

The Orissa Veterinary Practitioners Rules, 1976

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The Orissa Veterinary Practitioners Rules, 1976 Published vide Notification S.R.O. No.1153/76 dated 20th September 1976, Orissa Gazette Extraordinary No. 1868/22.11.1976 Notification S.R.O. No.1153/76 dated 20th September 1976. - In exercise of the powers conferred by Section 38 of the Orissa Veterinary Practitioners Act, 1969 (Orissa Act 3 of 1970), the State Government do hereby make the following rules, namely :

Part I

1. Short title.

- These rules may be called the Orissa Veterinary Practitioners Rules, 1976.

2. Definitions.

(1) In these rules unless there is anything repugnant in the subject or context -(a) "Act" means the Orissa Veterinary Practitioners Act, 1969; (b) "Director" means the State Director of Animal Husbandry and Veterinary Services; (c) "Dean" means the Dean of the Veterinary College of the Orissa University of Agriculture and Technology; (d) "Form" means a form appended to these rules; (e) "Registration number" means the serial numbers in the register of Veterinary Practitioners maintained by the Council under Section 18; (f) "Returning Officer" means the Registrar and includes any officer deputed for the time being by the Registrar to perform the duties of the Returning Officer under these rules; (g) "Section" means a Section of the Act, and (h) Words and expressions used in these rules and not defined have the same meaning as in the Act.

Part II – Nomination and election under Section 4

3. Notice to the Registrar.

(1)The Director shall advise the State Government on the request of the Registrar for nominating the President out of a panel of three names recommended by the Director from amongst the Veterinary Graduates of the State as stipulated under Section 4 (a).(2)Nominations as required by Clauses (e) and (f) of Section 4 shall be made by the State Government on the advice of the Director in a manner similar to that as in Sub-rule (1) above. The request of the Registrar as enjoyed in Sub-rules (1) and (2) above shall be made to the Director in writing not less than sixty days before the expiry of the term of the office of the President and members concerned.(3)The election of the members under Clause (c) of Section 4 shall be made by the Dean in consultation with the Registrar regarding the mode of election. The Dean shall intimate to the Registrar, the name of the member so elected, fifteen days before the expiry of the term of the sitting member under Clause (c) of Section 4.

Part III

4. The electoral roll.

(1)For the purpose of an election under Clause (d) of Section 4, the Returning Officer shall cause to be prepared a draft electoral roll in which the names and other requisite particulars of all persons who may be entitled to vote at such election up to the date appointed by the Returning Officer in that behalf shall be included. The electoral roll shall be in Form No.I.(2)The date appointed under Sub-rule (1) as well as the date up to which the draft electoral roll shall be kept open for public inspection under Sub-rule (3) shall be notified by the Returning Officer in the Official Gazette and in such other manner as he may think fit, for general information.(3)The draft electoral roll shall be kept open in the office of the Returning Officer for public inspection for a period of not less than thirty days. Any claim for inclusion of a new name and any objection to any entry in the draft electoral roll shall be made in Form II (a) and Form II (b), respectively. Such claim or objection shall be filed within the period for which the draft electoral roll is kept open for inspection and shall be examined and decided by the Returning Officer and the decision shall be final.(4)The draft electoral roll shall be corrected in accordance with the decision of the Returning Officer and the roll thus corrected shall be the final electoral roll for the election. In the preparation of the final electoral roll, registration and restoration after the date appointed under the Sub-rule (1) or new qualifications of employment obtained after the date shall be disregarded. No person whose name is not included in the final electoral roll shall be entitled to participate in the election. Change of address after the final electoral roll has been prepared, shall be disregarded.(5)As soon as the final electoral roll has been prepared under Sub-Rule (4), the Returning Officer shall notify the fact in the "Official Gazette" and in such other manner as he may think fit. He shall at the same time appoint and notify in the same manner such date or dates or latest date, as the case may be, and if necessary, such time and place as may be deemed suitable for each of the following items, namely :(a)the issue of nomination paper;(b)the receipt of nomination paper sent or delivered under Sub-rule (5) of Rule 5;(c)the scrutiny of the nomination paper under Sub-rule (9) of Rule 5;(d)the sending of voting papers with

the relative identification envelopes under Clause (b) of Sub-rule (2) of Rule 6;(e)the receipt of voting paper under Sub-rule (8) of Rule 6, and(f)the scrutiny of voting papers and counting of votes under Rule 7.

5. Nomination of candidates for election.

(1)Any person whose name is included in the final electoral roll prepared under Sub-rule (4) of Rule 4 and who is not disqualified under Section 8 may be nominated as a candidate for election.(2)Every such nomination shall be made in writing in Form III with complete and correct particulars as required therein, and shall be certified by a proposer and a seconder qualified to do so under Sub-rule (4) and the candidate shall make and sign the declaration specified in the said Form.(3)No elector shall subscribe, whether as proposer or seconder, more nomination papers than the number of vacancy or vacancies to be filled at the election by the particular electorate. If more nomination papers be subscribed by the same elector, then only the permissible number of such nomination papers first received by the Returning Officer shall, if otherwise in order, be held to be valid. But, if the Returning Officer is unable to determine the order in which such nomination papers were received by him, all of such nomination papers shall be held to be invalid.(4)The proposer and the seconder of a candidate shall be persons whose names included in the final electoral roll, otherwise the nomination papers shall be invalid.(5)A nomination paper may be sent by or delivered otherwise, but a nomination paper received by the Revenue Officer after latest date and hour notified therefor under Sub-rule (5) of Rule 4 shall be invalid.(6)On receipt of each nomination paper the Returning Officer shall forthwith endorse thereon the date and hour of its receipt.(7)The Returning Officer shall examine each nomination paper and shall record thereon his decision accepting or rejecting the same after hearing objection, if any, and if a nomination paper is rejected, shall state in brief his reasons for such rejection.(8)Every nomination paper in respect of which the requirement of the Act and the rules have not been complied with shall be rejected.(9)On the date, time and place notified under Sub-rule (5) of Rule 4 for the scrutiny of the nomination papers, every candidate and his proposer and seconder may attend the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him.(10)Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer up to 3 O'clock in the afternoon. On the first working day succeeding the date appointed for the scrutiny of the nomination, or where an objection is decided under Sub-rule (9), on the first working day succeeding the date of such decision. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election. The candidature of any duly nominated candidate unless withdrawn in accordance with this Sub-rule shall remain valid.

6. Election and voting.

(1)If the number of duly nominated candidate after any withdrawal of candidature under Sub-rule (1) of Rule 5 does not exceed four, the Returning Officer shall, without calling for a poll, declare such candidates to be elected and if such number exceeds four, he shall take steps to called for a poll in the manner hereinafter laid down.(2)When in pursuance of Sub-rule (1), polling is required to be taken, the Returning Officer shall-(a)cause to be prepared serially numbered voting papers in Form

IV and published in the "official Gazette" and in such other manner as he may think fit, the names of the candidates duly nominated, arranged in alphabetical order of their surnames;(b)proceed to issue, by registered post to each elector one voting paper with one identification envelope in Form V, to his address as mentioned in the final electoral roll; provided that such a voting paper with an identification envelope may be issued to an elector to whom the voting paper has not been sent, on his applying in writing to the Returning Officer for the same, at any time before the latest date and time notified under Sub-rule (5) of Rule 4 for receipt of voting paper. In no case shall a voting paper be issued after the latest date notified under Sub-rule (5) of Rule 4.(3)No election shall be deemed to be invalid by reason of non-receipt by any elector of a voting paper.(4)An elector may vote for the maximum number of four candidates. A voting paper, in which votes are given for more than four candidates shall be rejected.(5)Any elector whose name is born on the final electoral roll and who is desirous of recording votes, shall mark the voting papers issued to him with a simple Cross "x" (and no other mark) in the proper column against the name or names of the candidate or candidates, for whom he intends to vote and no elector shall record more than one vote against the name of any one candidate. A voting paper in which a vote or votes are marked otherwise than by a Cross "x" as laid down in this Sub-Rule or in which more than one such cross mark or other kind of mark is put against the name of any one candidate shall be rejected.(6)A vote recorded otherwise than on the voting paper sent to the elector, shall be rejected and every voting paper in respect of which any requirement of these rules has not been complied with or on which a mark is placed in such a manner as to make it doubtful to which candidate the vote is given or on which the elector has placed any mark whereby he may be afterwards, identified or on which an alteration or erasure occurs indicating a change of vote or which is not received by the Returning Officer on or before the latest date, and time notified under Sub-rule (5) of Rule 4, shall be rejected.(7)After recording his vote or votes on the voting paper, the elector shall shut the voting paper, in the relative identification envelope, close the envelope and sign the declaration printed on the envelope furnishing correctly all particulars required therein. The identification envelope shall then be either delivered personally by the elector or sent singly by registered post to the Returning Officer.(8)Only one voting paper shall be enclosed in one identification envelope and if two or more voting papers are enclosed in the same identification envelope the identification envelope and the voting papers therein, shall be rejected.(9)No voting paper shall be accepted unless it is enclosed in the identification envelope supplied within any defect such as incompleteness in the entries required on the identification envelope or its receipt after the latest date and time notified under Sub-rule (5) of Rule 4, shall invalidate both the envelope and the voting paper enclosed. ,(10)On receipt of the identification envelope, the Returning Officer shall examine the envelope and where he rejects any of them for non-fulfilment of the requirements of Sub-rules (7) and (9), he shall record his decision, "rejected" noting thereon in which respect it does not fulfil those requirements and deal with them in accordance with the provisions of Sub-rules (3) to (5) and Rule 7. The Returning Officer shall place the identification envelope which he provisionally accepts in a bundle without opening the envelope and deal with them as under Sub-rules (3) to (5) or Rule 7.

7. Scrutiny and counting of votes.

(1)The Returning Officer shall scrutinise and count the votes or cause them to be counted on the date and time and at the place notified under Sub-rule (5) of Rule 4 and on any subsequent date or

dates as may be necessary to complete the scrutiny and counting.(2)Any candidate may be present in person or may sent a representative duly authorised by him in writing to watch the process of scrutiny and counting.(3)The Returning Officer shall show all identification envelopes whether accepted or rejected to the candidate or their representatives if any for examination of the propriety of his decision. Any objection made against this decision of acceptance or rejection of any identification envelope shall be decided at once by the Returning Officer and his decision shall be final.(4)The rejected identification envelopes shall be placed in separate bundles and shall be sealed for being kept in safe custody as provided in Rule 9.(5)The valid identification envelopes shall be opened in presence of the candidates or their representatives if any and the voting papers shall be separated from the covers which will be kept aside from view.(6)As the voting papers are separated from the envelopes, the Returning Officer will proceed to examine the voting papers in convenience batches to see whether the votes have been recorded in accordance with the provisions of these rules. He shall record his decision "rejected" on every voting paper which is found to be defective in any respect and which he rejects and indicates thereon the ground for rejection very briefly. The remaining voting papers shall be deemed to be accepted.(7)If any objection is taken against his decision of acceptance or rejection of any voting paper, such objection shall be decided by the Returning Officer at once and his decision shall be final.(8)The Returning Officer shall separate or cause to be separated the valid papers from those that have been rejected and keep them in separate bundles.

8. Declaration of names of candidates elected.

(1)When the counting of votes has been completed, the Returning Officer shall subject to the provisions of Sub-rule (2), forthwith declare the first four candidates, for whom the largest number of valid votes has been cast, as elected.(2)When an equality of votes is found to exist between candidates and an addition of a vote will entitle one of them to be declared elected, the determination of person or persons to whom such additional votes shall be deemed to have been given, shall be made by lot to be drawn in the presence of the Returning Officer in such manner as he may determine.(3)The Retuning Officer shall immediately inform the result of the election to the President shall forward the report to the State Government for publication of the names of the candidates duly elected in the "official Gazette" under Section 9.

9. Disposal of election papers.

- On the completion of the election proceeding the Returning Officer, if he is not the Registrar shall make into convenient trundles the nomination papers, the voting papers and the identification envelope, seal each bundle, and make over all the papers relating to the election to the Registrar of the Council who shall keep them in safe custody in his office till the next general election.

Part IV – Nomination of members under Clauses (a), (e), (f) and (g) of Section 4

10. Notice to the State Government.

- At least sixty days before the expiry of the term of office of any member nominated by the State Government or the Speaker, Orissa Legislative Assembly, the Registrar shall draw the attention of the President to the approaching vacancy and the latter shall forthwith report it to the State Government and the Speaker of the Orissa Legislative Assembly for necessary action to fill up the vacancy.

Part V – Filling of casual vacancies

11. Procedure to fill up the casual vacancy.

(1) In the case of a casual vacancy from among the members, appointed under Clause (e), of Section 4, the Registrar shall report the vacancy to the President forthwith and the President shall intimate the same to the State Government for filling the casual vacancy. (2) When there is a casual vacancy from amongst the members elected, under Clause (c) of Section 4, the Registrar shall forthwith report the vacancy to the President and shall upon orders of the President request the Orissa University of Agriculture and Technology dealing with Veterinary Science to elect a member within two months from the date on which the vacancy occurs. The said University shall intimate to the President the name of the person elected with his qualification, registration number and address. (3) When there is casual vacancy from among the member elected under Clause (d) of Section 4, an election shall be held in accordance with the procedure laid down in Part III of these rules except that the period of publication of draft electoral roll as provided in the Sub-rule (3) of Rule 4 shall be ordinarily fifteen days and that the programme of time for the several stages of the operation shall be so arranged that the election may be completed within two months from the date of which the vacancy occurs. (4) The name of any member elected in a casual vacancy shall be forwarded to the State Government for publication in the "official Gazette".

Part VI – Maintenance of register

12. Register of Members.

- A register shall be maintained in Form VI showing the name of the members appointed to the Council from time to time.

Part VII – Election of Vice-President

13. Procedure for election of Vice-President under Section 5 (1).

(1) The election of the Vice-President shall be held at the very first meeting of the Council. (2) The President shall invite the members present at the meeting to make their nominations for the office of the Vice-President. Every such nomination shall be supported by another member present at the

meeting as seconder :Provided that no one member shall nominate or second more than one person for the office of the Vice-President.(3)If there be only one person so nominated for the office of the Vice-President, he shall be declared duly elected as Vice-President.(4)If there be more than one person for the office of the Vice-President, the President shall proceed to take ballot in the following manner, namely:(a)a slip of paper shall be given to every member present who shall write on it the name of the person he votes for the office of the Vice-President. He shall then fold the slip and hand it over to the President;(b)the President then count the number of votes secured for each nominee and declare the member who secures the largest number of votes to be duly elected as Vice-President;(c)if equal number of votes is secured by two or more nominees for the office of the Vice President may then make the election by not drawn in the manner as he thinks fit and the person so elected by the lot shall be declared as duly elected to the office of the Vice-President.

Part VIII

14. Power of State Government to declare an election as void.

- The State Government may of its own motion or on objection made within three months from the date of election, declare any election to the Council as void and any direction of the State Government under this rule shall be final.

Part IX – Maintenance of records of registration of Veterinary Practitioners and form of register

15. Register of Veterinary Practitioners.

- The Registrar shall maintain a register of registered Veterinary Practitioners in Form VII.

16.

(1)The names shall be entered in the register in the order in which the applications for registration are admitted and sufficient space shall be left for future additions and alterations in the qualification and address of the practitioners whose names appear herein. Each page of the register shall be verified and signed by the Registrar.(2)After registration of every Veterinary Practitioners, the Registrar shall grant such practitioner a certificate in Form No. VIII.(3)In the event of a certificate issued under Sub-rule (2) being lost or accidentally destroyed the holder may at any time during which such certificate is in force apply to the Registrar for a fresh certificate, and the Registrar may on satisfactory proof as to the identity of the applicant, grant a duplicate certificate on payment of the fees prescribed for the purpose in Rule 26.

17. Application for registration.

- Every, person who (i) has completed the age of twenty one years, and (ii) holds a recognised veterinary qualification and desires to have himself registered shall apply to the Registrar in Form IX duly filled in and signed by himself. Every such application shall be accompanied by a fee as provided in Rule 26.

18. Renewal of Registration.

(1)The name of every person registered under these rules shall subject to the provisions in these rules as to the cancellation of the entries and removal of names from the register, remain entered therein, and the registration of such person shall hold good till the completion of one year from the date of entry.(2)Any person desiring to renew his registration shall submit to the Registrar an application before the completion of one year and shall forward with such application the fee prescribed in this behalf in Rule 26.(3)The Registrar shall send to any Veterinary Practitioner who has not paid his renewal fees by the due date, a demand notice for payment thereof, followed by two reminders at thirty days interval by registered post with acknowledgement due addressed to the Veterinary Practitioner at his address recorded in the register.(4)When the renewal fee is not received within thirty days of the receipt of the last reminder, the Register shall remove the name of the defaulter from the register:Provided that the names so removed may be restored to the register on payment of fees and penalty as prescribed in this behalf in Rule 26.

19.

(1)An application for registration of an additional qualification shall be in Form X and shall be accompanied by the fees prescribed in this behalf in Rule 26.(2)On registration of additional qualification under Sub-Rule (1), the Registrar shall grant such practitioner a certificate in Form XI.

20.

(1)No appeal, preferred to the State Government under Section 24, against the orders of the Council shall be entertained unless a fee of rupees fifty has been credited to the treasury through challan under the head "Fees for appeal cases against decision of Veterinary Council" under the minor head, "Other receipts" subordinate, to major head "110-Animal Husbandry", and the challan filed along with the appeal. After affixing the date, time and place for hearing the appeal the State Government may give at least fifteen days' notice of such date, time and place to the appellant by registered post with acknowledgement due. The State Government may pass such orders as it deems fit after hearing the appellant in person or through a duly authorised representative if he so chooses.(2)The State Government shall have power to call for the original certificate from the appellant for inspection and also such other documentary or oral evidence as may be considered necessary for the purpose.(3)The appeal petition shall contain besides other particulars regarding the grounds of appeal, the academic qualification, attained with the dates of such attainments.

21.

Certified copy of entries in the register, in Form No. XII may be issued to any one on payment of a fee prescribed for the purpose in Rule 26.

22. Registration of a change of name in the register.

- The fee prescribed in Rule 26 shall be payable for registering change of name in the register.

23. Cancellation of name from the register.

(1)The Council may cancel from the register the name of any person who-(a)has requested that his name be removed from the register in which case such person may be required to file a declaration that no disciplinary or criminal proceedings are being taken or are likely to be taken against him;(b)has filed within a period as may be determined by the Council to furnish to the Registration such information as the Council may require.(2)The Council may cancel from the register the name of any person whose name has been removed from the roll, register of record of any University, Veterinary College, or other body from which that person received the recognised Veterinary qualification on the basis of which he was registered, and any registration certificate issued to such person shall stand cancelled with effect from the date of the order of cancellation passed by the Council.(3)The Registrar shall call for cases referred to in Sub-rules (1) and (2) before the next meeting of the Council who has consider them along with objection thereto and the Registrar shall act in according with the direction of the Council as to the removal or otherwise of the name of the registered practitioner from the register.

24. Publication of the register.

- The Registrar shall as soon as may be after the first day of April in each year, cause to be printed copies of the register as they stood on the said date and such copies shall be made available to persons applying therefor on payment of the fees prescribed in Rule 26 and shall be evidence that on the said date the persons whose names are entered therein were registered Veterinary Practitioners, the Registrar shall keep an interleaved copy of such printed list, wherein he shall make during the year any entry, alteration or removal that may be necessary.

25. Change of address of registered practitioners.

(1)It shall be the duty of every registered practitioner who changes his address to intimate the fact to the Registrar within one month after such change.(2)There shall be made every year and entered in the printed register an enumeration of-(a)the total number of persons in the published register;(b)the number of persons registered during the year;(c)the number restored to the register;(d)the number cancelled from the register and the rule under which each such cancellation has been made; and(e)the number removed by death.

Part X

26. Fees for registration, renewal, etc.

- The following fees are chargeable for matters specified, below :

	Rs.
(a) for the first registration	20
(b) for annual renewal of registration	10
(c) for registration of change of name	10
(d) for every qualification or status to be subsequently registered	5
for restoration to the register after removal for non-payment for annual renewal (in addition	
(e) to be registration or renewal fees for the year or years during which the name	10
remained unremoved)	
(f) for restoration to the register	15
(g) for every certified copy of an entry in the register	5
(h) for duplicate certificates	5

Part XI – Removal or suspension of registered Veterinary Practitioners

27.

If at any time it is made to appear by affidavit that a person registered under these rules has become mentally or physically disabled to the extent that the continued practising of such person is contrary to the public welfare, the Council may hold an enquiry into the facts submitted or may order suspension of such person for a period till his recovery. If however, the mental or physical disability is certified by a competent Medical Board to be an incurable one, he shall be permanently debarred from carrying on his professions or practice.

28. Action to be taken by the Council on receipt of information of conviction of a registered Veterinary Practitioner.

- Whenever information reaches the office of the Council that a registered Veterinary Practitioner has been convicted of a cognizable offence or has been under the censure of any judicial or other competent authority in relation to his professional character has been guilty of misconduct in professional matters, the Registrar shall take an abstract of such information and submit the same to the President.

29. Procedure for supplying information.

- Where the information in question is in the nature of a complaint by a person or body charging the registered Veterinary Practitioner with infamous conduct in professional matters the information must be in the form of a complaint made in writing by the person complaining, stating the grounds of the complaint which shall be accompanied by appropriate declarations as to the facts of the case.

30. Form of declaration.

- Every declaration must state the description and true place of abode of the declarant and where a fact stated in the declaration is not within the personal knowledge of the declarant the source of the information and ground for the belief of the declarant in its truth must be accurately and fully stated. Declarations and parts of the declarations which are made in contravention of this rule shall not be accepted.

31. Procedure to be followed by the Council.

(1)The abstract and where a complaint has been lodged the complaint and other documents bearing on the case shall be submitted by the Registrar to the President who shall, if he thinks fit instruct the Registrar to ask the registered Veterinary Practitioner concerned by means of a registered letter for any explanation he may have to offer. The documents including any explanation furnished by the registered Veterinary Practitioner shall then be referred to the Council who shall consider the same and shall have power to cause further investigation to be made and further evidence to be taken and to refer, if necessary, to an Advocate for his advice and assistance.(2)If the Council are of the opinion that a prima facie case has not been made out the case shall not be proceeded with further, and the Registrar shall inform the complaint of the decision of the Council.(3)If the Council are of the opinion that the case is one in which an enquiry ought to be held the President shall direct the Registrar to take steps for the institution of an enquiry and for having the case heard and determined by the President or by an Enquiry Committee that may be appointed by the Council.

32.

An enquiry connected with the removal of a name from the register shall be instituted by the issue of a notice in writing on behalf of the Council by the Registrar addressed to the registered Veterinary Practitioner. Such notice shall specify the nature and particular or a charge and shall inform him of the date on which the President or the Enquiry Committee shall deal with the case and shall call upon the registered Veterinary Practitioner to answer in charge in writing and to appear before the president or the Enquiry Committee as the case may be on such day assisted by a counsel, if he so desires. The notice shall be in Form XIII with such variation as circumstances may require and shall be sent so as to reach the registered Veterinary Practitioner at least one month before the date of enquiry.

33. Supply of copy of documents.

- In every case in which the Council resolve that an enquiry shall be instituted and notice for an enquiry is issued accordingly, either parties shall for the purpose of defence or reply, as the case may be, an upon request in writing for that purpose signed by himself or his advocate, be entitled to be supplied by the Registrar with a copy of any declaration, explanation or answer or other document given or sent to the Council by or on behalf of the other party which such other party will be entitled on proper proof to use at the hearing as evidence in support of or in answer to the charge specified in the notice or enquiry and every notice of enquiry shall draw the particular attention of the registered Veterinary Practitioner to this rule.

34. Answer, etc. how to be dealt with.

- Any answer, evidence or statement forwarded or application made by the Veterinary Practitioner between the date of the issue of the notice and the day fixed for the hearing of the charge shall be dealt with by the President in such manner as he may think fit.

35. Document to be typed or cyclostyled.

- All material documents which are to be laid before the Enquiry Committee as evidence in regard to the case shall be typed or cyclostyled and copy thereof shall be furnished to each of the counsel before the hearing of the case.

36. Employment of counsel.

- At the hearing of the case by the Enquiry Committee an Advocate may be employed by the Council to advise as to the conduct of the case and to act as judicial assessor if necessary. The complainant and also the Veterinary Practitioner may be represented by an advocate, if they so choose.

37. Procedure before the Enquiry Committee.

- Where a complainant appears personally or by an advocate the following shall be the order of procedure, namely:(a)The Registrar shall read to the Enquiry Committee the notice of the enquiry addressed to the Veterinary Practitioner.(b)The complainant shall then be invited to state his case by himself or by his legal representative and to produce his evidence in support of it. At the conclusion of the complainant's evidence his arguments should be heard and then his case will be closed.(c)The registered Veterinary Practitioner shall then be invited to state his case by himself or by his legal representative and to produce his evidence in support of it. He may address the Enquiry Committee either before or at the conclusion of his evidence, but only once.(d)At the conclusion of the registered Veterinary Practitioner's case the Enquiry Committee, shall, if the practitioner has produced evidence hear the complainant's argument in reply on the case generally but shall take no further evidence except in any special case where the Enquiry Committee thinks fit to take further evidence. If the practitioner produces no evidence the complainant shall not be heard in reply except

by special leave of the Enquiry Committee.(e)Where a witness is produced by any party before the Enquiry Committee, he shall be first examined by the party producing him and then cross-examined by the opposite-party and be reexamined by the party producing him, if necessary. The Enquiry Committee shall reserve to itself to admit or decline to admit in evidence any declaration where the declarant is not present or declines to submit to cross-examination.(f)The judicial assessor when present may put questions to any witness, and members of the Enquiry Committee may also put questions to any witness.

38. Procedure where there is no written complaint or where the complainant does not appear.

- Where there is no written complaint or the complainant does not appear the following shall be the order of procedure, namely : (a) the Registrar shall read to the Enquiry Committee the notice of enquiry addressed to the Practitioner and shall state the facts of the case as produced before the Enquiry Committee the evidence by which it is supported; (b) the Practitioner shall then be invited to state his case by himself or by his legal representative and to produce his evidence in support of it. He may address the Enquiry Committee either before or at the conclusion of his evidence but only once; (c) the Counsel to the Enquiry Committee may be heard in reply if the Enquiry Committee so desires.

39. Judgement of the Enquiry Committee.

- Upon the conclusion of the case the Enquiry Committee shall deliver its judgement either at once or on some future date of which due notice shall be given to parties concerned.

40. Hearing of a case.

- The hearing of the case before the Enquiry Committee shall proceed from day to day. But the Enquiry Committee shall have the power to adjourn the case to any date if it considers convenient. The Enquiry Committee shall announce the next date on which it shall take up the case, at the conclusion of each day's sitting.

41. Order passed by the Enquiry Committee to be subject to the confirmation by the Council.

- An order passed by the Enquiry Committee shall be subject to the confirmation by the Council and shall not take effect until such confirmation.

42. Information of removal of name from the Register.

- The Registrar shall upon the removal of any name from the register pursuant to the direction of the Council send notice of such removal to the practitioner concerned. The Registrar shall also send information of such removal to the licensing authority under the Drugs Act of the State concerned

and also to the Dean, Registrar or Secretary or other proper officer of any body or bodies from which the practitioner received his qualification or, qualifications or under whom he is employed.

43. Surrender of Certificate of Registration.

- A person whose name has been removed from the register under the provisions of these rules shall forthwith surrender his certificate of registration to the Registrar and the name so removed shall be published in the "official Gazette".

Part XII

44. Re-entry of names.

- The President may on the application received from the person whose registration has been cancelled from the register direct the Registrar, if he thinks fit, to re-enter the name in the register. The grounds on which re-entry has been ordered shall be duly recorded on such application by the President.

45. Application for re-entry.

- No application for the re-entry of a name removed from the register shall be entertained unless it is accompanied by an application from the applicant in Form No. XIV together with the following document in original or this certified copies. (i) applicant's registered veterinary qualification; and (ii) the certificate of registration if the same has not been already returned to the Council.

46. Procedure for re-entry.

- Any person whose name has been removed from the register by the Council but who still possess a qualification entitling him to be registered under these rules may make an application to the Council for re-entry of his name in the register and the following procedure shall be followed in the case of every such application, namely ; (1) the application shall be addressed to the Council in writing and signed by the applicant and shall state the grounds on which the application is made; (2) the application shall be accompanied by - (i) a declaration made by the applicant before a Magistrate of 1st Class setting forth the facts of the case and stating that he is the person originally registered; and (ii) by one of the following documents in original or its certified copy, namely : (a) degree or diplomas of a certificate of the applicant's recognised Veterinary qualification; (b) his certificate of registration if the same has not already been returned to the Council; (c) certificate in Form XV from two registered Veterinary Practitioners as to his identification. (3) The statement in the application shall also be verified by two certificates in writing to be given by two registered Veterinary Practitioners who are resident in the neighbourhood of the place where the applicant has been residing since the removal of the name and they shall testify to his present good character. (4) Before the application is considered by the Council the Registrar shall notify the same to the licensing bodies whose qualifications were held by the applicant at the time his name was removed and shall

further by letter addressed to the persons or body (if any) on whose complaint to applicant's name was removed, give notice of the application and of the time when the Council intends to consider the same.(5)The Council shall consider the application and may, if it thinks fit adjourn the consideration of it to a future date or require further evidence or explanation from the applicants.(6)The declaration and the certificate referred to in Sub-rules (2) and (3) shall respectively be in Forms XVI and XVII with such variations as circumstances may require or cyclostyled form shall be kept by the Registrar who shall supply them to the intending applicant.

Part XIII

47. Financial transaction of the Council.

- An account shall be opened in the State Bank of India in the name of Registrar of the Council and all the money of the Council shall be deposited in the said Bank.

48. Financial year.

- For the purpose of these rules, each year shall be deemed to commence on the 1st day of April and to terminate on 31st day of March of the following year.

49. Receipt of the Council.

- The Council shall for the purpose of proper discharge of its function receive such annual grant as may be paid by the State Government, the fees chargeable for registration and the proceeds of sale of its report and publication and all receipts shall be credited to the fund of the Council. Subject to the prior approval of the State Government the Council shall also receive beneficence and contributions from private persons or bodies.

50. Withdrawal of money from the Council Fund.

- Withdrawal from the fund of the Council shall be made by means of cheque to be signed by the Registrar. The cheque books shall remain in the personal custody of the Registrar.

51. Investment of funds of the Council.

- The Registrar shall prepare detailed estimates of the receipts and expenditures for the next financial year and shall submit the same for sanction of the Council at a meeting to be held for the purpose before the first of September every year. One copy of the sanctioned estimate shall be submitted by the 1st of September to the State Government along with the audit report of the financial year ending 31st March of that year.

52. Appropriation of funds.

- The funds of the Council shall not be appropriated for expenditure on any item which has not been duly approved by the State Government.

53. Units of appropriation.

- The primary units of appropriation shall be -Pay of Officers- "Pay of Establishment" -Allowances" 'Contingencies' "Leave salary" "Provident Fund Contribution".

54. Re-appropriation of funds.

- The President shall have the powers to reappropriate funds from one unit of appropriate to another within the total sanctioned estimates. Copies of orders sanctioning such reappropriation shall be placed before the Council for its information.

55. Sanction of expenditure.

- The Registrar shall have power of sanction of expenditure of miscellaneous and contingent nature up to an amount not exceeding rupees one hundred fifty only in each case. Expenditure in excess of this amount up to rupees two hundred and fifty only shall require the sanction of the President and in excess of rupees two hundred and fifty the sanction of the Council.

56. Controlling Officers.

- The Registrar shall be the Controlling Officer for sanctioning travelling, halting and other allowances to members of the Council.

57. Accounts Register.

(1)The following accounts registers shall be maintained by the Council, namely :(i)Cash(ii)Register of Security(iii)Register of Dead Stock and Furniture(iv)Stock Register of Cheque Books(v)Acquittance Roll(vi)Register of Grant-in-aid.(2)The Form in respect of each of the above register shall conform to those already in use in Government officers and shall be prescribed by the Council after such modifications as may be necessary to suit the purpose.(3)The Registrar shall be responsible for proper maintenance of registers.

58. Monthly accounts.

- Monthly accounts shall be compiled in a register according to the primary units of appropriation. Suitable secondary units may be opened at the discretion of the Registrar, who shall be responsible for the due preparation and maintenance of all accounts.

59. Audit of accounts.

- Local Fund Audit Organisation of the Finance Department will conduct audit in respect of financial transaction of the Council. The audit report shall be placed before the Council and after its approval the audit report shall be submitted to the State Government along with the report of the Council as to the action taken or proposed to be taken on the observation thereon.

Part XIV

60. Annual grants by the State Government.

(1)The annual grant that may be made by the State Government to the Council for the proper discharge of the functions of the Council shall, in no case, exceed the difference between the total expenditure and the income of the Council.(2)All applications for grant from the State Government shall be made by the Registrar on behalf of the Council after obtaining the permission of the Council. Each such application shall, invariably accompany a statement of estimated expenditure and the income of the Council and the audit report of the Council for the previous years :Provided that for the grant for the financial year in which the Council is constituted for the first time, it shall not be necessary to submit the audit report of the Council.(3)The grant that may be sanctioned by the State Government shall be drawn by the Registrar of the Council and credited to the Veterinary Council Fund.(4)There shall be maintained a Register of Grant that may be made by the State Government, showing the amount sanctioned, date of drawal, amount of expenditure incurred, and the balance, if any at the end of the financial year.

Part XV – Miscellaneous Validity of the order of the Secretary or the Registrar or the President or the Council

61.

The action taken by the Registrar or the President in accordance with the provisions of these rules shall on no account be held to be void :Provided that any question that may arise as to the validity of the decision taken by the Registrar or by the President shall be decided by the President or the Council, as the case may be :Provided further that any question that may arise as to the validity of the decision of the Council shall be referred to the State Government and its decision thereon shall be final.

62.

The State Government either of its own motion or on reference made to it by the Council through its President decide all cases of disciplinary action against the Registrar in accordance with the rules applicable to Government servants.AppendixForm No. 1[See Rule 4 (1)]Form of Electoral Roll for an Election under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act 1969 (Orissa Act 3

of 1970)

Serial No.	Name and address	Registration No.	Academic qualification	Name of the institution where employed if any	Capacity in which employed
1	2	3	4	5	6

Form No. II (a)[See Rule 4 (3)]Form for filing claim for inclusion of name in the Electoral Roll under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act 1969(Orissa Act 3 of 1970)ToThe Returning Officer,Orissa Veterinary Council.Sir,I beg to file under Rule 4 (3) of the rules for election under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act, 1969 (Orissa Act 3 of 1970), this claim for inclusion of my name in the electoral roll for the ensuing election to the Orissa Veterinary Council.Name (in block letters).....Registration No.....Address (in block letters).....Academic qualification.....Name of the institution where employed, if any.....Capacity in which employed.....Grounds for the claimI declare that I am a citizen of India and that I reside/carry on my profession/am employed in Orissa.Dated at.....The.....20....Signature of claimant (in full)Form No. II (b)[See Rule 4 (3)]Form for filing objection to any entry in the draft Electoral Roll under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act, 1969(Orissa Act 3 of 1970)ToThe Returning Officer,Orissa Veterinary Council.Sir,I beg to file under Rule 4 (3) of the rules for election under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act, 1969 (Orissa Act 3 of 1970) this objection to the following entry in the draft electoral roll under Clause (d) of Section 4 for the ensuing election to the Orissa Veterinary Council. Name of the person to whom the entry objected to relates.....The particulars of entry objected toThe grounds of objection to the entry.....Dated at.....The.....20Signature of the objector (in full)Registration No.AddressForm No. III[See Rule 5 (2)]Nomination PaperForm for Nomination of a candidate under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act, 1969(Orissa Act 3 of 1970)

1. Name of the candidate (in full).....

2. Registration No. of the candidate in final electoral roll under Clause (d) of Section 4.....

3. Serial No. of the candidate in final electoral roll under Clause (d) of Section 4.....

I.....(name in full) with Serial No..... in the final electoral roll under Clause (d) of Section 4 hereby propose the above named candidate for election under the Clause, and declare that to the best of my knowledge and information the candidate satisfies the requirements of Rule 5 (1) and I further declare that I am a citizen of India and that I reside/carry on my profession/am employed in Orissa.

Dated at..... Signature of Proposer

The.....20 Registration No.

Address.

I(name in full) with Serial No..... in the final electoral roll under Clause (d) of Section 4 hereby second the above proposal and declare that to the best of my knowledge and information the candidate satisfies the requirement of Rule 5 (1) and I further declare that I reside/carry on my profession/am employed in Orissa.

Dated at..... Signature of Secondor

The.....20..... Registration No.

Address.

Declaration by the CandidateI..... (name in full) hereby declare that I agree to this nomination, that the particulars stated above about myself are correct, that I am citizen of India and reside/carry on my profession/am employed in Orissa and that I have no intention of changing my residence/place of practice/employment in the near future.

Dated at.....

The.....20..... (Signature of the candidate)

N.B. Nomination papers which are not received by the Returning Officer in his office at.....before.....on day of.....20....shall be invalid.(To be filled in by Returning Officer)Certificate of DeliveryThis nomination paper was delivered to me at my office at (date and hours).....Returning OfficerCertificate of SecurityRejected as time-barred or for breach of rule.....OrI have scrutinised the eligibility of the candidate, the proposer and secondor, and find that they are respectively qualified to stand for election, to propose and to second the nomination.Returning Officer.Form No. IV[See Rule 6 (2) (a)]Voting paper for an election under Clause (d) of Section 4 of the Orissa Veterinary Practitioners Act, 1969Serial No.....Subject to Rules 6 (4) to 6 (10) four members are to be elected under Clause (d) of Section 4 to the Orissa Veterinary Council, by persons whose names are included in the final electoral roll of this electorate. The latest date and hour for receiving voting papers, are.....and any voting paper received by the Returning Officer after that time shall be rejected.[See Rule 6 (6)]

Serial No. of candidate duly nominated	Name, registered qualification, registration No.and address of the candidate duly nominated	Name of the institution in which the candidate is in employment and the capacity in which employed	Column for the voter's mark X
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Form No. VIIdentification Envelopes[See Rule 6(2) (b)]ToThe Returning Officer,Orissa Veterinary CouncilReverseNo.....I hereby, declare that I am the person to whom the enclosed voting papers was addressed, that I have not marked any voting paper of this electorate for this election.And I further declare that I am a citizen of India and that I reside/carry on my profession/am employed in Orissa.Date at.....The20SignatureForm No. VI[See Rule 12]Form of register showing particulars of the members of the Orissa Veterinary Council

Serial No.	Name in	Address	Clause of Section 4	Number and date of	Date of commencement	Due date of termination	Date of and reason for	Remarks
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	block letters and date of birth		under which elected or appointed	notification issued under Section 9	of the term of office	of office	termination of office earlier than the due date	
1	2	3	4	5	6	7	8	9

Form No. VII[See Rule 15]Form of Register of Veterinary Practitioners

Serial No.	Name in full (Block letters) and date of birth	Present address	Qualification (both basic and higher)	With date qualified	Other academic qualification, if any	Permanent address, if any	Present occupation (Government service /privatepractice/ retired)	Remarks	
Diploma/ degree	College/ University	Year							
1	2	3	4	5	6	7	8	9	10

Note : For columns 2, 4, 5, 6 and 7 details given must be supported by certificates (in original).Form No. VIII[See Rule 16 (2)]Orissa Veterinary Council

Seal

No..... Date.....

This is to certify that..... has been duly registered as a Registered Veterinary Practitioner is entitled to all the privileges granted under the Orissa, Veterinary Practitioners Act, 1969. In witness whereof the.....herewith affixed the seal of the Orissa Veterinary Council and the signature of the Registrar of the said Council.

Seal Registrar

This certificate is the property of the Orissa Veterinary Council and is issued to the Veterinary Practitioner mentioned above in accordance with Rule 16 (2) of the Orissa Veterinary Practitioners Rules, 1976. Form No. IX[See Rule 17]Form of application for registration of veterinary practitionersToThe RegistrarOrissa Veterinary CouncilSir,I request that my name, address and qualifications as stated in this application, may be registered in the Orissa Veterinary Council, Register under the rules of the Orissa Veterinary Council and that I may be furnished with the certificate of Registration in due course.I enclose for your perusal and return the degree/diploma in original and their copies for record.I hereby declare that I have read carefully and understood the instructions and particulars stated in the rules and regulations of the Orissa Veterinary Council and that all the entries in this application are true to the best of my knowledge and belief.I also send herewith the prescribed fee of Rs..... postal order bearing No..... dated..... (attached).

Dated at..... Yours faithfully,

The.....20 Signature

Application

1. Name in full (in block letters)

2. Place and date of birth

3. Nationality

4. Residential address

5. Address of place of business or profession (in block letters)

6. Description of qualifications (both basic and higher) of which registration is desired.

(a)	(b)	(c)
Degree or Diploma	Institution	Year (with dates) Qualified
Instructions		

1. All particulars of this application must be filled in by the applicant in neat legible hand.

2. The names entered in this application must exactly tally with the name of the applicant entered at the University or other examinations.

3. Registration fee of Rs.....should be sent to the Registrar, Orissa Veterinary Council, Registration fee should be handed in cash and sent by money order or Postal Order and full name and address of the applicant should be given.

4. If the space for giving particulars is not found sufficient they may be given on a separate sheet and attached to this application.

Form No. X[See Rule 19 (1)]Application for registration of additional qualificationsToThe Registrar,Orissa Veterinary Council.Sir,I beg to apply for the registration of the additional qualification(s) of..... which I have obtained from..... in..... the diploma/ certificate of the qualification(s) is/are enclosed. This/these may kindly be returned as soon as done with.I am already registered in the Orissa Veterinary Council Register and my registration No. is.....The prescribed fee of Rs..... (Rupees.....) is sent herewith in postal order bearing No..... dated.....

Dated at..... Yours faithfully,

The.....20 Signature of the applicant

Form No. XI[See Rule 19 (2)]Orissa Veterinary CouncilNo.....The additional degree/diploma/certificate appearing below has/have been inserted in the Orissa Veterinary Council Register against the name of.....Registration No.....

Degree/Diploma/Certificates already registered

Degree/Diploma/ Certificates now registered

Dated at.....

The.....20 Registrar

Form No. XII[See Rule 21]Certified copy of the entries in the Orissa Veterinary Council Register No..... Dated.....

Certified to be true copy of the entry in the Orissa Veterinary Council Register of the name specified below :

Name Address Date of Registration Qualifications

Registrar

N.B. : This certified copy remains evidence of registration only until the publication of the printed Orissa Veterinary Council Register for 20..... It is not nor it must be used as evidence of the identity of the holder with the person named therein.Form No. XIII[See Rule 32]Notice to a Registered Veterinary Practitioner to attend proceedings for removal of his name from the Orissa Veterinary Council Register

No..... Dated.....

Sir,On behalf of the Orissa Veterinary Council, I hereby given you notice that information and evidence have been laid before the Council by which the complainants make the following charge/charges against you namely (here set out the circumstances briefly) and that in relation thereto you have been guilty of infamous conduct in a professional respect or that you were on the day of.....convicted of the following offence, viz., set out particulars of conviction.And I am directed further to give you notice that on the day of..... 20.... a meeting of the Enquiry Committee will be held at..... O'clock in the to consider the above-mentioned charges against you, and decide whether or not they should direct your name to be removed from the State Veterinary Council Register, pursuant to rule..... of the Rules of the Orissa Veterinary Council. You are invited and required to answer in writing the above charges and to attend before the Enquiry Committee at the above mentioned place and time to establish any denial or defence that you may have to make against the above mentioned charges and you are hereby informed that if you do not attend as required, the Enquiry Committee may proceed to hear and decide the said charges in your absence.Any answer or other communication or application which you may desire to make with respect to the said charges for your defence thereto must be addressed to the Registrar of the Council and transmitted so as to reach him not less than.....day, before the day appointed for the hearing of the case.RegistrarForm No. XIV[See Rule 45]Application for re-entry in the Orissa Veterinary Council Register (the name having been removed under Section.....ToThe Registrar,Orissa Veterinary Council.Sir,I, the undersigned [.....] [Insert full name] holding the qualification of [.....] [Insert qualifications] do solemnly declare the following :That in the year [.....] [Insert date of Registration] my name was duly registered in the Orissa Veterinary Register in respect of the following qualifications:[.....] [Insert qualifications]on the date of cancellation of my name I was registered in respect of the following additional qualifications

: [.....] [Insert additional qualifications] That my name was removed from the Register on [.....]
[State Address] for default in payment of renewal fee : That since the removal of my name from the
register, I have been residing at [.....] [Give particulars] and my occupation has been [.....]
[A Registered Veterinary Practitioner] That it is my prayer that my name be restored in the
register. Yours faithfully, Signature Declared at on Witness (i) Signature Address
: Registration No. Form No. XV [See Rule 46 (2) (ii) (c)] Certificate in support of application I hereby
certify that the applicant Shri son of is the person whose name formerly stood in
the Orissa Veterinary Council Register with the following address and
qualifications: Name Address Qualifications

Signature of the person certifying

Dated at Registration No.

The 20 Address

Form No. XVI [See Rule 46 (6)] Declaration by the applicant for restoration of name to the Orissa
Veterinary Council Register To The Registrar, Orissa Veterinary Council. Sir,

**1. the undersigned [.....] [Insert full name.] now holding the qualification
of [.....] [Insert qualification, if any.] do solemnly declare that the
following are the facts of my case on the basis of which I seek re-entry of my
name in the Orissa Veterinary Council Register.**

**2. In the year [.....] [Insert date.] my name was duly registered in the
Orissa Veterinary Register in respect of the following qualifications:**

[.....] [Insert original qualifications.] on the date of the removal of my name hereinafter
mentioned, I was registered in respect of the same qualifications [.....] [To be added to if
necessary.] and also in respect of the following additional qualifications : [.....] [Insert
additional qualifications.]

**3. At an enquiry held on [.....] [Insert date of enquiry.] the Council
directed my name to be removed from the register, on a complaint made to
the Council by [.....] [Insert name and address of the complainant.]
offence for which the Council directed the removal of my name was [.....]
[Insert charge on which name was removed].**

**4. Since the removal of my name from the register, I have been [.....] [The
blank in the paragraph must be filled in accordance with circumstances.] and
my occupation has been [.....] [The blank in the paragraph must be filled
in accordance with circumstances.]**

5. It is my prayer that my name be re-entered in the register [.....] [Insert particulars as to the proposed future professional occupation.].

6. The ground of application are [.....] [All facts and grounds on which the application is made should be clearly and concisely stated.].

Declared aton

Signed before me Signature of applicant

Magistrate of First Class

Form No. XVII[See Rule 46 (6)]Certificate in support of applicationI certify as follows

:(i)That my Registration No.....is.....(ii)that I have read Paragraphs 4 and 5 of the application of..... and say that I have been and am well acquainted with the saidboth before and since his name was removed from the Orissa Veterinary Council Register; that I believe him to be a person of good character at present and that the statements in the said paragraphs are to the best of my knowledge, information and belief true.

Dated at..... Signature

The.....20..... Registration No.