vote under section 5 of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959.

Sl. No./Regn. No. in case of persons qualified to vote	Name	Father's name	Address
1	2	3	4

I certify that all the persons whose names are entered in the above roll are qualified to vote under section 5 of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959.

Registrar

Board of Indian Medicine,
Jammu and Kashmir Government

FORM II

[See rule 7 (iii)]

NOMINATION PAPER

Election under section 5 of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959.

Name of candidate (Block Letters)	Father's Name	Registration No. and name of constituency and serial No. on the electoral roll in case of others.	Address	Name and signature of proposer with full address and reference to Reg. No. or S. No. in Electoral Roll.	Name and signature of Secunder with full address and reference to Reg. No. or serial No. on Electoral Roll.

I hereby declare that I am the person about whom the above particulars are given and that I agree to this nomination and I am willing to serve the Board if elected.

Signature candidate _____

Returning Officer.

INSTRUCTIONS

Nomination papers which are not received by the Returning Officer before 12 noon on the _____ will be invalid.

FORM III

[See rule 7 (XV)]

FORM OF FRONT OF BALLOT PAPER

Counterfoil

Outerfoil

Front

No. _____

Name of Constituency _____

No. on 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 number on the roll of the elector to whom it is sent should be noted.

Sl. No.:

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

1. Your electoral number is _____
2. The date of counting of votes is _____
3. You have as many votes as there are members to be elected.
4. You shall vote by placing the mark X opposite the name or names of candidates whom you prefer. If you do not wish to use all your votes (in cases where more than one vote is allowed) you need not 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 X is placed opposite the names 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 Returning Officer shall, if otherwise in order, be valid and if the Returning Officer is unable to determine which of such ballot paper was first received by him both or all such papers shall be invalid.

8. Ballot papers shall be sent to the Returning Officer, by post or otherwise. Ballot papers which are not received by the Returning Officer before the _____ day _____ 19 ____ will be rejected.

" I hereby declare that my name appears on the electoral roll _____ vide No. _____

Signature of the elector,
Residence _____

FORM NO IV

(Rule No. 74)

APPLICATION FOR REGISTRATION OF AYURVEDIC AND UNANI PRACTITIONERS

To

The Registrar,
The Board of Ayurvedic and Unani Systems of Medicine,
Jammu and Kashmir State, Jammu/Srinagar.

Sir,

I request that my name may be entered in the Register of Registered Ayurvedic and Unani Practitioners maintained by the Board of Ayurvedic and Unani Systems of Medicine, Jammu and Kashmir State.

I am sending herewith necessary certificates, in original in proof of my qualification and registration.

The fee of Rs. 20/- is forwarded herewith/has been remitted by Postal Order.

Your's faithfully,
Signature of the applicant.

Dated _____ 19 ____

Address _____

Particulars to be filled in by the candidate

1. Name in Full in the case of a married woman her maiden name and full married name.

2. Date of Birth.

3. Age on the date of application.

4. Father's name.

5. Permanent address.

6. Present address.

7. Place or places and period or periods of training.

8. Approved qualifications (under this heading the nature of the qualifications and the dates of certificates should be entered.)

Signature of the applicant

Note:— Proof of the date of birth to be enclosed in original.

FORM NO. V

(Rule No. 79)

REGISTRATION CERTIFICATE

Office of the Board of Ayurvedic
and Unani Systems of Medicine,
Jammu and Kashmir State.

Certificate No. _____

I hereby certify that Shri/Smt. _____ has been registered under the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959.

_____ at _____

Qualification _____

Address _____

Note:— This certificate remains evidence of registration only until the publication of the printed Register for 19 _____

Registrar.

IMPORTANT NOTICE

Every registered practitioner should be careful to send to Registrar immediate notice of any change in his address, and also to answer all inquiries that may be sent by the Registrar in regard thereto, in order that his correct address may be duly inserted in the Register, otherwise under section 15 (5) of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959 such Practitioner is liable to have his name removed from the Register.

FORM NO. VI

(Appendix "C")

(Rule No. 80)

Office of the Board of Ayurvedic
and Unani Systems of Medicine
Jammu and Kashmir State.

Certificate No. _____

Shri/Smt. _____ has been registered as
_____ under the Jammu and Kashmir
Ayurvedic and Unani Practitioners Act, 1959

on _____ at _____

Qualification _____

Address _____

Note:— This certificate remains evidence of Registration only until the publication of the printed Register for 19 _____
It is not, nor must it be, used as evidence of the identity of the holder with the person named herein.

REGISTRAR

FORM VII

(Rule No. 90)

**NOTICE TO A REGISTERED PRACTITIONER TO
ATTEND PROCEEDINGS FOR REMOVAL OF HIS NAME
FROM THE REGISTER UNDER SECTION 16 (3) OF THE
JAMMU AND KASHMIR AYURVEDIC AND UNANI
PRACTITIONERS ACT, 1959**

Sir,

On behalf of the Board of Ayurvedic and Unani Systems of Medicine, Jammu and Kashmir State, I give notice that information and evidence have been laid before it by which the complainant makes 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 capacity.

or

that you were on the _____ day of 19____ convicted of the following (offence) at _____ namely. (Set out particulars of the conviction). And I am directed further to give you notice that on _____ day _____ of _____ 19 _____ a

meeting of the Board will be held at _____ o'clock _____ to consider the above mentioned charges against you and decide whether or not they should direct your name to be removed from the Register pursuant to section 16 (3) of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959. You are invited and required to answer in writing the above, attend before the Board at the above named time and place to establish any denial of charges and to/or defence that you may have to make to the above mentioned charges and you are hereby informed that if you do not attend as required without proper cause, the Board shall proceed to hear and decide upon the said charges in your absence.

Any answer or other communication or application which you may desire to make respecting the said charges or your defence thereto must be addressed to me and transmitted so as to reach me not less

than _____ days before the day appointed for the hearing of the case.

A copy of section (16) (3) of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959 and of certain rules of the Board to which your particular attention is invited is enclosed herewith for your information to be filled in:

Signature _____

Registrar.

FORM VII (A)

(Rule No. 105 VII)

**STATUTORY DECLARATION BY APPLICANT FOR
RE-ENTERING HIS NAME IN THE REGISTER**

To

The Board of Ayurvedic and Unani Systems of Medicines
Jammu and Kashmir State

(i) I, the undersigned (1) _____ now holding the qualifications (2) _____ do solemnly and sincerely declare that the following are the facts of my case, by reasons of which I seek re-entry of my name in the Register	(1) Insert full name (2) Insert qualifications, if any.
(ii) In the year (3) _____ my name was duly registered in the Register in respect of the qualifications, namely (4) _____ above mentioned. I was registered in respect of the same qualifications (5) _____ and also in respect of the following additional qualifications, namely-	(3) Insert date (4) Insert original qualifications (5) To be added if necessary
(iii) At an inquiry held on the (6) _____ date of _____ the Board of Ayurvedic and Unani Systems of Medicines directed my name to be removed from the Register on a complaint to it by (7) _____ of _____ and the offence for which the Board directed the removal of my name (8) _____	(6) Insert date of inquiry (7) Insert name and address of complainant. (8) Insert charge on which name was removed
(iv) Since the removal of my name from the Register I have been residing at (9) _____ and my occupation has been _____	(9) The blanks in this paragraph must be filled in according to circumstances.

(v) It is my intention that my name be restored to the Register	(10) Insert particulars (as to be proposed future profession).
(vi) The grounds of application are (11) _____	(11) All facts and grounds on which the before application made should be clearly and concisely stated.
(Signed) _____ Declared at _____ me _____	

FORM VII (B)

[Rule No. 105 (VII)]

CERTIFICATE IN SUPPORT OF APPLICATION

I _____ certify as follows:

(i) I am (1) _____ (1) State whether a J. P. or a registered practitioner.

(ii) I have read paragraphs (iv) and (v) of of the application of _____ and say that I have been and am well acquainted with the said _____ both before and since his name was removed from the Register, that I believe him to be now a person of good character and that the statements in the said paragraph are to the best of my knowledge, information belief, true.

Signed _____

Name _____

(Address and qualification)

FORM NO. VII (C)

[(Rule No. 105 (VII)]

CERTIFICATE OF IDENTITY

I hereby certify that the aforesaid applicant as the above specified whose name formerly stood in the Register with the following address and the qualification*

_____ Here insert applicant's former address and qualifications.

Name _____

Address** _____

*Here insert name and address of person certifying.

Registered qualification _____

Date _____

**JAMMU & KASHMIR
BABA GHULAM SHAH
BADSHAH UNIVERSITY
ACT, 2002**