

The Orissa Dental Council Rules, 1969

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Notification No. 6333-H., dated the 13th March, 1969. - In exercise of the powers conferred by Section 55 of the Dentists Act, 1948 (Act XVI of 1948) the State Government do hereby make the following rules, namely:

Preliminary

1. (a) These rules may be called the Orissa State Dental Council Rules, 1969.
(b) They shall come into force at once.
2. In these rules, unless the context otherwise requires -
 - (a) "**Act**" means the Dentists Act, 1948 (Act XVI of 1948);
 - (b) "**Executive Committee**" means the executive committee constituted under Section 29 (1) of the Act ;
 - (c) "**Registrar**" means the Registrar appointed under Section 28 of the Act;
 - (d) "**President/Vice-President**" means the President/Vice President of the State Council ;
 - (e) "**Ministerial staff**" means the clerks and other servants appointed under Clause (b) of Section 28 (i) of the Act ;
 - (f) "**Registration Tribunal**" means the registration tribunal appointed by the State Government under Section 32 of the Act;
 - (g) "**Form**" means a form appended to these rules;
 - (h) all other words and expressions used in these rules but not defined herein shall have the same meaning as are assigned to them in the Act ;
 - (i) "**Section**" means a section of the Act;
3. The office of the State Council shall be situated at Bhubaneswar.

CHAPTER-I

Management of the Property of the State Council and the Maintenance and Audit of its Accounts

4. The Registrar shall be in charge of the management of all properties of the State Council.
5. The Council is authorized to receive for the purpose of its expenses, benefactions and contributions from the Union and the State Governments, private persons and bodies and the fees and renewal fees for registration of members and the sale-proceeds of reports and other publications.
6. An account shall be opened in the State Bank of India, Bhubaneswar in the State Council and all the moneys received for and on behalf, of the State Council shall be deposited to the credit

of this account. All cheques on the State Bank shall be signed by the Registrar, subject to the restriction that before drawal of any cheque for a sum exceeding Rs. 50 the Registrar should invariably get payment order of the bills countersigned by the President. The cheque number should be noted on the bill. If the claim is for a sum not exceeding Rs. 50 the Registrar shall pay the amount.

An account book in the form to be prescribed by the examiner of local fund accounts shall be maintained to record the transactions of the Bank accounts. Details of credit to the bank and its subsequent withdrawal should be entered therein and reconciliation of balance at the end of each month worked out. The closing balance at the end of the month should also be analysed properly.

7. (a) The Registrar shall receive all money payable to the State Council.

(b) For moneys received by the State Council, a receipt shall be given by the Registrar in such form as may be approved by the examiner of local fund accounts and the counterfoils of the receipts should be preserved carefully.

(c) The form of money receipt shall be bound in books containing 100 forms each. The books and forms shall be consequently numbered.

(d) All moneys received by or tendered to the State Council shall be paid in full into the bank as often as can be conveniently managed.

8. The Registrar shall superintend the details of income and expenditure of the State Council and shall at each ordinary meeting of the executive committee submit a financial statement showing the transactions of the State Council for the month previous to the one in which the meeting is held. This statement may, if possible, be sent along with the notice calling the meeting.

9. The Registrar shall in the month of April in each year prepare a statement of income and expenditure of the preceding financial year ending the 31st March and draw the attention of the State Council to such matters as seem deserving of notice.

10. The annual account shall be made up by the Registrar under the direction of the President of the State Council from the details of the cash book.

11. (a) The Registrar of the State Council shall each year frame budget estimates showing the probable receipts and expenditure of the following year.

(b) The basis on which the estimates in the budget have been made shall be shown in detail in the budget notes which shall form an appendix to the budget.

(c) The estimate for receipts shall be exhaustive and shall include, besides all income ordinarily anticipated and all fees received from registration and other sources, the amount expected from the Government by way of grant.

(d) Such estimate shall make provisions for all obligatory charges including fulfilment of the liabilities of the State Council and for carrying out its objects including development activities and execution of schemes for which funds are anticipated from Government and other sources.

12. (a) The budget estimate for each year shall be laid before the State Council in the month of November of the preceding year.

(b) The Council, while approving its budget shall satisfy itself that-

- (i) all anticipated receipts from all sources have been taken into account;
 - (ii) the recommendations, if any, of the Government or other sanctioning authorities have been duly considered in framing the budget;
 - (iii) provision has been made for the due discharge of all liabilities in respect of contracts made by the Council and for all other commitments;
 - (iv) variations between the figures of the budget year and those of the previous year have been adequately explained.
- (c) The State Council shall at a meeting consider the estimate so submitted and approve it after discussion with such alteration as shall be deemed fit.

13. The sanction of the budget shall not by itself be deemed to authorise the Council incur all the expenditure provided therein. The orders of the competent authority for the sanction of any item included in the budget should be obtained before expenditure is incurred on that item and expenditure shall not be incurred on schemes provided in the budget until after funds are made available by the agencies sponsoring the Schemes and are taken credit of in the State Council Funds.

14. The State Council 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 and sanctioned by the State Council, in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimate.

15. (a) The Registrar shall see that payees acknowledgement receipt in support of each payment has been obtained and preserved safely and every payment made beyond Rs. 20 either in cash or by cheque is supported with duly stamped acknowledgement receipt of the payee with ten naye paise revenue stamp and signed by the person to whom the payment is due and to whom it has actually been made.

(b) All bills and vouchers that have been paid shall be numbered consecutively for each month in order of payment and shall be stamped "Paid and Cancelled" under the dated signature of the Registrar.

16. (a) The Council may authorise retention of an advance not exceeding Rs. 50 with the Registrar as a permanent advance to meet petty items of contingent expenditure.

(b) In retaining the permanent advance and incurring expenditure out of it, the following procedure shall be followed :

(i) a permanent advance cash book in the form to be approved by the examiner of local fund accounts shall be maintained to record all transactions;

(ii) disbursements from the permanent advance shall be entered in the permanent advance cash book as soon as they are made, clearly and in full detail;

(iii) from time to time as may be considered necessary, the account shall be balanced and the Registrar shall draw a cheque for the amount of expenditure incurred up to that date and account for the amount in the cash book. The date, manner of recoupment and cheque number shall also be noted in the cash book.

17. The State Council shall have a cash book maintained in the form as may be approved by the examiner of local fund accounts in which all receipts and payment with necessary details shall be entered as soon as the transactions occur. The following procedure shall be followed in the maintenance of the cash book :

(i) the cash book shall be closed at the end of every month and thoroughly checked. The Registrar of the Council shall verify the totalling of the cash book or have this done by some other responsible subordinate other than the writer of the cash book and initial it in token of correctness;

(ii) an erasure or overwriting of an entry once made in the cash book is strictly prohibited. If a mistake is discovered, it should be scored off and the correct entry inserted. The Registrar shall initial every such correction and invariably date his initials ;

(iii) at the end of each month the cash balance shall be analysed and a statement indicating the cheque number and date, amount and purpose of drawal shall be recorded in the cash book and signed by the Registrar.

18. At the end of each month, the Registrar shall verify the cash balance and record a signed and dated certificate to that effect in the cash book. In case there is any difference between the actual cash balance and the balance shown in the cash book, the discrepancy shall be explained and necessary reconciliation made.

19. A register of contingent expenditure shall be kept in the Form No. O.T.C. 29 as prescribed for the purpose in the Orissa Treasury Code, Volume II. The headings of the form shall be according to the needs of the State Council. The Rules of the Orissa Treasury Code Volume I shall be observed in the maintenance of the contingent register.

20. A stock register of all articles and properties of the State Council shall be maintained and shall be checked by the Registrar once a year. The stock balance shall be physically verified by the Registrar at the end of each year and the result of verification shall be recorded in the stock book.

21. All claims shall be discharged either by payments from the permanent advance at the disposal of the Registrar or by cheques drawn upon the State Bank of India in favour of the actual payees.

22. In regard to audit of accounts of the State Council and other connected matters, the provisions of "The Orissa Local. Fund Audit Act, 1948 (Act V of 1948)" shall apply.

CHAPTER-II

Mode of Election

23. In the case of nominated members, the President shall inform the State Government of the vacancy requesting them to fill up the same.

24. (1) In the case of first election under Clauses (a) and (b) of Section 21, the Registrar of the registration tribunal shall act as the returning officer. In all other subsequent elections under the said clauses the president or any other person authorised by him in this behalf shall be returning officer and such returning officer shall for some time not less than by two days and not more than sixty days before the day on which the term of office of such members will expire and as soon as conveniently may be, after the occurrence of any vacancy arising from death or in any manner as set forth in Section 27 of the Act, issue his precept to the electorate concerned and shall publish in the Orissa Gazette a notice in Form 'A' inviting nominations to be filed.

(2) The State Council shall appoint and shall notify in the Orissa Gazette and in such other manner as it thinks fit a date for each of the following, namely :

- (a) last date for filing nominations;
- (b) scrutiny of nomination papers;
- (c) the sending of voting papers under Rule 25 (11);
- (d) the last day for receiving voting papers and the day for the counting of the votes.

25. The following shall be the procedure to be adopted for filling up vacancies by the electorates :

(1) the electoral rolls shall be prepared by the Registrar from the respective Registrar and shall contain the name, qualifications and address of every person qualified to vote for the election of a member to fill up the vacancy or vacancies. Any person who is qualified for election to the State Council under Clauses (a) and (b) of Section 21 of the Act may be nominated as a candidate for election under the said clause of the said section;

(2) copies of the electoral rolls shall be kept open in the office of the returning officer for inspection for a period of not less than 15 days;

(3) candidate qualified for election may be proposed and seconded by persons qualified as electors. The nomination paper shall be filed in Form 'B'. No elector shall propose or second the nomination of more persons than one required to fill up the vacancy or vacancies ; provided that if more nominations than one required to fill up the vacancy or vacancies, be subscribed by the same elector, all nominations subscribed by him shall be held to be invalid;

(4) the candidate shall sign the nomination paper declaring that he is willing to serve in the State Council, if elected, failing which the nomination paper shall be invalid ;

(5) every candidate shall, along with the proposal for nomination, deposit with the returning officer a sum of Rs. 100 in cash and he shall not be deemed to be duly nominated unless the said deposit has been made. The deposit shall be forfeited to the Council if the candidate is not elected and number of votes recorded in his favour less than one-eighth of the total number of votes recorded. The said deposit shall be returned if it is not forfeited under this sub-rule;

(6) every proposal for nomination shall be in writing, signed by the proposer and the seconder, and sent by post or otherwise but proposals received after the last date and time notified therefor under Sub-rule (2) of Rule 24 shall be invalid ;

(7) on the date fixed for scrutiny of nomination papers the returning officer shall scrutinise the nomination papers received by him at a place appointed by the returning officer on that date at 12 o'clock in the noon. Any candidate may be present either in person or by an accredited representative at the time of such scrutiny. On completion of the scrutiny of nominations and after the expiry of the period within which candidature may be withdrawn under Sub-rule (8) the returning officer shall forthwith declare the name of the candidates whose nomination papers are held valid by him ;

(8) any candidate may withdraw his candidature by notice in writing, signed by him up to 12 O' clock on the fifth day from the last date fixed for filing of nomination papers, counting that day as the first day. Such notice shall not be valid, unless it is delivered to the returning officer, or sent to him by post or otherwise and received by the returning officer, not later the time and the date appointed by the returning officer for such purpose;

(9) If in case of any election the number of candidates duly nominated does not exceed the number required to fill up the vacancies, the returning officer shall forthwith declare such candidate to be elected ;

(10) if more candidates than are necessary to fill up the vacancy or vacancies be nominated, the returning officer shall forthwith publish their names and addresses in the Orissa Gazette and in any other manner and shall further cause their names to be entered in voting papers in the form as laid down in Form 'C' ;

(11) not less than twenty-one days before the date fixed by the State Council for receiving voting papers from the voters, the returning officer shall send by post to each elector one such voting paper bearing the official mark of the returning officer and an identification envelope on which a declaration as per Form 'D' is printed and a bigger cover on which are printed on the left top corner the serial alphabetical number and the name and signature column at the lower left corner and the address of the returning officer printed as under :

To

The Returning Officer, The Orissa State Dental Council Office, Bhubaneswar;

(12) an elector who has not received his voting paper and other connected papers sent by post or whose papers, before they are despatched back to the returning officer have been inadvertently spoiled in such manner that they cannot be conveniently used or who has lost his papers, may, on his transmitting to the returning officer a declaration to that effect signed by himself require the returning officer to send him duplicate papers in place of those not received. The spoiled papers shall be returned to the returning officer who shall cancel them on receipt. In every case when duplicate papers are issued, a record thereof shall be kept by the returning officer and a mark "Duplicate" shall be placed on the bigger cover, which will bear the same serial alphabetical number as was originally given to the said elector. The voting papers issued in such cases shall also be marked "Duplicate";

(13) before the date appointed by the Council in this behalf every elector, desirous of voting, shall send his voting paper to the returning officer, and the returning officer shall keep the same collected in sealed boxes. Voting papers received by the returning officer after 12 noon on the date appointed for the counting of votes shall be rejected ;

(14) the President shall nominate as scrutinisers such number of members of State Council not exceeding four as he thinks fit ;

(15) 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. Any candidate may be present in person during the counting of votes ;

(16) when the counting of the votes has been completed the returning officer shall forthwith declare the candidate to whom the largest number of votes have been given to be elected and shall forthwith inform the successful candidate by letter, the fact of his having been duly elected to the Council. If any candidate declared to be elected has withdrawn from the election, or refuses to accept the membership, by notice in writing to the returning officer within a week from the date of declaration the returning officers shall declare the candidate who has secured the next largest number of votes to have been elected in the place of the withdrawing candidate, and so on for as many of the remaining candidates as there may be vacancies caused in this manner;

(17) when an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom

such one additional vote shall be deemed to have been given shall be made by lot to be drawn by the returning officer ;

(18) upon the completion of the counting and after the result has been declared by him the returning officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and thereafter cause them to be destroyed;

(19) the returning officer shall intimate the result of the election to the President who shall forward the report to the State Government ;

(20) if any question arises as to the intention, construction or application of this rule or the validity of any election, the President shall refer such question under Section 26 to the State Government whose decision shall be final ;

(21) if any difficulty arises in holding an election and in carrying out the provisions of this rule, it shall be lawful for the President to take such action or pass such orders as it may appear to him necessary or expedient.

26. (1) The President and the Vice-President of the State Council shall be elected at a meeting of the members of the State Council specially convened for the purpose by the Returning Officer. The members present shall elect a temporary Chairman by a ballot if necessary under the supervision of the Registrar. The meeting shall then proceed to elect the President under the supervision of the Chairman by ballot. It shall be competent for any member to nominate by ballot any other member for the office of the President and the temporary Chairman shall announce the names of the members so nominated and arrange for a ballot every vote which shall be given at such a ballot for a person who has not been nominated shall be void and ineffectual. If any two persons are nominated the voting on the first ballot shall be final except in case of equality of votes. If more than two persons are nominated the candidate obtaining the lowest number of votes at the first ballot, shall be eliminated and this process shall continue until only two candidates remain when the ballot shall be final except in the case of equality of votes. If one of the candidates secures more than 50 per cent of the votes cast, he shall be declared elected. In the case of an equality of votes a further ballot shall be taken and if that be indecisive the election shall be decided by drawing lots.

(2) The President having been elected shall take the chair and the members shall then proceed to elect a Vice-President. The procedure laid down in Sub-rule (1) shall be followed in electing the Vice-President except that in the case of equality of votes, the President shall have a casting vote.

27. Election of a member by the Medical Council of the State under Clause (d) of Section 21 shall be conducted at a meeting of the said Council in accordance with the regulations of that Council.

28. On receipt of official notice of the election of a member the President shall inform the State Government of the same for publication in the *Orissa Gazette*. The notification publishing the names of members elected or nominated, as the case may be, shall be read out by the President and the members shall thereafter introduce themselves to the President.

CHAPTER-III

Meeting of the State Council

29. (1) Unless the President in the exercise of his discretion shall deem shorter notice expedient in which case such notice shall be sent by telegram or other more expeditious means, in every case the notice for a meeting shall be sent to each member by registered post.

(2) The President, whenever it appears to him unnecessary to convene a meeting, may instead of so doing, circulate a written proposition with the reasons for such proposition for the deservations and votes of the members of the State Council.

30. The State Council shall ordinarily meet once in a calendar year preferably in April on such date and place as may be fixed by the President, which shall be the annual general meeting of the State Council for that year:

Provided that the President-

(i) may call a special meeting at any time after giving fifteen days'-notice to deal with any urgent matter requiring the attention of the Council;

(ii) shall call a special meeting after giving fifteen days' notice, if he receives a requisition in writing signed by not less than 10 members and stating the purpose of the meeting other than that mentioned in Rule 25 (1) (b) and being a purpose within the scope of the State Council's function, for which they desire the meeting to be called.

31. At the special meeting called by the President in the exercise of his discretion under proviso (1) of Rule 30 only subject or subjects for the consideration of which the meeting has been called shall be discussed, unless the Council by a resolution agree to consider any other business.

32. Notice of every meeting shall be despatched by the Registrar to each member of the Council thirty days before the date of annual general meeting and fifteen days before the date of special meeting called under the proviso to Rule 30 or under the first proviso to Clause (b) of Sub-rule (1) of Rule 34.

33. (1) The Registrar shall issue with the notice of the annual general meeting a preliminary agenda showing the business to be brought before the meeting, the terms of all motions to be moved for which notice in writing has previously reached him and the names of the movers.

(2) A member, who wishes to move any motion not included in the preliminary agenda or an amendment to any item so included, shall give notice to the Registrar not less than 25 clear days before the date fixed for the meeting.

(3) The Registrar shall in the case of a special meeting issue with the notice of the meeting a complete agenda showing the business to be brought before the meeting.

(4) A member who wishes to move an amendment to any item included in the complete agenda, but not included in the complete agenda shall give notice to the Registrar not less than 3 clear days before the date fixed for the meeting.

(5) The Registrar shall, if time permits, cause a list of all amendments of which notice has been given under Sub-rule (4) to be made available for the use of every member:

Provided that the President may, if the Council agrees, allow a motion to be discussed at a meeting notwithstanding the fact that notice was received too late to admit of compliance with this rule :

Provided further that nothing in this rule shall prevent the Council to consider any matter at its meeting held immediately or too soon after the meeting of the Executive Committee if the same be recommended by the Executive Committee without giving the required notice.

34. (1) A motion shall not be admissible -

- (a) if the matter to which it relates is not within the scope of the State Council's functions;
- (b) if it raises substantially the same question as a motion or amendment which has been moved or withdrawn with the leave of the State Council within one year of the meeting at which it is designed to be moved :

Provided that such a motion may be admitted at a special meeting, of the State Council convened for the purpose on the requisition of not less than two-thirds of the members of the, Council ;

Provided further that nothing in these rules shall operate to prohibit the further discussion of any matter referred to the State Council by the State Government in exercise of any of its functions under the Act;

- (c) unless it is clearly and previously expressed and raised substantially one definite issue;
- (d) if it contains inference, 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 amended form.

(3) When the President disallows or amends a motion, the Registrar shall inform the members 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.

35. (1) Every meeting of the State Council shall be presided over by the President or if he is absent, by the Vice-President or, if both are absent by a member elected by the members present from amongst themselves.

(2) All references in this chapter to the President shall be read as referring to the person for the time being presiding over a meeting of the State Council.

36. (1) Seven members of the State Council of when the President may be one present in person shall constitute a quorum, provided, that, in the case of a meeting adjourned for want of quorum, no quorum shall be required.

(2) A meeting shall not commence until a quorum is not present on the expiration of 20 minutes from the time appointed for the meeting or during the course of any meeting the meeting shall stand adjourned to such further time and date as the President may appoint.

37. (1) Every matter to be determined by the State Council shall be determined on a motion moved by a member and put to the Council by the President.

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

Provided that the votes shall be taken by ballot if three members so desire and ask for it :

Provided further that if voting has been by show of hands a division shall be taken if a member asks for it.

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

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

(5) In the event of an equality of votes the President shall have a second or a casting vote.

38. 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 a motion shall thereupon be deemed to be withdrawn.

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

(2) When a motion has been seconded it shall be stated from the Chair.

(3) When a motion has been thus stated, it may be discussed as a question to be resolved either in the affirmative or in the negative or any member may subject to Rules 40 and 41 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 these rules.

40. (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.

41. A motion may be amended by -

(a) the omission, insertion or addition of words;

(b) the substitution of words for any of the original words.

42. (1) When a motion or amendment is under debate, no proposal with reference thereto shall be made other than -

(a) an amendment of the motion or amendment, as the case may be, as prescribed in Rule 40;

(b) a motion for the adjournment of the debate on the motion of amendment either to a specified date and hour or *sine die*;

(c) a motion for the closure, namely a motion that the question be now put;

(d) a motion that the State Council instead of proceeding to deal with the motion do pass to the next item on the programme of business:

Provided that no such motion or amendment shall be moved so as to interrupt a speech :

Provided also that no motion of the nature referred to in Clause (b), (c), or (d) shall be moved or seconded by a member who has already spoken on the question before the meeting :

Provided further that a motion referred to in Clauses (c) and (d) above will be moved without any speech.

(2) It shall be in the discretion of the President to put or refuse to put to the Council 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 closure is an abuse of the right of reasonable debate, he shall forthwith put a motion that the question be put and if that motion is carried the substantive motion or amendment under debate shall be put forthwith :

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

43. A proposal to adjourn the meeting of the State Council to a specified date and hour may be made at any time :

Provided that it shall not interrupt a speech but it shall be in the discretion of the President to put or refuse to put such a proposal to the State Council.

44. A motion or an amendment which has been moved and seconded shall not be withdrawn save with the leave of the State Council which shall not be deemed to be granted, if any member dissents from the granting of leave.

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

Provided that the seconder of a motion or an amendment may with the permission of the President confine himself to seconding the motion or amendment, as the case may be, and speak thereon at any subsequent stage of the debate.

46. During the meeting, the President may, at any time, make any objection or suggestion or give information to elucidate any point to help the members in the discussion.

47. (1) The mover of an original motion and if permitted by the President, the mover of any amendment shall be entitled to a right of final reply ; no other member shall speak more than once to any debate except with the permission of the President for the purposes of making a personal explanation or putting a question to the member addressing the State Council:

Provided that any member at any stage of the debate may raise a point of order, but no speech shall be allowed on that point :

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

(2) No member shall, save with the permission of the President, speak for more than five minutes :

Provided that the mover of the motion when moving the same speak for ten minutes.

(3) A speech shall be strictly confined to the subject-matter of the motion or amendment on which it is made.

(4) Any motion or amendment standing in the name of a member who is absent from the meeting or unwilling to move it may be brought forward by another member with the permission of the President.

48. (1) A member desiring to make any observation on the matter before the State Council 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.

49. No member shall be heard except upon the business before the State Council.

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

(2) An amendment to a motion shall be put to the vote first.

(3) If there be more than one amendment to a motion, the President shall decide in what order they shall be taken up.

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

52. (1) The President, after stating reasons, may, at any time, adjourn any meeting to any future date or to any hour of the same date.

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

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

(4) At a meeting adjourned to a future date any motion standing over from the previous day shall unless the President otherwise directs take precedence over other matters on the agenda.

(5) The President or a member may, either at the beginning of the meeting or after the conclusion of the debate on a particular item during the meeting suggest a change in the order of business on the agenda, if the State Council agrees, such change shall take place.

(6) No matter which had not been on the agenda of the original meeting shall be discussed at an adjourned meeting.

(7) The same quorum shall be necessary for an adjourned meeting as for an ordinary meeting except in such cases as provided for in Sub-rule (1) of Rule 36.

53. (1) The President shall decide all points of order which may arise and his decision shall be final.

(2) If any question arises with reference to procedure in respect of a matter for which these rules make no provision the President shall decide the same and his decision shall be final.

54. The proceedings of the meetings of the State Council shall be preserved in the form of typed or printed minutes which shall be authenticated, after confirmation, by the signature of the President.
55. A copy of the minutes of each meeting shall be submitted to the President within 15 days of the meeting and attested by him and they shall then be sent to each member within 30 days of the meeting.
56. The minutes of the meeting shall contain such motions and amendments as have been moved and adopted or negative with the names of the mover and the seconder, but without any record of observations made by any member at the meeting.
57. If any objections regarding the correctness of the minutes received within 30 days of the despatch of the minutes by the Registrar, such objections together with the minutes, as recovered and attested shall be put before the next meeting for confirmation.
58. The minutes of the State Council shall as soon as is practicable after their confirmation be made up in sheets and consecutively paged for insertion in the book maintained for the purpose and shall be permanently preserved. A copy of each such book shall be supplied free to each member of the State Council on requisition.
59. A report shall be kept of the observations and of the discussions at the meetings of the State Council in as accurate a manner as possible for the use of the members of the State Council. The detailed proceeding of the meetings which shall be treated as "Confidential" shall be kept in the office and shall be open for members for inspection. A copy of the proceedings in whole or in part shall be supplied to any member who may apply for it. Such copy shall be marked "Confidential" and be supplied on payment of a sum fixed by the President and not to exceed actual cost of preparing a copy. No copy of proceedings held on camera shall be supplied but such proceedings can be inspected by the members.
60. A register shall be kept, containing the name of the members of the State Council, the electorates they represent, the date of election or nomination of each member, the term for which he is elected or nominated and the date of the death or retirement of each member, and such book shall be regularly kept up-to-date so as to show the period at which each of the bodies that has power to elect or nominate should proceed to nominate or elect a new member and the said particulars shall be observed also with regard to *ex officio* members.
61. Sixty days before the expiration of the term of any nominated member the Registrar shall draw the attention of the President and of the State Government in order that new members may be nominated by the date the term of office of the sitting members expires.
62. On the resignation, death, insolvency or on vacating the office for any reason specified under the provisions of Section 2 by any member of the State Council the Registrar shall draw the attention of President and notify the same to the electorate or to the State Government in order that the same may be filled up.

CHAPTER-IV

Powers and Duties of the President and Vice-President

63. The President shall exercise such power and perform such duties as are contained in the provisions of the Act, and the rules. He shall do such acts as he considers necessary in furtherance of the objects for which the Council is established.
64. If the office of the President is vacant or if the President for any reason is unable to exercise the powers or perform the duties of his office, the Vice-President shall act in his place and shall exercise the powers and perform the duties of the President.

CHAPTER-V

Executive Committee

65. The Executive Committee shall consist of the President and the Vice-President, *ex officio* and three members elected by ballot at the first meeting of the State Council. Of the three members so elected there shall be at least two registered Dentists.
66. The Executive Committee shall meet as often as may be necessary. The date, time and place for the same shall be fixed by the President.
67. For a meeting of the Executive Committee three members including the President and the Vice-President shall constitute a quorum.
68. The function of the Executive Committee shall besides any particular matter that may be referred to it by the State Council or by the President, comprise -
 - (1) examining and reporting on, for the consideration of the State Council, any proposal for recognition a new qualification not referred to in Part I of the Schedule, regarding which the Central Council or the Government may ask for opinion of the State Council ;
 - (2) examining and reporting on, for the consideration of the State Council, any proposal for recognition of a qualification, for Dental Hygienist regarding which the Central Council or the Government, may ask for opinion of the State Council ;
 - (3) examining and reporting on, for the consideration of the State Council, any question of withdrawal of recognition, regarding which the opinion of the State Council may be asked by the Government [Section 16 (2)] ;
 - (4) examining and reporting on, for the consideration of the State Council, any appeal against the order of the Registrar rejecting an application for registration [Section 35 (3)] ;
 - (5) enquiring into and reporting on, for the consideration of the State Council, all cases of removal from the Registrar and all cases of restoration to the Registrar [Section 41 (1) and Section 42]
 - (6) examining complaints or information of offences under Sections 47, 48, 49, 50 and 51 and reporting, when required, to the Government or the State Council for order for loading complaint before Court (Section 52).
69. The President, or, in his absence, the Vice-President preside at the meeting of the Executive Committee. In the absence of both the President and the Vice-President, the members present shall elect one of their members to be the President for presiding at the particular meeting.
70. Rules 55 and 59 shall apply *mutatis mutandis* to the minutes of the proceedings of the Executive Committee.
71. The Executive Committee shall superintend the publication of the Register of Dentists which shall be prepared and printed by the Registrar. The distribution of copies of Register will be made with the approval of the Executive Committee.

CHAPTER-VI

Registrar, Clerks and Office Hours

72. The appointment of the Registrar and his staff shall be non-pensionable but will carry Contributory Provident Fund according to the rules framed by the Council and then salaries, allowances and other conditions of service shall be fixed by the State Council with the previous approval of State Government.

73. The Registrar shall be a part-time officer of the Council and shall be paid such salary or allowance as fixed by the State Council.
74. The Registrar shall keep the registers in accordance with the provisions of the Act, rules and regulations of the Council.
75. The Registrar shall be present at every meeting of the State Council and of the Executive Committee and shall take minutes of the proceeding at such meeting.
76. The Registrar as Secretary shall conduct and have charge of the correspondence of the State Council and shall issue all requisite notices in the manner required under the rules.
77. The Registrar shall have the general control over the management of the office, working of all employees of the State Council and Superintendent of the building.
78. The duties of the clerks shall be assigned to them by the Registrar under the direction of the President.

CHAPTER-VII

Corporate Seal

79. The common seal shall be kept in a box having two different, kinds of locks and the key of these locks shall be in the custody of the President and the key of the other lock in the custody of the Registrar.
80. The seal shall be affixed only by order of the State Council or when the State Council is not sitting by order of the President.
81. Any order for affixing the seal shall state the object of its use and the order shall be entered in the minutes of the State Council.

Registration

82. (1) Every application for registration under Section 34 shall be in Form 'E' duly filled in and signed by the applicant himself, and shall be accompanied by the certificates or other documents and the prescribed fee specified in Rule 83.
- (2) The Registrar may require the applicant to produce such further proof or particulars as he may consider necessary in a particular case.

83. The fees chargeable in respect of registration of dentists under this Act, shall be as follows :

	Rs.
(a) For first registration	30
(b) For annual renewal	10
(c) For insertion of each title or qualification in substitution for or in addition to any entry previously made	10
(d) For restoration of name removed-	
(i) under Section 39 (2)	5 (together with arrear annual renewal fee)
(ii) removed under Section 41	20
(e) For registration of change of name when allowed by the State Council	10
(f) For duplicate registration	...

84. When a name has been entered in the Register of dentists under Section 34 a certificate registration shall be given in Form 'F' over the signature of the Registrar and the seal of the State Council.
85. (1) For annual renewal of registration under Section 39 the registered dentists shall apply in writing to the Registrar before the 1st, April of the year to which the renewal applied for relates, together with the certificate of registration in original and the prescribed renewal fee :

Provided that a person who does not apply for renewal of registration within the time stated above shall, if he desires a renewal, be required to apply for restoration of his name to the Registrar under the proviso to Subsection (2) of Section 39 and for renewal of registration. The application shall be accompanied by the certificate of registration in original the prescribed fee for restoration and renewal and such evidence of identity as may be required by the Council.

(2) The renewal shall thereupon be entered in the register and the Registrar shall issue to the applicant a renewal slip in Form 'G' signed by him with the seal of the State Council.

86. An application to the Registrar for duplicate certificate of registration shall be accompanied by the prescribed fee and a declaration from the dentist stating the circumstances in which the original has been lost or destroyed and that he same person to whom the Original Certificate was issued and in cases where the original is lost with a further statement that duplicate will be returned in case the Original Certificate be found later.
87. It shall be the duty of every registered person who changes his address to intimate the fact to the Registrar immediately.

Appendix

Form 'A'

[See Rule 24]

Notice of election

Election of a member or members of the Orissa State Dental Council

In pursuance of Rule 24 of the Orissa State Dental Council Rules, 1969, notice is hereby given that the election of members for the Orissa State Dental Council to serve during the period expiring..... day of..... is about to be held.

Nominations of eligible-persons to fill up the vacancy or vacancies are invited.

Each candidate shall be nominated by a separate nomination paper, but any person entitled to vote at the election may sign the nomination paper of candidates not exceeding the number to be elected and for which he is entitled to vote.

Every nomination paper shall be in the Form 'B' giving all the details required therein.

The nomination paper shall reach the undersigned not later than..... day of..... The forms of nomination may be obtained on application.

Nomination papers which are not complete under the provisions of the Rules or which are not received by the Returning Officer by the aforesaid date shall be invalid.

Returning Officer

Address.....

Date.....

Form 'B'

[See Rule 25 (3)]

Form of nomination paper

Election of member or members of the Orissa State Dental Council

I, the undersigned being a registered dentist, hereby nominate *.....registered as a dentist in Part A or B, his registration number being **... as a candidate for election as a member of the Orissa State Dental Council at the forthcoming election.

	Signature.....
	Address.....
	Registration No.....
	Date.....
	We the undersigned second the proposal of-
Shri.....	Signature.....
Signature.....	Address.....
Address.....	Registration No.....
Registration No	Date.....
Date.....	

I, the undersigned hereby consent to accept nomination as a candidate for election to the Orissa Dental Council.

Signature..... Address..... Registration No.....
Date.....

* State name and full address.....

** State registration number.....

Form 'C'

[See Rule 25 (10)]

Form of voting papers

Election of member or members of the Orissa State Dental Council

Official mark of the returning officer	Election of***member		
Column for voter's mark	Name of candidate****	Address	Registration number
(1)	(2)	(3)	(4)

*** State number of candidates to be elected.....

**** Name to be printed in alphabetical order.....

Instructions

- (1) Each elector has votes.
- (2) He shall vote by placing the mark 'X' opposite the names of the candidates whom he prefers.
- (3) The voting paper shall be invalid, if the mark 'X' is placed opposite the names of more than candidates or if the marks are so placed as to render it doubtful to which candidates they are intended to apply.
- (4) The elector shall enclose the voting paper in the "Identification Envelope" and then enclose that envelope in a bigger cover, in the left hand lower corner of which the elector shall write his full name and signature. If the elector fails to write full name and also his signature the voting paper shall be invalid.
- (5) A voting paper shall be invalidated if the voter returns the voting paper otherwise than in the "Identification Envelope" with the declaration thereon completed.
- (6) Every elector shall send his voting paper in a separate cover direct to the Returning Officer.
- (7) If the Returning Officer receives more than one voting paper from any elector, all such voting papers shall be invalid.
- (8) If more than one mark is placed before the name of any candidate the whole voting paper shall be disqualified.
- (9) This paper shall be folded "Face Inwards" and placed in the accompanying "Identification Envelope" which shall be securely closed and then placed in a covering envelope.

Form 'D'

[See Rule 25 (11)]

Form of declaration on identification envelope, Orissa State Dental Council

I*.....of..... hereby declare that I am the person to whom the enclosed voting paper was addressed, that I am a registered dentist**..... and that I have not returned any other voting paper in this election.

Signature..... Address..... Date.....

Signed in the presence of***.....

(1) Signature

(2) Signature

* Insert full name

** Insert register number

*** There must be two witnesses.....

Form 'E'

[See Rule 82 (1)]

Application for registration under Section 34 of the Dentists Act, 1948

(Act XVI of 1948)

To

The Registrar, Orissa State Dental Council, Bhubaneswar-1

Sir,

I beg to apply for registration of my name as Dentist, under Section 34 of the Dentists Act, 1948 (Act XVI of 1948).

Particulars about myself are furnished below :

1. Name in full.....

2. (a) Age.....

(b) Place of birth.....

3. Father's name.....

4. Date of birth.....

5. Nationality.....

6. Whether a citizen of India.....

7. Residential address.....

8. Professional address, i. e., the place where the profession of dentistry is carried on.....

9. Employment, if any.....

10. Particulars of the qualification or qualifications with the dates on authority which conferred them.....

I..... (applicant) hereby declare that the statements made above are correct. I further declare that I shall maintain the dignity and ethical standard of the profession in my practice as a dentist.

I undertake that I shall intimate to the Registrar any change of my address or place of practice.

The degree, diploma or certificate of my qualification is submitted herewith, It may be returned as soon as done with.

The prescribed fee of Rs. 30 is sent herewith.

Signature of the applicant.....

Date.....

Address.....

Form 'F'

[See Rule 84]

Orissa Dental Council

Seal

Certificate of registration under Section 34 of the Dentists Act, 1948 (XVI of 1948)

This is to certify that the person named below has been registered as a dentist under Section 34 of the Dentists Act, 1948 (XVI of 1948).

Name.....

Qualification.....

Registered No.....

This certificate shall remain in force till

Date.....

Registrar

Form 'G'

[See Rule 85 (2)]

Orissa Dental Council

Renewal of registration under Section 39 of the Dentists Act, 1948 (XVI of 1948)

Name of the dentist.....

Registration No.....

This is to certify that the above mentioned dentist having complied with the requirements of Section 39 of the Dentists Act, 1948 (XVI of 1948), his registration has been renewed for the period up to the 31st December, 19.....

Seal

Bhubaneswar

Dated the..... 20.....

Registrar