

The Indian Veterinary Council Act, 1984

UNION OF INDIA

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The Indian Veterinary Council Act, 1984

Act 52 of 1984

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The Indian Veterinary Council Act, 1984(Act No. 52 of 1984)

1231.

[18th August, 1984]An Act to regulate veterinary practice and to provide, for that purpose, for the establishment of a Veterinary Council of India and State Veterinary Councils and the maintenance of registers of the veterinary practitioners and for matters connected therewith.WHEREAS it is expedient to make provision for the regulation of veterinary practice and to provide, for that purpose, for the establishment of a Veterinary Council of India and State Veterinary Councils and the maintenance of registers of persons qualified to engage in veterinary practice for the whole of India and for matters connected therewith or ancillary thereto;AND WHEREAS Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution;AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution, resolutions have been passed by all the Houses of the Legislatures of the States of Haryana, Bihar, Orissa, Himachal Pradesh and Rajasthan to the effect that the matters aforesaid should be regulated in those States by Parliament by law;BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:-

Chapter I

Preliminary

1. Short title, extent and commencement.

(1)This Act may be called the Indian Veterinary Council Act, 1984.(2)It extends, in the first instance, to the whole of the States of Haryana, Bihar, Orissa, Himachal Pradesh and Rajasthan and to all Union territories; and it shall also extend to such other States as may adopt this Act by resolution passed in that behalf in pursuance of clause (1) of article 252 of the Constitution.(3)It shall come

into force in a State or Union territory to which it extends, or may become extended in future, on such date¹* as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act or for different States or Union territories. The provisions of this Act shall come into force in the following States/Union territories on the dates mentioned against each of them:-

Name of State/U.T. Date on which provisions of Notification No	the Act shall and Date come into force
Haryana) Bihar) Orissa) Himachal Pradesh) Rajasthan) Delhi) Andman & Nicobar Islands)	27.6.1985 vide S.O.3248, dt. 27.6.1985
Lakshadweep) Dadra and Nagar Haveli) Goa, Daman & Diu) Pondicherry) Chandigarh) Mizoram) Arunnachal Pradesh) Madhya Pradesh	1.12.1986 vide S.O. 4268, dt. 28.11.86
Kerla	1.12.1986 vide S.O. 4268, dt. 28.11.86
Manipur	15.1.1987 vide S.O. 283, dt. 16.1.1987
Sikkim) Tripura	20.7.1995 vide S.O. 683(E), dt.20.7.95

2. Definitions.

- In this Act, unless the context otherwise requires,--(a)"Council" means the Veterinary Council of India established under section 3;(b)"member" means a member of the Council;(c)"prescribed" means prescribed by rules made under this Act;(d)"President" means the President of the Council;(e)"recognised veterinary qualification" means any of the veterinary qualifications included in the First Schedule or the Second Schedule;(f)"register" means a register maintained under this Act;(g)"registered veterinary practitioner" means a person whose name is for the time being duly registered in a register;(h)"regulation" means a regulation made under this Act;(i)"State Veterinary Council" means a Veterinary Council established under section 32 and includes a Joint State Veterinary Council established in accordance with an agreement under section 33;(j)"veterinary institution" means any University or other institution within or without India which grants degrees, diplomas or licences in veterinary science and animal husbandry;(k)"veterinary medicine" means modern scientific veterinary medicine in all its branches and includes veterinary surgery and obstetrics;(l)"Vice-President" means the Vice-President of the Council.

Chapter II

Indian Veterinary Council

3. Establishment and composition of the Council.

(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established a Council to be called the Veterinary Council of India. (2) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue or be sued. (3) The Council shall consist of the following members, namely:--(a) five members to be nominated by the Central Government from amongst Directors of Animal Husbandry (by whatever name called) of those States to which this Act extends; (b) four members to be nominated by the Central Government from amongst the heads of veterinary institutions in the States to which this Act extends; (c) one member to be nominated by the Indian Council of Agricultural Research; (d) the Animal Husbandry Commissioner, Government of India, ex officio; (e) one member to be nominated by the Central Government to represent the Ministry of the Central Government dealing with animal husbandry; (f) one member to be nominated by the Indian Veterinary Association; (g) eleven members to be elected from amongst themselves by persons enrolled in the Indian veterinary practitioners register; (h) one member to be nominated by the Central Government from amongst the Presidents of the State Veterinary Councils of those States to which this Act extends; (i) one member to be nominated by the Central Government from amongst the Presidents of the State Veterinary Associations of those States to which this Act extends; (j) Secretary, Veterinary Council of India, ex officio. (4) The President and Vice-President shall be elected by the members from amongst themselves in such manner as may be provided by regulations. (5) Whenever there is a vacancy in the office of the President, the Vice-President shall discharge the functions of the President. (6) The names of persons nominated or elected as members shall be notified by the Central Government in the Official Gazette. (7) A person shall not be qualified for nomination or election to the Council unless he holds a recognised veterinary qualification.

4. Mode of election of members.

(1) An election under clause (g) of sub-section (3) of section 3 shall be conducted by the Central Government in accordance with such rules as may be made by it in this behalf and any rule so made may provide that pending the preparation of the Indian veterinary practitioners register in accordance with the provisions of this Act, the members referred to in that clause may be nominated by the Central Government instead of being elected as provided therein. (2) Where any dispute arises regarding any election to the Council, it shall be referred to the Central Government for its decision which shall be final.

5. Term of office of President, Vice-President and members.

(1) The President or Vice-President shall hold office for a term not exceeding three years and not extending beyond the expiry of his term as a member. (2) Subject to the provisions of this section, a member, other than an ex officio member, shall hold office for a term of three years from the date of his election or nomination to the Council or until his successor shall have been duly elected or nominated, whichever is longer. (3) Members of the Council shall be eligible for re-nomination or re-election. (4) Where the term of three years is about to expire in respect of any member, a successor

may be nominated or elected at any time within three months before the said term expires, but, he shall not assume office until the said term has expired.

6. Cessation of membership.

(1) A member shall be deemed to have vacated his office--(a) if he is absent without excuse, sufficient in the opinion of the Council, from three consecutive meetings of the Council; (b) if he ceases to hold the post from which he has been nominated; (c) in the case of a member elected under clause (g) of sub-section (3) of section 3, if he ceases to be a person enrolled in the register; (d) if he has been convicted of an offence involving moral turpitude and punishable with imprisonment; (e) if he is an undischarged insolvent; (f) if he is of unsound mind and stands so declared by a competent court. (2) On the occurrence of a vacancy referred to in sub-section (1), the President shall forthwith report the fact of such vacancy to the Central Government and thereafter that Government may, subject to the proviso to section 7, take necessary steps to fill such vacancy.

7. Casual vacancies.

- A casual vacancy in the Council shall be filled by nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected: Provided that no such casual vacancy occurring within three months of the date of expiry of the normal term of office of a nominated or an elected member need be filled under this section.

8. Resignation.

(1) The President or Vice-President may at any time resign his office by notice in writing addressed to the Council and delivered to the Secretary and the resignation shall take effect from the date on which it is accepted by the Council or on the expiry of ninety days from the date of receipt of the resignation by the Secretary, whichever is earlier. (2) A member may at any time resign his office by notice in writing addressed to the President and every such resignation shall take effect from the date on which it is accepted by the President or on the expiry of ninety days from the date of receipt of the resignation by the President, whichever is earlier.

9. Meetings of the Council.

(1) The Council shall meet at least twice in a year at such time and place as may be appointed by the Council. (2) The quorum necessary for the transaction of business at a meeting of the Council shall be nine. (3) The President when present shall preside at every meeting of the Council and in his absence the Vice-President and in the absence of both any other member elected by the members present from amongst themselves shall preside at such meeting. (4) Save as otherwise provided in this Act, all questions which come up before any meeting of the Council shall be decided by a majority of the members present and voting. (5) In the case of an equality of votes, the President shall have a casting vote. (6) Subject to the provisions of sub-sections (1) to (5), the Council shall observe such rules of

procedure in regard to transaction of business at its meetings as may be provided by regulations.

11. Appointment of Secretary and other officers or servants.

(1)The Council may, with the previous sanction of the Central Government, appoint a Secretary (who shall also act as Treasurer unless the Council appoints any other person as Treasurer) and may appoint such other officers and employees as it may deem necessary to carry out the purposes of this Act.(2)The terms and conditions of service of the Secretary, other officers and employees appointed by the Council shall be such as may be provided by regulations.(3)The Secretary, officers and other employees of the Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).(4)All orders and decisions and other instruments of the Council shall be authenticated by the signature of the Secretary or any other officer of the Council duly authorised by it in this behalf.

12. Executive Committee and other Committees.

(1)The Council shall appoint from among its members an Executive Committee and may constitute other Committees for such general or specific purposes as the Council considers necessary and may co-opt any person or persons specially qualified to advise on any matter to any Committee other than the Executive Committee.(2)A Committee constituted under this section shall meet at such time and at such places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations.

13. Fees and allowances.

- The President and other members and the members of the Committees (other than the members of the Council) shall be paid such fees and allowances for attending the meetings of the Council and the Committees as may be provided by regulations.

14. Information to be furnished by the Council and publication thereof.

(1)The Council shall furnish such reports, copies of its minutes, abstract of its accounts and other information to the Central Government as that Government may require.(2)The Central Government may publish in such manner as it may think fit any report, copy, abstract or other information furnished to it under this section.

15. Recognition of veterinary qualifications granted by veterinary institutions in India.

(1)The veterinary qualifications granted by any veterinary institution in India which are included in the First Schedule shall be recognised veterinary qualifications for the purposes of this Act.(2)Any veterinary institution in India which grants a veterinary qualification not included in the First Schedule may apply to the Central Government to have such qualification recognised and the

Central Government, after consulting the Council, may, by notification in the Official Gazette, amend the First Schedule so as to include such qualification therein and any such notification may also direct that an entry shall be made in the last column of the First Schedule against such veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted after a specified date.

16. Recognition of veterinary qualifications granted by veterinary institutions in countries with which there is a scheme of reciprocity.

(1)The veterinary qualifications granted by veterinary institutions outside India which are included in the Second Schedule shall be recognised veterinary qualifications for the purposes of this Act.(2)The Council may enter into negotiations with the authority in any country outside India which by the law of such country is entrusted with the maintenance of a register of veterinary practitioners, for the setting of a scheme of reciprocity for the recognition of veterinary qualifications, and in pursuance of any such scheme, the Central Government may, by notification in the Official Gazette, amend the Second Schedule so as to include therein the veterinary qualification which the Council has decided should be recognised, and any such notification may also direct that an entry shall be made in the last column of the Second Schedule against such veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted after a specified date.(3)The Central Government, after consultation with the Council, may, by notification in the Official Gazette, amend the Second Schedule by directing that an entry be made therein in respect of any veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted before a specified date.(4)Where the Council has refused to recommend any veterinary qualification which has been proposed for recognition by any authority referred to in sub-section (2) and the authority applies to the Central Government in this behalf, the Central Government, after considering such application and after obtaining from the Council a report, if any, as to the reasons for any such refusal, may, by notification in the Official Gazette, amend the Second Schedule so as to include such qualification therein and the provisions of sub-section (2) shall apply to such notification.

17. Special provisions in certain cases for recognition of veterinary qualifications granted by veterinary institutions in countries with which there is no scheme of reciprocity.

(1)The Central Government, after consultation with the Council, may, by notification in the Official Gazette, direct that the veterinary qualifications granted by veterinary institutions in any country outside India in respect of which a scheme of reciprocity for the recognition of veterinary qualifications is not in force shall be recognised veterinary qualification for the purposes of this Act or shall be so only when granted after a specified date:Provided that veterinary practice by persons possessing such qualifications--(a)shall be permitted only if such persons are enrolled as veterinary practitioners in accordance with the law regulating the registration of veterinary practitioners for the time being in force in that country;(b)shall be limited to the institution to which they are attached for the time being for the purpose of teaching, research work, charitable work; and(c)shall

be limited to the period specified in this behalf by the Central Government by general or special order.(2)In respect of any such veterinary qualification, the Central Government, after consultation with the Council, may, by notification in the Official Gazette, direct that it shall be a recognised veterinary qualification only when granted before a specified date.

18. Power to require information as to courses of study and examinations.

- Every veterinary institution in a State which grants a recognised veterinary qualification shall furnish such information as the Council may from time to time require as to the courses of study and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualification is conferred and generally as to the requisites for obtaining such qualification.

19. Inspection of veterinary institutions and examinations.

(1)A Committee constituted under section 12 may, subject to regulations, if any, made by the Council, appoint such number of veterinary inspectors as it may deem requisite to inspect any veterinary institution or any college or other institution where veterinary education is given or to attend any examination held by any veterinary institution for the purpose of recommending to the Central Government recognition of veterinary qualification granted by that veterinary institution.(2)The veterinary inspectors shall not interfere with the conduct of any training or examination, but shall report to the Committee on the adequacy of the standards of veterinary education including staff, equipment, accommodation, training and other facilities prescribed by regulations for giving veterinary education or on the sufficiency of every examination which they attend.(3)The Committee shall forward a copy of any such report to the veterinary institution concerned and shall also forward a copy with remarks, if any, of the said institution thereon, to the Central Government.

20. Appointment of visitors.

(1)The Council may appoint such number of visitors as it may deem requisite to inspect any veterinary institution or any college or other institution where veterinary education is given or to attend any examination held by any veterinary institution for the purpose of granting any recognised veterinary qualification.(2)Any person, whether he is a member or not, may be appointed as a visitor under this section, but a person who is appointed as an inspector under section 19 for any inspection or examination shall not be appointed as a visitor for the same inspection or examination.(3)The visitors shall not interfere with the conduct of any training or examination, but shall report to the President on the adequacy of the standards of veterinary education including staff, equipment, accommodation, training and other facilities prescribed by regulations for giving veterinary education or on the sufficiency of every examination which they attend.(4)The report of a visitor shall be treated as confidential unless in any particular case the President otherwise directs:Provided that if the Central Government requires a copy of the report of the visitor, the Council shall furnish the same.

21. Withdrawal of recognition.

(1)When upon report by the Committee or the visitor, it appears to the Council-- , or(a)that the courses of study and examinations to be undergone in, or the proficiency required from candidates at any examination held by, any veterinary institution, are not in conformity with the regulations made under this Act or fall short of the standards required thereby, or(b)that the staff, equipment, accommodation, training and other facilities for instruction and training provided in such veterinary institution or in any college or other institution affiliated to it do not conform to the standards prescribed by the Council. the Council shall make a representation to that effect to the Central Government.(2)After considering such representation, the Central Government may send it to the State Government of the State in which the veterinary institution is situated and the State Government shall forward it along with such remarks as it may choose to make to the veterinary institution, with an intimation of the period within which that institution may submit its explanation to the State Government.(3)On receipt of the explanation or, where no explanation is submitted within the period fixed, then on the expiry of that period, the State Government shall make its recommendation to the Central Government.(4)The Central Government, after making such inquiry, if any, as it may deem fit, may, by notification in the Official Gazette, direct that an entry shall be made in the appropriate Schedule against the said veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted before a specified date or that the said veterinary qualification if granted to students of a specified college or institution affiliated to any veterinary institution shall be a recognised veterinary qualification only when granted before a specified date or, as the case may be, that the said veterinary qualification shall be a recognised veterinary qualification in relation to a specified college or institution affiliated to any veterinary institution only when granted after a specified date:Provided that before issuing such notification the Central Government may consult the Indian Council of Agricultural Research.

22. Minimum standards of veterinary education.

(1)The Council may, by regulations, specify the minimum standards of veterinary education required for granting recognised veterinary qualifications by veterinary institutions in those States to which this Act extends.(2)Copies of the draft regulations and of all subsequent amendments thereof shall be furnished by the Council to the State Government concerned and the Council shall, before submitting such regulations or any amendments thereof, as the case may be, to the Central Government for approval, take into consideration the comments of the State Government received within three months from the furnishing of the copies as aforesaid.(3)The Central Government may, before approving such regulations or any amendments thereof, consult the Indian Council of Agricultural Research.(4)The Committee constituted under section 12 shall from time to time report to the Council on the efficacy of the regulations and may recommend to the Council such amendments thereof as it may think fit.

Chapter III

Indian Veterinary Practitioners Register

23. Indian veterinary practitioners register.

(1)The Council shall, as soon as may be after the commencement of this Act, cause to be maintained in such form and in such manner as may be provided by regulations a register of veterinary practitioners to be known as the Indian veterinary practitioners register which shall contain the names of all persons who possess the recognised veterinary qualifications and who are for the time being enrolled on a State veterinary register of the State to which this Act extends.(2)It shall be the duty of the Secretary of the Council to keep the Indian veterinary practitioners register in accordance with the provisions of this Act and of any orders made by the Council, and from time to time to revise the register and publish it in the Gazette of India or in such other manner as may be provided by regulations.(3)Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (1 of 1872), and may be proved by a copy published in the Gazette of India.(4)Each State Veterinary Council shall furnish to the Council six printed copies of the State veterinary register as soon as may be after the 1st day of April of each year and each State Veterinary Council shall inform the Council without delay of all additions to, and other amendments in, the State veterinary register made from time to time.

24. Registration in the Indian veterinary practitioners register.

The Secretary of the Council may, on receipt of the report of registration of a person in a State veterinary register or on an application made in such form and in such manner, as may be provided by regulations, by any such person, enter his name in the Indian veterinary practitioners register:Provided that the Secretary is satisfied that the person concerned possesses a recognised veterinary qualification.

25. Issue of certificate of registration.

(1)Any person whose name has been entered in the Indian veterinary practitioners register shall, on an application made in this behalf in such form and in such manner and on payment of such fees, not exceeding fifteen rupees, as may be provided by regulations, be entitled to a certificate of registration.(2)On receipt of an application under sub-section (1), the Council shall grant to the applicant a certificate of registration in such form as may be provided by regulations:Provided that on the removal of his name from a register, such certificate shall cease to be valid.(3)Where it is shown to the satisfaction of the Secretary of the Council that a certificate of registration has been lost or destroyed, the Secretary may, on payment of such fees, not exceeding ten rupees, as may be specified by regulations, issue a duplicate certificate in such form as may be specified in the regulations.

26. Registration of additional qualifications.

(1)If any person whose name is entered in the Indian veterinary practitioners register obtains any post-graduate degree or diploma in veterinary science in addition to his recognised veterinary qualification, he shall, on an application made in this behalf in such form and in such manner and

on payment of such fees, not exceeding fifteen rupees, as may be provided by regulations, be entitled to have an entry stating such degree or diploma made against his name in such register in addition to any entry previously made.(2)The entries in respect of any such person in a State veterinary register shall be altered in accordance with the alterations made in the Indian veterinary practitioners register.

27. Removal of names from the Indian veterinary practitioners register.

-If the name of any person enrolled on a State veterinary register is removed therefrom in pursuance of any power conferred under this Act, the Council shall direct the removal of the name of such person from the Indian veterinary practitioners register.

28. Person enrolled on Indian veterinary practitioners register to notify change of place of residence or practice.

- Every person registered in the Indian veterinary practitioners register shall notify any transfer of the place of his residence or practice to the Council and the State Veterinary Council within ninety days of such transfer, failing which his right to participate in the election of members of the Council or a State Veterinary Council shall be liable to be forfeited by order of the Central Government either permanently or for such period as may be specified therein.

Chapter IV

Privileges Of Registered Veterinary Practitioners

29. Privileges of persons, who are enrolled on the Indian veterinary practitioners register.

- Subject to the conditions and restrictions laid down in this Act, every person whose name is for the time being borne on the Indian veterinary practitioners register shall be entitled according to his qualifications to practise as a veterinary practitioner and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments and other appliances or any fees to which he may be entitled.

30. Right of persons who are enrolled on the Indian veterinary practitioners register.

- No person, other than a registered veterinary practitioner, shall--(a)hold office as veterinary physician or surgeon or any other like office (by whatever name called) in Government or in any institution maintained by a local or other authority;(b)practise veterinary medicine in any State:Provided that the State Government may, by order, permit a person holding a diploma or certificate of veterinary supervisor, stockman or stock assistant (by whatever name called) issued by the Directorate of Animal Husbandry (by whatever name called) of any State or any veterinary

institution in India, to render, under the supervision and direction of a registered veterinary practitioner, minor veterinary services. Explanation.--"Minor veterinary services" means the rendering of preliminary veterinary aid, like, vaccination, castration, and dressing of wounds, and such other types of preliminary aid or the treatment of such ailments as the State Government may, by notification in the Official Gazette, specify in this behalf; (c) be entitled to sign or authenticate a veterinary health certificate or any other certificate required by any law to be signed or authenticated by a duly qualified veterinary practitioner; (d) be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872, (1 of 1872.) on any matter relating to veterinary medicine.

Chapter V

Discipline

31. Professional conduct.

(1) The Council may, by regulations, specify standards of professional conduct and etiquette and a code of ethics for veterinary practitioners. (2) Regulations made by the Council under sub-section (1) may specify which violations thereof shall constitute infamous conduct in any professional respect, that is to say, professional misconduct, and such provisions shall have effect notwithstanding anything contained in any other law for the time being in force.

Chapter VI

State Veterinary Councils

32. Establishment and composition of State Veterinary Councils.

(1) Except where a Joint State Veterinary Council is established in accordance with an agreement made under section 33, the State Government shall establish a State Veterinary Council consisting of the following members, namely:--(a) four members elected from among themselves by veterinary practitioners registered in the State veterinary register; (b) the heads of veterinary institutions, if any, in the State, ex officio; (c) three members nominated by the State Government; (d) the Director of Veterinary Services of the State (by whatever name called), ex officio; (e) one member to be nominated by the State Veterinary Association, if any; (f) Registrar of the State Veterinary Council, ex officio. (2) The names of persons nominated or elected as members shall be notified by the State Government in the Official Gazette. (3) A person shall not be qualified for nomination or election as a member of the State Veterinary Council unless he holds a recognised veterinary qualification.

33. Inter-State agreements.

(1) Two or more State Governments may enter into an agreement to be in force for such period and to be subject to renewal for further periods, if any, as may be specified in the agreement to provide--(a) for the establishment of a Joint State Veterinary Council for all participating States;

or(b)for the State Veterinary Council of one State to serve the needs of the other participating States.(2)In addition to such matters as are in this Act specified, an agreement under this section may--(a)provide for the apportionment between the participating States of the expenditure in connection with the State Veterinary Council or Joint State Veterinary Council;(b)determine which of the participating State Governments shall exercise the several functions of the State Government under this Act and the references in this Act to the State Government shall be construed accordingly;(c)provide for consultation between the participating State Governments either generally or with reference to particular matters arising under this Act;(d)make such incidental and ancillary provisions not inconsistent with this Act as may be deemed necessary or expedient for giving effect to the agreement.(3)An agreement under this section shall be published in the Official Gazettes of the participating States.

34. Composition of Joint State Veterinary Councils.

(1)A Joint State Veterinary Council shall consist of the following members, namely:--(a)two members elected from among themselves by veterinary practitioners registered in the register of each of the participating States;(b)the heads of veterinary institutions, if any, in the participating States, ex officio;(c)two members nominated by each participating State Government;(d)the Director of Veterinary Services of each of the participating States, by whatever name called, ex officio;(e)one nominee of the State Veterinary Associations, if any, of each of the participating States;(f)Registrar of the Joint State Veterinary Council, ex officio.(2)The names of the persons nominated or elected as members shall be notified by the State Governments in the Official Gazettes of the States.(3)A person shall not be qualified for nomination or election as a member of the Joint State Veterinary Council unless he holds a recognised veterinary qualification.

35. Incorporation of State Veterinary Councils.

- Every State Veterinary Council shall be a body corporate by such name as may be notified by the State Government in the Official Gazette or, in the case of a Joint State Veterinary Council, as may be determined in the agreement, having perpetual succession and a common seal with power to acquire and hold property, both movable and immovable, and shall by the said name sue or be sued.

36. President.

- The President of the State Veterinary Council shall be elected by the members of that Council from amongst themselves in such manner as may be prescribed.

37. Mode of elections.

- The election under this Chapter shall be conducted in the prescribed manner and where any dispute arises regarding any such election, it shall be referred to the State Government for its decision.

38. Terms of office and causal vacancies.

(1) Subject to the provisions of this section, a member of the State Veterinary Council, other than an ex officio member, shall hold office for a term of three years from the date of his election or nomination to the State Veterinary Council or until his successor has been duly elected or nominated, whichever is longer: Provided that a member of the State Veterinary Council nominated under clause (c) of sub-section (1) of section 32 or clause (c) of sub-section (1) of section 34, shall hold office during the pleasure of the authority nominating him. (2) Members of the State Veterinary Council shall be eligible for re-election or re-nomination, as the case may be. (3) An elected or nominated member of the State Veterinary Council shall be deemed to have vacated his office--(a) if he is absent without excuse, sufficient in the opinion of the State Veterinary Council, from three consecutive meetings of the State Veterinary Council; (b) if he ceases to hold the office from which he has been nominated; (c) in the case of a member whose name is required to be included in any State veterinary register, if his name is removed from the register; (d) if he has been convicted of an offence involving moral turpitude and punishable with imprisonment; (e) if he is an undischarged insolvent; (f) if he is of unsound mind and stands so declared by a competent court. (4) No act done by the State Veterinary Council shall be called in question on the ground merely of the existence of any vacancy, or defect, in the establishment of, the State Veterinary Council. (5) A casual vacancy in the State Veterinary Council shall be filled by fresh 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. (6) The State Veterinary Council shall observe such rules of procedure in regard to transaction of business at its meetings as may be prescribed.

39. Resignation.

(1) The President of the State Veterinary Council may at any time resign his office by notice in writing addressed to the State Veterinary Council and delivered to the Registrar and the resignation shall take effect from the date on which it is accepted by that Council or on the expiry of ninety days from the date of receipt of the resignation by the Registrar, whichever is earlier. (2) A member of the State Veterinary Council may at any time resign his office by notice in writing addressed to the President of the State Veterinary Council and every such resignation shall take effect from the date on which it is accepted by the President or on the expiry of ninety days from the date of receipt of the resignation by the President, whichever is earlier.

40. Executive and other Committees.

-Subject to such conditions and restrictions as may be prescribed, the State Veterinary Council may constitute an Executive Committee and other Committees for exercising any power or discharging any duty of the State Veterinary Council or for inquiring into, reporting with respect to, or advising on, any matter which the State Veterinary Council may refer to them.

41. Fees and allowances.

- The President and other members of the State Veterinary Council and the members of the Committees (other than the members of the State Veterinary Council) shall be paid such fees and allowances for attending the meetings of the State Veterinary Council and the Committees as may be prescribed.

42. Appointment of Registrar and other officers or servants.

(1)The State Veterinary Council may, with the previous sanction of the State Government, appoint a Registrar who shall also act as Treasurer unless the State Veterinary Council appoints any person as Treasurer and may appoint such other officers and employees as it may deem necessary to carry out the purposes of this Act.(2)The terms and conditions of service of the Registrar, and of the other officers and employees appointed by the State Veterinary Council shall be such as may be prescribed.(3)The Registrar and other officers and employees of the State Veterinary Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).(4)All orders and decisions and other instruments of the State Veterinary Council shall be authenticated by the signature of the Registrar or any other officer of the State Veterinary Council duly authorised by it in this behalf.(5)Notwithstanding anything contained in sub-section (1), for the first two years from the first constitution of the State Veterinary Council the Registrar of the State Veterinary Council shall be a person appointed by the State Government, who shall hold office during the pleasure of the State Government.

43. Information to be furnished by State Veterinary Council.

(1)The State Veterinary Council shall furnish such reports, copies of its minutes and of the minutes of the Executive Committee and abstract of its accounts to the State Government as the State Government may from time to time require and shall forward to the Council copies of all material so furnished to the State Government.(2)The State Government may publish in such manner as it thinks fit any report, copy or abstract furnished to it under this section.

Chapter VII

Registration

44. Preparation and maintenance of State veterinary practitioners register.

(1)The State Government shall as soon as may be cause to be prepared in the manner hereinafter provided a register of veterinary practitioners to be known as the State veterinary register for the State.(2)The State Veterinary Council shall on its establishment assume the duty of maintaining the State veterinary register in accordance with the provisions of this Act.(3)The State veterinary register shall contain the names of the persons possessing the recognised veterinary qualifications.(4)The State veterinary register shall include the following particulars,

namely:--(a)the full name, nationality and residential address of the registered person;(b)the date of his admission in the State veterinary register;(c)his qualification for registration and the date on which he obtained such qualification and authority which conferred it;(d)his professional address; and(e)such further particulars as may be prescribed.

45. First preparation of register.

(1)For the purpose of first preparing the State veterinary register, the State Government shall, by notification in the Official Gazette, constitute a Registration Tribunal consisting of three persons holding recognised veterinary qualifications and shall also appoint a Registrar who shall act as Secretary of the Tribunal.(2)The State Government shall, by the same or a like notification, appoint a date on or before which application for registration, which shall be accompanied by the prescribed fee, not exceeding twenty-five rupees, shall be made to the Registration Tribunal.(3)The Registration Tribunal shall examine every application received on or before the appointed date, and, if it is satisfied that the applicant is qualified for registration under section 46, shall direct the entry of the name of the applicant on the register.(4)The register so prepared shall thereafter be published in such manner as the State Government may direct, and any person aggrieved by a decision of the Registration Tribunal expressed or implied in the register as so published may, within sixty days from the date of such publication, appeal to an authority appointed by the State Government in this behalf by notification in the Official Gazette.(5)The Registrar shall amend the register in accordance with the decisions of the authority appointed under sub-section (4) and shall thereupon issue to every person whose name is entered in the register a certificate of registration in the prescribed form.(6)Upon the establishment of the State Veterinary Council, the register shall be given into its custody, and the State Government may direct that all or any specified part of the application fees for registration in the first register shall be paid to the credit of the State Veterinary Council.

46. Qualifications for entry on preparation of register.

-A person shall be entitled, on payment of the prescribed fee not exceeding twenty-five rupees, to have his name entered on the State veterinary register if he resides in the State and if he holds a recognised veterinary qualification.

47. Scrutiny of applications for registration.

(1)After the date appointed for the receipt of applications for registration under sub-section (2) of section 45, all applications for registration shall be addressed to the Registrar of the State Veterinary Council and shall be accompanied by the prescribed fee not exceeding twenty-five rupees.(2)If upon such application the Registrar of the State Veterinary Council is of the opinion that the applicant is entitled to have his name entered on the State veterinary register, he shall enter thereon the name of the applicant:Provided that no person, whose name has under the provisions of this Act been removed from the State veterinary register of any State, shall be entitled to have his name entered on the State veterinary register of another State except with the approval of the State Veterinary Council from whose register his name was removed.(3)Any person whose application for registration is rejected by the Registrar of the State Veterinary Council may, within three months

from the date of such rejection, appeal to the State Veterinary Council.(4)A person aggrieved by the decision of the State Veterinary Council under sub-section (3) may, within sixty days from the communication to him of such decision, appeal to the State Government.(5)Upon entry in the State veterinary register of a name under this section, the Registrar of the State Veterinary Council shall issue a certificate of registration in the prescribed form.

48. Renewal fees.

(1)The State Government may, by notification in the Official Gazette, direct that for the retention of a name in the State veterinary register, there shall be paid in every five years to the State Veterinary Council, such renewal fee, not exceeding fifteen rupees, as may be prescribed and where such direction has been made, such renewal fee shall be due to be paid before the 1st day of April of the year to which it relates.(2)Where a renewal fee is not paid within the said period, the Registrar of the State Veterinary Council shall remove the name of the defaulter from the State veterinary register:Provided that a name so removed may be restored to the said register on payment of renewal fee in such manner as may be prescribed.(3)On payment of the renewal fee, the Registrar of the State Veterinary Council shall issue a certificate of renewal and such certificate shall be proof of renewal of registration.

49. Removal from the register.

(1)Subject to the provisions of this section, the State Veterinary Council may order that the name of any person shall be removed from the State veterinary register where it is satisfied after giving that person a reasonable opportunity of being heard and after such further inquiry, if any, as it may think fit to make-- , or(a)that his name has been entered in the State veterinary register by error or on account of mis-representation or suppression of a material fact, or(b)that he has been convicted of an offence involving moral turpitude and punishable with imprisonment or has been guilty of any infamous conduct in any professional respect or has violated the standards of professional conduct and etiquette or the code of ethics which in the opinion of the State Veterinary Council renders him unfit to be kept in the said register.(2)An order under sub-section (1) may direct that any person whose name is ordered to be removed from the State veterinary register shall be ineligible for registration under this Act, either permanently or for such period of years as may be specified.(3)An order under sub-section (1) shall not take effect until the expiry of three months from the date thereof or until an appeal, if any on such order is finally disposed of, whichever date is later.(4)A person aggrieved by an order under sub-section (1) may, within sixty days from the communication to him of such order, appeal to the Council.(5)A person aggrieved by the decision of the Council under sub-section (4) may, within sixty days from the communication to him of such decision, appeal to the Central Government.(6)A person whose name has been removed from the register under this section or under sub-section (2) of section 48 shall forthwith surrender his certificate of registration and certificate of renewal, if any, to the Registrar of the State Veterinary Council and the name so removed shall be published in the Official Gazette.(7)A person whose name has been removed from the State veterinary register under this section or sub-section (2) of section 48 shall not be entitled to have his name registered in the State veterinary register or in any other State veterinary register, except with the approval of the State Veterinary Council from whose register his

name has been removed.

50. Restoration to State veterinary register.

- The State Veterinary Council may, at any time for reasons appearing to it sufficient and subject to approval of the Council, order that upon payment of the prescribed fee not exceeding twenty-five rupees, the name of a person removed from a State veterinary register shall be restored thereto.

51. Printing of State veterinary register.

- As soon as may be after the 1st day of April each year, the Registrar of the State Veterinary Council shall cause to be printed copies of the State veterinary register as it stood on the said date and such copies shall be made available to persons applying therefor on payment of the prescribed charge not exceeding ten rupees and shall be evidence that on the said date the persons whose names are entered therein were registered veterinary practitioners.

Chapter VIII

Miscellaneous

52. Transfer of registration.

- Where a registered veterinary practitioner of one State is practising veterinary medicine in another State, he may, on payment of prescribed fee which shall not exceed the renewal fee for registration in such other State, make an application in the prescribed form to the Council for the transfer of his name from the State veterinary register of the State where he is registered to the State veterinary register of the State in which he is practising veterinary medicine, and on receipt of any such application, the Council shall, notwithstanding anything contained elsewhere in this Act, direct that the name of such person be removed from the first-mentioned State veterinary register and entered in the State veterinary register of the second-mentioned State and the State Veterinary Councils concerned shall comply with such direction: Provided that such a person shall be required to produce a certificate to the effect that all dues in respect of his registration in the former State have been paid: Provided further that where any such application for transfer is made by a veterinary practitioner against whom any disciplinary proceeding is pending or where for any other reason it appears to the Council that the application for transfer has not been made bona fide and the transfer should not be made, the Council may, after giving the veterinary practitioner a reasonable opportunity of making a representation in this behalf, reject the application.

53. Bar of jurisdiction.

- No order refusing to enter a name in a register or removing a name from a register shall be called in question in any court.

54. Issue of duplicate certificates.

- Where it is shown to the satisfaction of the Registrar of the State Veterinary Council that a certificate of registration or a certificate of renewal has been lost or destroyed, the Registrar may, on payment of the prescribed fee, not exceeding ten rupees, issue a duplicate certificate in the prescribed form.

55. Penalty for falsely claiming to be registered.

-If any person whose name is not for the time being entered in a register falsely represents that it is so entered or uses in connection with his name or title any words or letters reasonably calculated to suggest that his name is so entered, he shall be punishable on first conviction with fine which may extend to five hundred rupees, and on any subsequent conviction with imprisonment which may extend to six months or with fine not exceeding one thousand rupees or with both.

56. Misuse of titles.

If any person,-- , or(a)not being a person registered in a register, takes or uses the description of a veterinary practitioner, or(b)not possessing a recognised veterinary qualification, uses a degree or a diploma or a licence or an abbreviation indicating or implying such qualification, he shall be punishable on first conviction with fine which may extend to one thousand rupees, and on any subsequent conviction with imprisonment which may extend to six months or with fine not exceeding five thousand rupees or with both.

57. Practice by unregistered persons.

(1)After the expiry of one year from the date appointed under sub-section (2) of section 45, no person, other than a registered veterinary practitioner or a person permitted by the State Government under the proviso to clause (b) of section 30 shall practise veterinary medicine or render minor veterinary services, as the case may be, in that State.(2)If any person contravenes the provisions of sub-section (1), he shall be punishable on first conviction with fine which may extend to one thousand rupees, and on any subsequent conviction with imprisonment which may extend to six months or with fine not exceeding five thousand rupees or with both.

58. Failure to surrender certificate of registration.

- If any person whose name has been removed from a register fails without sufficient cause forthwith to surrender his certificate of registration or certificate of renewal, or both, he shall be punishable with fine which may extend to five hundred rupees and in case of a continuing offence with an additional fine which may extend to ten rupees per day after the first day during which the offence continues.

59. Cognizance of offence.

- No court shall take cognizance of any offence punishable under this Act except upon complaint made by order of the State Government or State Veterinary Council.

60. Bar of suit and other legal proceedings.

- No suit or other legal proceedings shall lie against the Central Government or the State Government or the Council or a State Veterinary Council in respect of anything which is in good faith done or intended to be done in pursuance of this Act, or of any rules, regulations or orders made thereunder.

61. Payment of part of fees to Council.

- The State Veterinary Council shall, before the end of June in each year, pay to the Council a sum equivalent to one-fourth of the total fees realised by the State Veterinary Council under this Act during the period of twelve months ending on the 31st day of March of that year.

62. Accounts and audit.

(1)The Council shall maintain appropriate accounts and other relevant records and prepare an annual statement of accounts including the balance sheet, in accordance with such general directions as may be issued and in such form as may be specified by the Central Government in consultation with the Comptroller and Auditor-General of India.(2)The accounts of the Council shall be audited annually by the Comptroller and Auditor-General of India or any person appointed by him in this behalf and any expenditure incurred by him or any person so appointed in connection with such audit shall be payable by the Council to the Comptroller and Auditor-General of India.(3)The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Council shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government accounts, and, in particular, shall have the right to demand the production of books of accounts, connected vouchers and other documents and papers and to inspect the office of the Council.(4)The accounts of the Council as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.(5)A copy of the accounts of the Council as so certified together with the audit report thereon shall be forwarded simultaneously to the Council.

63. Appointment of Commission of Inquiry.

(1)Whenever it appears to the Central Government that the Council is not complying with any of the provisions of this Act, the Central Government may appoint a Commission of Inquiry consisting of

three persons, two of whom shall be appointed by the Central Government, one being the Judge of a High Court and one by the Council and refer to it the matter on which the inquiry is to be made.(2)The Commission shall proceed to inquire in a summary manner and report to the Central Government on the matters referred to it together with such remedies, if any, as the Commission may like to recommend.(3)The Central Government may accept the report or remit the same to the Commission for modification or reconsideration.(4)After the report is finally accepted, the Central Government may order the Council to adopt the remedies so recommended within such time as may be specified in the order and if the Council fails to comply within the time so specified, the Central Government may pass such order or take such action as may be necessary to give effect to the recommendations of the Commission.(5)Whenever it appears to the State Government that the State Veterinary Council is not complying with any of the provisions of this Act, the State Government may likewise appoint a similar Commission of inquiry in respect of the State Veterinary Council to make inquiry in like manner and pass such orders or take such action as specified in sub-sections (3) and (4).

64. Power of Central Government to make rules.

(1)The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of Chapters II, III, IV and V.(2)Every rule made by the Central Government under this Act shall be laid, as soon as may be, after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree 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.

65. Power of State Government to make rules.

(1)The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of Chapters VI, VII and VIII.(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 manner in which the President of the State Veterinary Council shall be elected under section 36;(b)the manner in which election under Chapter VI shall be conducted;(c)the procedure to be observed by the State Veterinary Council at its meetings under sub-section (6) of section 38;(d)the conditions and restrictions with respect to the constitution of Executive Committee and other Committees under section 40;(e)the fees and allowances for attending the meetings of the State Veterinary Council and the Committees under section 41;(f)the terms and conditions of appointment of the Registrar, other officers and employees of the State Veterinary Council under sub-section (2) of section 42;(g)the particulars to be included in the State veterinary register under clause (e) of sub-section (4) of section 44;(h)the fee which shall be accompanied by an application for registration under sub-section (2) of section 45 and sub-section (1) of section 47;(i)the form of certificate of registration under sub-section (5) of section 45 and sub-section (5) of section 47;(j)the fee payable under section 46, section 50, section 52 and section 54;(k)the renewal fee under

sub-section (1) of section 48;(l)the manner of payment of renewal fee under the proviso to sub-section (2) of section 48;(m)the charge for supplying printed copies of the State veterinary register under section 51;(n)the form of duplicate certificate under section 54;(o)any other matter which is to be or may be prescribed under Chapters VI, VII and VIII.(3)Every rule made under this section shall be laid as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or, where such Legislature consists of one House, before that House.

66. Power to make regulations.

(1)The Council may, with the previous approval of the Central Government, make regulations, not inconsistent with the provisions of this Act and the rules made under section 64, to carry out the purposes of Chapters II, III, IV and V.(2)In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:--(a)the manner in which the President and Vice-President shall be elected under sub-section (4) of section 3;(b)the procedure to be observed respectively by the Council and the Committee at their meeting under sub-section (6) of section 9 and sub-section (2) of section 12;(c)the terms and conditions of appointment of the Secretary, other officers and employees of the Council under sub-section (2) of section 11;(d)the fees and allowances for attending the meetings of the Council and the Committees under section 13;(e)the form and manner in which the Indian veterinary practitioners register shall be maintained under sub-section (1) of section 23;(f)the manner of keeping the Indian veterinary practitioners register under sub-section (2) of section 23;(g)the form and manner in which an application may be made under section 24;(h)the form of application and the fee payable under sub-section (1) of section 25;(i)the form of certificate of registration under sub-section (2) of section 25;(j)the fee payable under sub-section (3) of section 25;(k)the form of duplicate certificate under sub-section (3) of section 25;(l)the form and manner in which an application may be made and the fee payable under sub-section (1) of section 26;(m)the standards of professional conduct and etiquette and code of ethics to be observed by veterinary practitioners under sub-section (1) of section 31;(n)any other matter for which under this Act provision may be made by regulations.(3)Every regulation shall, as soon as may be after it is made by the Council, be forwarded to the Central Government and that Government shall cause a copy of the same to be laid before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation 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 regulation.

67. Repeal and saving.

- As from the commencement of this Act in any State, every other Act relating to any matter contained in this Act and in force in that State shall, to the extent to which that Act or any provision contained therein corresponds, or is repugnant, to this Act or any provision contained in this Act,

stand repealed and the provisions of section 6 of the General Clauses Act, 1897 (10 of 1897), shall apply to such repeal as if such other Act were a Central Act.