

**THE PUDUCHERRY HOMOEOPATHIC
PRACTITIONERS' ACT, 1965.**

(No. 5 of 1965)

ARRANGEMENT OF SECTIONS

SECTION

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**THE PUDUCHERRY HOMOEOPATHIC
PRACTITIONERS' ACT, 1965.**

(Act No. 5 of 1965)

11th April, 1965.

AN ACT

**to provide for the practice of the Homoeopathic system of medicine in the
Union territory of Puducherry.**

Preamble

WHEREAS it is expedient to provide for the practice of the Homoeopathic system of medicine in the Union territory of Puducherry with a view to regulate the practice of such system:

BE it enacted by the Legislative Assembly in the Sixteenth Year of the Republic of India as follows: -

1. **Short title, extent and commencement.** - (1) This Act may be called the Puducherry Homoeopathic Practitioners' Act, 1965.

(2) It extends to the whole of the Union territory of Puducherry.

+ (3) It shall come into force at once.

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

(1) "Homoeopathy" means the system of medicine founded by Dr. Hahnemann and the expression "Homoeopathic" shall be construed accordingly;

(2) "Practitioner" means a person who practices the Homoeopathic system of medicine in accordance with the provisions of this Act;

(3) "Government" means the Administrator of the Union territory of Puducherry appointed under Article 239 of the Constitution.

3. Persons entitled to be a practitioner and rights of such practitioners. – (1) Notwithstanding anything contained in any law for the time being in force, no person shall practise the Homoeopathic system of medicine in the Union territory of Puducherry without a Certificate of Registration issued by the Director of Medical Services, Puducherry.

(2) Every person who possesses any of the qualifications recognised by any law for the time being in force in India or in any part thereof for practicing the Homoeopathic system of medicine may be registered as a Practitioner of Homoeopathic system of medicine in the Union territory of Puducherry, on payment of such registration fee as may be prescribed by Government by notification in the Gazette.

(3) Such registered practitioner shall be entitled to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances or any fees to which he may be entitled.

(4) Whenever the Director of Medical Services refuses to register a person as a practitioner in the Homoeopathic system of medicine, an appeal shall be made to Government in the Health Department.

4. Right of registered practitioner. -- A practitioner shall be eligible to hold any appointment as a physician or other medical officer in any Homoeopathic dispensary, hospital or infirmary supported by or receiving a grant from the Government or local authority and treating patients according to the Homoeopathic system of medicine or any public establishment, body or institution dealing with such system of medicine.

5. Exemption from serving on inquests. – Every practitioner shall be exempt, if he so desires from serving on any inquest or as a juror or assessor under the Code of Criminal Procedure, 1898.

6. False assumption of certificate of diploma to be an offence. – Whoever practices the Homoeopathic system of medicine in the Union territory of Puducherry without Certificate of Registration issued under section 3 or whoever falsely assumes or uses any title or description or any addition to his name implying that he holds a degree, diploma, licence or certificate conferred, granted or issued by an association or institution recognised or authorised under any law for the time being in force in India or in any part thereof or that he is qualified to practice the Homoeopathic system of medicine under the provisions of this Act shall be punishable with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or both for the first offence under this section and to imprisonment which may extend to one year or a fine which may extend to one thousand rupees or both for every subsequent offence.

7. Court competent to try offences under this Act and take cognizance of offences. – (1) No Court other than the Court of a Magistrate of the first class shall take cognizance of, or try an offence under this Act.

(2) No court shall take cognizance of an offence under this Act, except upon complaint made by order of the Government.

8. Bar to suit and other legal proceedings. – No suit or other legal proceedings shall lie against the Government in respect of an act done in the exercise of the powers conferred by this Act.

9. Power to make rules. – (1) The Government may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) The rules made under this section shall be subject to the conditions of previous publication, and the date to be specified under clause (3) of section 23 of the General Clauses Act, 1897 (10 of 1897), shall not be less than one month from the date on which the draft of the proposed rules was published.

(3) All rules made under this Act shall, as soon as may be after it is made, be laid before the Legislative Assembly of Puducherry while it is in session for a total period of not less than fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the sessions aforesaid, the Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect, only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
