

The Bangladesh Homoeopathic Practitioners Ordinance, 1983

(Ordinance NO. XLI OF 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

- Short title** 1. This Ordinance may be called the Bangladesh Homoeopathic Practitioners Ordinance, 1983.
- Definitions** 2. In this Ordinance, unless there is anything repugnant in 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;

(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.

**Terms of
office of
Chairman
and
members**

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.

(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.

**Control
over the
Board**

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,-

(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.

**Functions
of the
Board**

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

(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;