

Rep. by Act...⁵⁶...of 1974, S. 2 & Sch. I.

THE EAST PUNJAB AYURVEDIC AND UNANI
PRACTITIONERS (DELHI AMENDMENT)
ACT, 1964

No. 15 OF 1964

[12th May, 1964]

An Act further to amend the East Punjab Ayurvedic and Unani Practitioners Act, 1949 as in force in the Union territory of Delhi.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the East Punjab Ayurvedic and Unani Practitioners (Delhi Amendment) Act, 1964. Short title and commencement.

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

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949. 2. Throughout the East Punjab Ayurvedic and Unani Practitioners Act, 1949, as in force in the Union territory of Delhi (hereinafter referred to as the principal Act), for the word "State", the words "Union territory" shall be substituted. Amendment of references to State.

3. In section 2 of the principal Act, after clause (3), the following clauses shall be inserted, namely:— Amendment of section 2.

(3a) "Chairman" means the Chairman of the Examining Body;

(3b) "Chief Commissioner" means the administrator of the Union territory of Delhi, appointed by the President under article 239 of the Constitution;

(3c) "Examining Body" means the Examining Body constituted under section 31A;

4. In sub-section (1) of section 3 of the principal Act, for the words "carrying out the provisions of this Act", the words "carrying out the functions conferred on the Board by or under the provisions of this Act" shall be substituted. Amendment of section 3.

Amend-
ment of
section 21.

5. In section 21 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Board shall, by regulations, recognise institutions as required under item (3) of the Schedule.”;

(b) in sub-section (2), for the words “by any of the institutions”, the words “by the Examining Body or by any of the institutions” shall be substituted.

Amend-
ment of
section 29.

6. In sub-section (2) of section 29 of the principal Act, after clause (k), the following clauses shall be inserted, namely:—

(l) the term of office of the members of the Examining Body under sub-section (5) of section 31A;

(m) the fees and other allowances payable to members of the Examining Body for attending meetings under sub-section (8) of section 31A.”.

Amend-
ment of
section 30.

7. In section 30 of the principal Act,—

(i) in sub-section (1), clauses (c), (d), (e), (f) and (g) shall be omitted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) The Examining Body may, with the previous sanction of the Chief Commissioner, make regulations for—

(a) the time and place at which the Examining Body shall hold its meetings;

(b) the courses of study for training and qualifying examinations including the course of training and examinations prior to qualifying examinations;

(c) the language in which the examinations shall be conducted and instruction shall be imparted;

(d) the admission of students to the bodies or institutions authorised under section 21;

(e) the conditions under which students shall be admitted to the diploma, licence or certificate course and to the qualifying and prior examinations;

(f) the conditions of appointment of examiners and the conduct of examinations;

(g) any other matter which is required to be, or may be, prescribed by regulations.”;

(iii) in the first proviso to sub-section (3), for the words, brackets and letters “clauses (c) to (g)”, the word, brackets, figure and letter “sub-section (1A)” shall be substituted and for the word “Board”, the words “Examining Body” shall be substituted.

8. After section 31 of the principal Act, the following section shall be inserted, namely:—

“31A. (1) The Chief Commissioner may, by notification in the Official Gazette, constitute an Examining Body to be known as ‘The Examining Body for Ayurvedic and Unani Systems of Medicine, Delhi’, for the purpose of holding qualifying examinations and examinations prior to qualifying examinations and prescribing the courses of study and training for such examinations and other related matters.

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

(3) The Examining Body shall consist of the following seven members, to be nominated by the Chief Commissioner, namely:—

(a) one member to represent the Ministry of the Central Government dealing with Health;

(b) one member to represent the Medical and Health Department of the Administration of Delhi;

(c) one member who shall be a Professor of Modern Medicine or of Ayurvedic or Unani System of Medicine as the Chief Commissioner may determine;

(d) one member who shall be a Professor of Ayurvedic System of Medicine;

(e) one member who shall be a Professor of Unani System of Medicine;

(f) a practitioner of repute of the Ayurvedic System of Medicine;

(g) a practitioner of repute of the Unani System of Medicine;

and the Chief Commissioner shall nominate one of the members to be the Chairman of the Examining Body.

Insertion
of new
section
31A.

Constitu-
tion and
functions
of the
Examining
Body.

(4) The provisions of sections 11, 12 and 13 shall apply to the Examining Body as they apply in relation to the Board, subject to the modifications that references to the President therein shall be construed as references to the Chairman and the reference to five members in sub-section (3) of section 13 shall be construed as a reference to three members.

(5) A member of the Examining Body shall hold office for such period as may be prescribed by rules by the Chief Commissioner:

Provided that the Chief Commissioner may, for reasons to be recorded in writing, remove any member before the expiry of such term:

Provided further that no order for such removal shall be made unless the member concerned has been given a reasonable opportunity to show cause against such removal.

(6) A casual vacancy in the office of a member of the Examining Body shall be filled by fresh nomination and the member nominated to fill a casual vacancy shall hold office only so long as the member in whose place he is nominated would have held office if the vacancy had not occurred.

(7) Any member of the Examining Body may, at any time, resign his office by letter addressed to the Chief Commissioner and the resignation shall take effect from the date on which it is accepted by the Chief Commissioner.

(8) There shall be paid to the members of the Examining Body such fees and allowances for attending meetings as may be prescribed by rules by the Chief Commissioner.

(9) The Examining Body shall, with the previous approval of the Chief Commissioner, appoint a secretary and such number of other employees as it may deem necessary and they shall receive such salary and allowances and be subject to such conditions of service as the Examining Body may, with the previous approval of the Chief Commissioner, prescribe by regulations.

(10) The secretary and other employees of the Examining Body shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

(11) In the performance of its functions under this Act, the Examining Body shall be bound by such directions as the Chief Commissioner may give to it in writing from time to time."

id- 9. In the Schedule to the principal Act, in item (2), for the word
tule. "Board", in the first place where it occurs, the words "Examining
Body" shall be substituted.