

**THE BANGLADESH HOMOEOPATHIC
PRACTITIONERS ORDINANCE, 1983**

CONTENTS

CHAPTER I

PRELIMINARY

SECTIONS

1. Short title
2. Definitions
3. Establishment and incorporation of Board

CHAPTER II

CONSTITUTION AND FUNCTIONS OF THE BOARD

4. Composition of the Board
5. Terms of office of Chairman and members
6. Publication of names, etc.
7. Vacancies not to invalidate proceedings of the Board
8. Resignation from membership
9. Power of Government to nominate members in certain circumstances
10. Declaration of vacancies
11. Disqualification of members
12. Control over the Board
13. Functions of the Board
14. Meetings of the Board
15. Officers of the Board and their terms and conditions of service

CHAPTER III

TEACHING INSTITUTIONS

16. Recognition of institutions
17. Recognised Homoeopathic Institutions
18. Maintenance of standard of efficiency
19. Withdrawal of recognition
20. Duration of courses
21. Qualification for admission
22. Qualifying examination

SECTIONS

23. Examining body
24. Controller of Examinations

CHAPTER IV

REGISTRATION OF PRACTITIONERS

25. Procedure of registration
26. Registration of practitioners
27. Listing of certain Homoeopaths
28. Removal from register, etc.
29. Cancellation or alteration of entries in register, etc.

CHAPTER V

POWERS AND DUTIES OF REGISTRAR

30. Maintenance of register, etc.
31. Publication of list

CHAPTER VI

RIGHTS, DUTIES AND LIABILITIES OF REGISTERED PRACTITIONERS

32. Intimation of change of address
33. Privileges of registered practitioners
34. Code of Ethics

CHAPTER VII

RESTRICTIONS, OFFENCES, PENALTY AND PROCEDURE

35. Restrictions
36. Penalties
37. Persons not registered under this Ordinance not to practise, etc.
38. Colourable imitation of degree
39. Prohibition against use of title, description, etc.
40. Savings
41. Cognizance of offence, etc.

CHAPTER VIII**SUPERSESSION OF THE BOARD****SECTIONS**

42. Supersession of the Board

CHAPTER IX**MISCELLANEOUS**

43. Grants, aids, fees, etc., received by the Board
44. Death of a registered or listed practitioner
45. Indemnity

CHAPTER X**RULES AND REGULATIONS**

46. Power to make rules
47. Power to make regulations
48. Repeal and savings

THE SCHEDULE

**¹THE BANGLADESH HOMOEOPATHIC
PRACTITIONERS ORDINANCE, 1983**

ORDINANCE NO. XLI OF 1983

[25th August, 1983]

An Ordinance to provide for the regulation of the qualifications and registration of practitioners of Homoeopathic system of medicine.

WHEREAS it is expedient to provide for the regulation of the qualifications and registration of practitioners of Homoeopathic system of medicine and for matters connected therewith;

NOW, THEREFORE, in pursuance of the proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance:-

CHAPTER I

PRELIMINARY

1. This Ordinance may be called the Bangladesh Short title
Homoeopathic Practitioners Ordinance, 1983.

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

- (a) "Board" means the Bangladesh Homoeopathic Board established under section 3;
- (b) "Chairman" means the Chairman of the Board;
- (c) "Homoeopath" means a practitioner of Homoeopathic system of medicine and includes a practitioner of Biochemic system of medicine founded by Dr. Schuessler;
- (d) "Homoeopathy" means the system of medicine founded by Dr. Samuel Hahnemann;
- (e) "List" means the list of Homoeopaths maintained under section 27;

¹ The Ordinance was declared void by the Appellate Division of the Supreme Court of Bangladesh in Civil Appeal No. 48 of 2011 and subsequently the Ordinance has been made effective as an Act of Parliament by section 4 and Schedule of ১৯৮২ সনের ২৪ মার্চ হইতে ১৯৮৬ সালের ১১ নভেম্বর তারিখ পর্যন্ত সময়ের মধ্যে জারীকৃত কতিপয় অধ্যাদেশ কার্যকরকরণ (বিশেষ বিধান) আইন, ২০১৩ (২০১৩ সনের ০৭ নং আইন)।

- (f) “member” means a member of the Board;
- (g) “prescribed” means prescribed by rules or regulations made under this Ordinance;
- (h) “recognised” means recognised by the Government for the purpose of this Ordinance;
- (i) “register” means a register of practitioners of Homoeopathic or Bio-chemic system of medicine maintained under this Ordinance;
- (j) “registered practitioner” means a practitioner of Homoeopathic or Biochemic system of medicine whose name is for the time being entered in a register;
- (k) “Registrar” means the Registrar of the Board;
- (l) “regulations” means regulations made under this Ordinance;
- (m) “rules” means rules made under this Ordinance;
- (n) “teacher” means a person appointed, with the approval of the Board, to teach in a recognised Homoeopathic institution.

Establishment
and
incorporation of
Board

3. (1) As soon as may be after the commencement of this Ordinance, the Government shall, by notification in the *official Gazette*, establish a Board to be called the Bangladesh Board of Homoeopathic system of Medicine for carrying out the purposes of this Ordinance.

(2) The Board shall be a body corporate, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

CHAPTER II

CONSTITUTION AND FUNCTIONS OF THE BOARD

Composition of
the Board

4. (1) The Board shall consist of-

- (a) a Chairman to be nominated by the Government;

- (b) one member from each administrative division to be elected by the teachers of recognised teaching institutions of Homoeopathy of the division concerned from amongst themselves;
- (c) one member from each administrative division to be nominated by the Government from amongst the registered practitioners of Homoeopathy and listed Homoeopaths;
- (d) two women members to be nominated by the Government.

(2) The members under sub-section (1)(b) shall be elected in such manner as may be prescribed by rules.

(3) Notwithstanding anything contained in sub-section (1), for the purpose of constituting the Board for the first time, the members required to be elected under sub-section (1)(b) shall be nominated by the Government.

5. (1) The Chairman and a member of the Board shall, subject to other provisions of this Ordinance and the rules made thereunder, hold office for a term of three years from the date of his election or nomination as Chairman or member, as the case may be, or until his successor shall have been duly elected or nominated, whichever period is longer.

Terms of office
of Chairman
and members

(2) A member elected under section 4(1)(b) shall be deemed to have vacated his seat if he ceases to be teacher of any teaching institution of Homoeopathy.

(3) A casual vacancy in the Board shall be filled by election or nomination, as the case may be, and the person elected or nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was elected or nominated.

(4) Where the said term of three years is about to expire in respect of any member or members, a successor or successors may be elected or nominated, as the case may be, at any time within three months before the said term expires but the member or members so elected or nominated shall not assume office until the said term has expired.

Publication of names, etc.

6. The Government shall publish in the *official Gazette* the names of the Chairman and the members of the Board together with the dates on which such members are elected or nominated.

Vacancies not to invalidate proceedings of the Board

7. No act or proceedings of the Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the composition of the Board.

Resignation from membership

8. The Chairman may resign his office by letter addressed to the Government and a member may resign his office by letter addressed to the Chairman and such resignation shall take effect from the date it is accepted by the Government or the Chairman, as the case may be.

Power of Government to nominate members in certain circumstances

9. If the electors referred to in section 4(1)(b) fail to elect a member within the prescribed period, the Government shall fill up the office of such member by nomination of a person qualified to be elected by such electors; and any person so nominated by the Government shall be deemed to have been duly elected by such electors.

Declaration of vacancies

10. If any member-

- (a) dies; or
- (b) absents himself, without such reasons as may in the opinion of the Board be sufficient, from three consecutive ordinary meetings of the Board; or
- (c) becomes subject to any of the disqualifications mentioned in section 11;

the Board shall declare his office vacant.

Disqualification of members

11. No person shall be a member of the Board, if-

- (a) he is not a citizen of Bangladesh;
- (b) he is an undischarged insolvent;
- (c) he has been adjudicated by a competent Court to be of unsound mind;

- (d) he has at any time been convicted of an offence which in the opinion of the Government involves moral turpitude;
- (e) he has been dismissed from the service of the Government or a local authority on a charge of gross misconduct or an offence involving moral turpitude; or
- (f) he is less than 25 years of age.

12. If, in the opinion of the Government, anything done or intended to be done by or on behalf of the Board is not in conformity with the provisions of this Ordinance or is in any way against public interest, the Government may, by order,-

Control over the Board

- (a) quash the proceedings;
- (b) suspend the execution of any resolution passed or order made by the Board;
- (c) prohibit the doing of anything proposed to be done; or
- (d) require the Board to take such action as may be specified.

13. The following shall be the functions of the Board, namely:-

Functions of the Board

- (a) to consider applications for recognition under this Ordinance made by institutions imparting or desiring to impart instruction in Homoeopathy;
- (b) to ensure the maintenance of an adequate standard of efficiency in recognised institutions;
- (c) to appoint committees and sub-committees for carrying out the purposes of this Ordinance;
- (d) to regulate academic and teaching standard of Homoeopathy and to upgrade the professional practice thereof;
- (e) to hold seminars and arrange for refresher courses on Homoeopathy;
- (f) to arrange, from time to time, for short courses of study for upgrading the standard of the registered Homoeopaths and to grant certificates to those attending the courses on passing the examinations;

- (g) to hold examinations and confer certificates, diplomas and degrees in Homoeopathic medicine and surgery;
- (h) to make arrangement for the registration of duly qualified persons in accordance with the provisions of this Ordinance;
- (i) to provide for research in Homoeopathy;
- (j) to arrange for the writing of text-books on Homoeopathy;
- (k) to publish journals, bulletins and other literatures on Homoeopathy;
- (l) to grant scholarships, stipends, prizes and medals to meritorious and deserving students of recognised institutions and to arrange research or special study on Homoeopathy by students of recognised institutions in Bangladesh or abroad;
- (m) to supervise the arrangements made by the recognised institutions in respect of residence, health and general welfare of their students;
- (n) to establish, manage and control Homoeopathic colleges, hospitals and charitable dispensaries and sanction grants to charitable Homoeopathic dispensaries;
- (o) to establish and manage a Homoeopathic medical store for supplying medicines and other accessories to the Homoeopathic hospitals and dispensaries attached to the recognised Homoeopathic medical colleges and to Homoeopathic hospital and dispensaries established and managed by it or on private initiative;
- (p) to prepare Bangladesh Homoeopathic Pharmacopoeia on the basis of principles of Homoeopathy;
- (q) to do such other acts and things as it may be empowered or required to do by this Ordinance or the rules made thereunder.

Meetings of the Board

14. (1) The Board shall meet at such time and place, and every meeting of the Board shall be summoned in such manner, as may be prescribed by regulations:

Provided that, until such regulations are made, the Chairman may, by notice addressed to each member, summon a meeting of the Board at such time and place as he may deem expedient.

(2) The Chairman shall preside at every meeting of the Board, and in his absence, the members present shall elect a member from amongst themselves to preside.

(3) Except as hereinafter provided, all questions at a meeting of the Board shall be decided by majority of the votes of the members present.

(4) At a meeting of the Board four members shall form a quorum.

(5) At every meeting of the Board, the Chairman 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 an equality of votes.

15. (1) The Board shall, with the previous approval in writing of the Government, appoint a Registrar on such terms and conditions as may be prescribed by rules.

Officers of the Board and their terms and conditions of service

(2) If the office of the Registrar is vacant or if the Registrar is unable to perform functions of his office on account of absence, illness or any other cause, the Board may, with the previous approval of the Government, appoint any officer of the Board to act as Registrar until a new Registrar is appointed or until the Registrar resumes the functions of his office, as the case may be.

(3) The Board may appoint such other employees as it considers necessary for the efficient performance of its functions on such terms and conditions as may be prescribed by regulations.

(4) The Registrar shall be the Secretary to the Board and shall exercise such powers and perform such duties as may be prescribed by regulations.

(5) The Registrar may, in the event of an urgency, appoint for the efficient performance of the functions of the Board, such employees as he considers necessary on the terms and conditions prescribed by regulations:

Provided that every appointment under this sub-section shall be reported to the Board forthwith and no such appointment shall continue beyond six months unless approved by the Board.

CHAPTER III

TEACHING INSTITUTIONS

Recognition of institutions

16. (1) Any institution imparting or desiring to impart instruction in the Homoeopathic system of medicine may apply for recognition under this Ordinance.

(2) An application for recognition shall be addressed to the Registrar and shall contain full information in respect of the following matters, namely:-

- (a) the constitution and personnel of the managing body of the institution;
- (b) the subjects and courses in which it imparts or proposes to impart instruction as per syllabi and curriculum of the Board;
- (c) the number of beds in the attached hospital;
- (d) the equipment possessed by the institution and the number of students for whom accommodation and other provision have been made or are proposed to be made;
- (e) the facilities provided or proposed to be provided for dissection and study of subjects, such as, Biology, Anatomy, Physiology and Pathology;
- (f) the strength and particulars of the staff, their salaries, qualifications and the research work to their credit;
- (g) the fees levied or proposed to be levied and the provisions made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution;
- (h) the permanent assets and the reserve fund in the name of the institution in bank.

(3) The Registrar shall place the application before the Board, and the Board may direct the Registrar to call for any further information which it may consider necessary, and may also direct a local inquiry to be made by competent person or persons authorised by it in this behalf.

(4) After considering the report of such local inquiry, if any, and making such further inquiry as may appear to it to be necessary, the Board shall, subject to the approval of the Government, grant or refuse to grant recognition.

(5) When recognition is granted to an institution under this section, the name of the institution shall be published by the Board in the *official Gazette*.

17. (1) The Homoeopathic institutions specified in the Schedule shall be recognised Homoeopathic institutions.

Recognised
Homoeopathic
Institutions

(2) The Board may, with the approval of the Government, by notification in the *official Gazette*, include any foreign Homoeopathic institution in Part 'B' of the Schedule.

18. (1) It shall be the duty of the Board to secure the maintenance of an adequate standard of efficiency in recognised institutions.

Maintenance of
standard of
efficiency

(2) For the purpose of securing such standard, the Board may-

- (a) from time to time call upon any recognised institution to furnish such particulars as the Board may require of any course of study provided or examination conducted by such institution; and
- (b) depute inspectors or teachers of recognised Homoeopathic institutions to attend and be present at all or any of the examinations conducted by the Board.

(3) The inspectors or teachers shall not interfere with the conduct of any examination and their duty shall be to report to the Board their opinion as to the sufficiency or otherwise of an examination which they attend, and any other matter in relation to such examination on which the Board may require them to report.

(4) The Board shall arrange periodical inspection of recognised institutions and supervision of examinations conducted by the Board through inspectors, to be appointed by the Board, and shall pay such salaries and allowances and travelling expenses to the inspectors as may be fixed by the Board.

Withdrawal of recognition

19. (1) The Board when it thinks fit may, and when required to do so by the Government shall, make an inquiry whether any recognised institution should cease to be a recognised institution.

(2) If, in making such an inquiry, and after considering all such information and reports as are referred to in the preceding section and making such further inquiry as may appear to it to be necessary, the Board is satisfied that the courses of study provided or the examinations conducted by a recognised institution are not such as to secure an adequate standard of efficiency for the practice of Homoeopathy, it shall make an order withdrawing the recognition:

Provided that no order under this sub-section shall be made unless the institution concerned has been given an opportunity to raise, within a specified time, the standard of the courses of study and examination to the satisfaction of the Board, and the institution has, in the opinion of the Board, failed to do so.

Duration of courses

20. (1) The duration of diploma course in a recognised institution of Homoeopathy shall be four years with internship for an additional period of six months.

(2) The Board may arrange for degree and other higher courses in Homoeopathy and the duration and subjects of such courses shall be as prescribed by regulations.

Qualification for admission

21. The minimum qualifications required for admission to different courses shall be as prescribed by regulations.

Qualifying examination

22. (1) A qualifying examination shall be held at least once in every year for the purpose of granting diploma or degree conferring the right of registration under this Ordinance.

(2) The examination shall be held on the subjects prescribed by regulations and the right of appearing at the examination shall be restricted to candidates who have undergone a course of study in such subjects in the prescribed manner at a recognised institution.

23. The examination shall be held under the control of an examining body to be appointed by the Board duly approved by the Government on annual basis.

Examining body

24. The Board may, with the approval of the Government, appoint a Controller of Examinations who shall act as Secretary to the examining body and so long as the Controller of Examinations is not appointed, the Registrar shall perform the functions of the Controller of Examinations.

Controller of Examinations

CHAPTER IV

REGISTRATION OF PRACTITIONERS

25. (1) Application for registration under this Ordinance shall be made in such form and on payment of such fee as may be prescribed by rules.

Procedure of registration

(2) Applications under section 26(1) shall be received annually after the results of the examinations held under section 23 are declared.

(3) The Board shall examine the applications received under this section and after making such inquiries as it thinks fit regarding the qualifications and the length and nature of practice of the applicants and their professional efficiency direct the entry of the names of eligible applicants to be made in the register in accordance with the provisions of this Ordinance.

26. (1) Every person who passes the qualifying examination in the Homoeopathic system of medicine from any of the institutions mentioned in the Schedule may apply under section 25.

Registration of practitioners

(2) Every person who is a registered medical practitioner within the meaning of the Medical and Dental Council Act, 1980 (XVI of 1980), and passed a written examination on the subjects of Homoeopathic *Materia Medica*, Principles of Homoeopathy and practice of medicine and Homoeopathic Philosophy to be conducted by the examining body appointed under section 23, may apply under section 25.

Listing of
certain
Homoeopaths

27. (1) The Registrar shall prepare and maintain a list of Homoeopaths who are entitled to have their names to be entered therein under sub-section (2).

(2) Every person who has applied to the Board before the commencement of this Ordinance and proves to the satisfaction of the Board that he has not less than five years practice to his credit and has the requisite knowledge and skill for the efficient practice of Homoeopathy, shall on payment of such fees as may be prescribed by rules be entitled to have his name entered in the list maintained under sub-section (1):

Provided that a person who has applied under this sub-section shall be entitled to practise Homoeopathy until his application is disposed of.

(3) Every person whose name has been entered in the list maintained under this section shall be entitled to the privilege specified in section 33(b).

Removal from
register, etc.

28. The Board may direct that the name of any practitioner who has been convicted of a cognizable offence or who after the enquiry has been found guilty of misconduct shall be removed from the register or the list, as the case may be, if the offence or misconduct, in the opinion of the Board, discloses moral turpitude such as to render him unfit to practise his profession:

Provided that no action shall be taken by the Board under this section unless the person convicted of the cognizable offence or found guilty of misconduct has been given a reasonable opportunity to show cause against the punishment proposed to be inflicted on him.

Cancellation or
alteration of
entries in
register, etc.

29. The Board may, on its own motion or on information received from any person and after due enquiry and giving the person concerned an opportunity of being heard, cancel or alter any entry in the register or the list, as the case may be, if in the opinion of the Board the entry was made fraudulently or improperly.

CHAPTER V

POWERS AND DUTIES OF REGISTRAR

30. (1) Subject to any general or special orders of the Board, it shall be the duty of the Registrar to keep the register and the list and to attend the meetings of the Board. Maintenance of register, etc.

(2) The register and the list shall contain the name, present and permanent addresses and qualifications of every practitioner registered or listed under this Ordinance and the date on which the qualifications were acquired.

(3) The Registrar shall keep the register and the list correct and up to date and shall, from time to time, enter therein any alteration in the present and permanent addresses and qualifications of the practitioners, and remove therefrom the names of the practitioners who die or whose names are directed to be removed in accordance with the provisions of this Ordinance.

(4) The Government may by rules prescribe any fee for any alteration in the register due to additional qualifications and for re-entry in the register under sub-section (5).

(5) If the Registrar has reason to believe that any registered or listed practitioner has ceased to practise or has changed his present or permanent address without due information to him, he may write, by registered post, to such practitioner at the address as entered in the register or the list, as the case may be, to inquire whether he has ceased to practise or has changed his present or permanent address or residence, and if within six months no reply is received, the Registrar may remove the name of such practitioner from the register or the list, as the case may be:

Provided that the Board may, at any time on the application of the practitioner whose name is removed under this sub-section, order that the name of such practitioner be re-entered in the register or the list, as the case may be.

Publication of list

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

(2) It shall be presumed that any person whose name has been entered in any such list, is a registered or a listed practitioner, as the case may be, and that any person whose name is not so entered is neither a registered nor a listed practitioner.

CHAPTER VI

RIGHTS, DUTIES AND LIABILITIES OF REGISTERED PRACTITIONERS

Intimation of change of address

32. Every registered practitioner shall inform the Registrar of any change in his permanent address.

Privileges of registered practitioners

33. Notwithstanding anything contained in any law for the time being in force, every practitioner registered under section 26(1) shall be entitled-

- (a) to hold any appointment as a teacher, physician or medical officer in any Homoeopathic medical college, dispensary, hospital, infirmary or lying in hospital if such dispensary, hospital, infirmary or lying in hospital is supported by, or receives a grant from, the Government or any local authority and treats patients according to Homoeopathic system of medicine or in any public establishment, body or institution practising such system; and
- (b) to recover fees through Courts.

Code of Ethics

34. A registered practitioner and listed Homoeopath shall abide by the Code of Ethics for Homoeopathic practitioners framed by the Board and approved by the Government.

CHAPTER VII

RESTRICTIONS, OFFENCES, PENALTY AND PROCEDURE

35. No practitioner registered under section 26 or, as the case may be, entered in the list under section 27 shall stock, prescribe or sell any drugs or medicines except such as are included in the Homoeopathic Pharmacopoeia approved by the Board.

Restrictions

36. Whoever contravenes the provisions of section 34 or 35, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to Taka one thousand, or with both.

Penalties

37. (1) No person other than a practitioner registered or listed under this Ordinance shall practise or hold himself out, whether directly or by implication, as practising the Homoeopathic system of medicine.

Persons not registered under this Ordinance not to practise, etc.

(2) Whoever contravenes the provisions of this section shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Taka one thousand, or with both.

38. (1) No person other than a body or institution authorised under this Ordinance shall confer, grant or issue a degree, diploma or certificate which purports to entitle the holder to practise Homoeopathic system of medicine, or which is identical with or is a colourable imitation of any degree, diploma or certificate granted by a body or institution so authorised.

Colourable imitation of degree

(2) Whoever contravenes the provisions of this section shall be punishable with fine which may extend to Taka one thousand, and if the person so contravening is an association, every member of such association, who knowingly or wilfully authorises or permits the contravention, shall be punishable with fine which may extend to Taka one thousand.

39. (1) No person shall add to his name, title or description any letters or abbreviation which imply or are calculated to lead to the belief that he holds a degree, diploma or certificate as his

Prohibition against use of title, description, etc.

qualification to practise the Homoeopathic system of medicine unless he holds such degree, diploma or certificate and such degree, diploma or certificate-

- (a) is recognised by any law for the time being in force in Bangladesh; or
- (b) has been conferred, granted or issued by a body or institution authorised under this Ordinance in this behalf; or
- (c) has been conferred, granted or issued by an authority recognised as competent by the Government to confer, grant or issue such degree, diploma or certificate.

(2) Whoever contravenes the provisions of this section shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Taka one thousand, or with both.

Savings

40. Nothing in this Chapter shall apply to any person who, being a technical assistant attends on a case under the direction and personal guidance of registered practitioners of Homoeopathy.

Cognizance of offence, etc.

41. (1) No Court shall take cognizance of any offence under this Ordinance except on a complaint in writing by an officer empowered in this behalf by the Government.

(2) No Court other than the Court of a Magistrate of the first class shall try an offence under this Ordinance.

CHAPTER VIII

SUPERSESSION OF THE BOARD

Supersession of the Board

42. (1) If at any time it appears 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 Ordinance, or has failed to perform a duty imposed upon it by this Ordinance, the Government may, if it considers 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 failures, excess or abuse, within such time as may be fixed in this behalf, the

Government may, by notification in the *official Gazette*, supersede the Board for such period not exceeding ninety days, as may be specified in the notification.

(2) Upon the supersession of the Board under sub-section (1),-

- (a) the persons holding office as Chairman and members of the Board shall cease to hold office; and
- (b) all powers and functions of the Board shall, during the period of supersession, be exercised and performed by such person or authority as the Government may appoint in this behalf, as if such person or authority were the Board.

(3) The Board shall be reconstituted in accordance with the provisions of this Ordinance for the exercise and performance of its powers and functions on the expiry of the period specified in the notification under sub-section (1).

CHAPTER IX

MISCELLANEOUS

43. All moneys received by the Board including grants, aids and fees shall be applied for the purposes of the Board in accordance with the rules and regulations made under this Ordinance.

Grants, aids, fees, etc., received by the Board

44. Every person in charge of registration of deaths shall, on receiving notice of the death of a registered or listed practitioner, forthwith transmit by post to the Registrar a certificate under his own hand of such death with the particulars of time and place of death and may charge from the Registrar the cost of such certificate and transmission as an expense of his office.

Death of a registered or listed practitioner

45. No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is done or intended to be done, in good faith, under this Ordinance or the rules or regulations made thereunder.

Indemnity

CHAPTER X

RULES AND REGULATIONS

Power to make
rules

46. (1) The Government may, after consulting the Board, by notification in the *official Gazette*, make rules to carry out the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the time and place at which and the manner in which elections shall be held;
- (b) the manner in which vacancies shall be filled;
- (c) the form of the list and register and the particulars to be entered therein;
- (d) fees chargeable for enrolment of students, the registration and renewal of registration, alteration in the register regarding additional qualifications, re-entry of names and alteration of other entries in the register;
- (e) the purposes of which the fees received by the Board shall be supplied;
- (f) any other matter which may be or is required to be prescribed by rules under this Ordinance.

Power to make
regulations

47. The Board may, with the previous approval in writing of the Government, make regulations not inconsistent with this Ordinance or the rules made thereunder for the following matters, namely:-

- (a) courses of study for training and qualifying examinations;
- (b) languages in which examination shall be conducted and instruction given;
- (c) admission of students to recognised institutions;
- (d) conditions under which candidates shall be admitted to different courses and to the qualifying and other examinations;
- (e) the conditions for the appointment of teachers in recognised institutions;

- (f) requirements for recognition of teaching institutions;
- (g) time and place at which the Board shall hold its meetings;
- (h) title, degree, diploma and certificate which the Board shall confer or grant;
- (i) such other matters as may be necessary for the exercise of powers and performance of functions by the Board under this Ordinance and the rules made thereunder.

48. (1) The Unani, Ayurvedic and Homoeopathic Practitioners Act, 1965 (II of 1965), hereinafter referred to as the said Act, shall in so far as it relates to the Board of Homoeopathic System of Medicine established thereunder referred to as the defunct Board, is hereby *repealed*. Repeal and savings

(2) Upon the repeal of the said Act,-

- (a) all assets, rights, powers, authorities and privileges, and all properties movable and immovable, cash and bank balances, funds of the defunct Board in Bangladesh and all other interests and rights in, or arising out of such property shall stand transferred to, and vested in the Board;
- (b) all debts, liabilities and obligations of the defunct Board in Bangladesh shall be the debts, liabilities and obligations of the Board;
- (c) all suits and other legal proceedings instituted by or against the defunct Board in Bangladesh shall be deemed to have been instituted by or against the Board;
- (d) all officers and employees of the defunct Board in Bangladesh shall, notwithstanding anything contained in any contract or agreement or in the terms and conditions of service stand transferred to the Board and shall be deemed to be officers and other employees of the Board appointed by it on the same terms and conditions of service as were applicable to them in the defunct Board unless such terms and conditions are altered, not being to their disadvantage, by the Board; and
- (e) every Homoeopathic practitioner registered or listed under the said Act, shall be deemed to be registered or listed, as the case may be, under this Ordinance.

THE SCHEDULE

(See section 17)

PART 'A'**Recognised Homoeopathic Institutions in Bangladesh**

Sl. No.	Name of the Institutions.	Location.
1.	Bangladesh Homoeopathic Medical College	.. Dhaka.
2.	Chittagong Homoeopathic Medical College	.. Chittagong.
3.	Rangpur Homoeopathic Medical College	.. Rangpur.
4.	Khulna Homoeopathic Medical College	.. Khulna.
5.	Dr. Zakir Hossain Homoeopathic College	.. Chittagong.
6.	Jessore Homoeopathic Medical College	.. Jessore.
7.	Jalalabad Homoeopathic Medical College	.. Sylhet.
8.	Tanzeem Homoeopathic Medical College	.. Narayanganj, District Dhaka.
9.	Federal Homoeopathic Medical College	.. Dhaka.
10.	Pabna Homoeopathic Medical College	.. Pabna.
11.	Mymensingh Homoeopathic Medical College	.. Mymensingh.
12.	Apex Homoeopathic Medical College	.. Barisal.
13.	Nilphamari Homoeopathic Medical College	.. Nilphamari, District Rangpur.
14.	Dinajpur Homoeopathic Medical College	.. Dinajpur.
15.	Sarishabari Homoeopathic Medical College	.. Sarishabari, District Jamalpur.
16.	Rajshahi Homoeopathic Medical College	.. Rajshahi.
17.	Hahnemann Homoeopathic Medical College	.. Comilla.
18.	Syedpur Homoeopathic Medical College	.. Syedpur, District Rangpur.

PART 'B'**Recognised Homoeopathic Institutions outside Bangladesh**

Sl No.	Name of the Institutions.	Location.
1.	Pakistan Homoeopathic Medical College	Karachi.
2.	Lahore Homoeopathic Medical College	Lahore.
3.	Punjab Homoeopathic Medical College	Lyallpur.
4.	Hyderabad Homoeopathic Medical College	..
5.	All Colleges approved by the Bengal Homoeopathic Council of State Faculty of West Bengal, India.	