

The Rajasthan Veterinary Council Rules, 1988

RAJASTHAN

India

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The Rajasthan Veterinary Council Rules, 1988Published vide Notification No. GSR 2, dated 14-4-1988, Published in Rajasthan Gazette, Extraordinary, Part 4 (Ga), dated 21-4-1988In exercise of the powers conferred by section 65 read with sections 36, 38, 40, 41, 42, 44, 45, 46, 47, 48, 50, 51, 52 and 54 of the Indian Veterinary Council Act, 1984 (52 of 1984), the Government of Rajasthan hereby makes the following rules, namely:-

Part I

Preliminary

1. Short name.

(1)These rules may be called the Rajasthan State Veterinary Council Rules, 1988.(2)They extend to the area of the State of Rajasthan.(3)They shall come into force on the date of their publication in the official Gazette of Rajasthan.

2. Definitions.

(1)In these rules, unless otherwise the context requires-(a)'Act' means the Indian Veterinary Council Act, 1984 (52 of 1984);(b)'election or re-election' means election or re-election to the State Veterinary Council;(c)'Form' means a Form appended to these Rules;(d)'nomination or re-nomination' means nomination or renomination to the State Veterinary Council.(e)'Registrar' means Registrar of the State Council;(f)'State Council' means the Rajasthan State Veterinary Council established under section 32 of the Act;(g)'Section' means a section of the Act;(h)'Tribunal' means Registration Tribunal for registration established under section 45 of the Act.(2)Words and expressions used in these rules and not separately defined above shall have the same meaning as in

the Act.

Part II

Election to the State Council

3.

(1) Notification for election. - For purposes of electing the members of the State Council under clause (a) of sub-section (1) of section 32 the State Government of Rajasthan shall, by a notification published in its official Gazette, call upon the persons enrolled in the Rajasthan State Veterinary Register maintained under Chapter VII of the Act (or, for brevity, the register) to elect the said members in accordance with the provisions of these rules. (2) Preparation of the roll. - (i) As soon as may be after the notification under rule 3(1) is issued, the Registrar shall prepare the roll which shall contain the name of every person whose name is entered in the register. (ii) The names of the electors shall be arranged in the order in which they are entered in the register. (3) Publication of the roll in draft. - The Registrar shall publish the roll prepared under rule 3(2) in draft by making a copy thereof available for inspection by displaying it in the office of the State Council. (4) Period for lodging claims and objections. - Every claim for inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of thirty days from the date of publication of the roll in draft under rule 3(3) in Forms I and II respectively. (5) Forms of claim and objection and the manner of their disposal. - (i) every claim in Form I shall be signed by the person who requires his name to be included in the roll. (ii) every objection in Form II to the inclusion of a name in the roll shall be preferred by a person whose name is already included in the roll and shall be countersigned by another person whose name is also included in the roll. (iii) Every such claim or objection, as the case may be, shall be examined by the Registrar who shall record his remarks thereon, following which he may either allow or reject the claim or objection: Provided that a claim or objection shall not be rejected unless the person making it is given an opportunity of making representation against such rejection. (iv) The decision of the Registrar allowing or rejecting a claim or objection shall be final. (6) Final publication of the roll. - (i) The Registrar shall, after disposing of the claims and objections, if any, under rule 3(5) prepare a list of amendments to carry out his decision under the said rule and to carry out any clerical or printing error and other inaccuracies in the roll subsequently discovered or brought to his notice. (ii) The Registrar shall publish the roll together with the list of amendments by making a complete copy thereof available for inspection by displaying it at the office of the State Council. (iii) On such publication, the roll together with the list of amendments shall be the electoral roll of persons who may elect the members of the State Council under clause (a) of sub-section (1) of section 32 of the Act. (iv) A copy of the roll together with the list of amendments published under sub-rule (ii) shall be sent by the Registrar to the State Government. (7) Returning Officer and Assistant Returning Officers. - (i) The State shall after receipt of a copy of the electoral roll published under rule 3(6), designate or nominate a Returning Officer who shall be an officer of the State Government. (ii) The State Government may also appoint one or more persons, who shall also be officers of the State Government, to assist the Returning Officers in the performance of his functions as Assistant Returning Officers. (iii) Every Assistant Returning Officer shall, subject to the control of the Returning Officer, be competent to perform all or any of

the functions of the Returning Officer: Provided that no Assistant Returning Officer shall perform any of the functions of the Returning Officer which relates to the issue of ballot papers, counting of ballot papers and declaration of results of election. (8) Appointment of dates for nomination etc. - (i) The Returning Officer shall, by notification in the Official Gazette of Rajasthan or in such other manner deemed fit, appoint. (a) The date for making nomination which shall be the seventh day after the date of publication of the said notification or, if that day is public holiday, the next succeeding day, which is not a public holiday; (b) The last date for withdrawal of candidatures which shall be the second day after date for scrutiny of nominations or, if that day is a public holiday, the next, succeeding day which is not a public holiday; (c) The date on which a poll shall, if necessary, be taken, which shall be a date not earlier than the thirtieth day after the last date for withdrawal of candidature, and (d) The date, the time and the place for counting of votes and for declaration of results which shall be beyond the third day from the date of the poll. (ii) The notification issued under sub-rule 3(8) (i), shall also invite nomination of candidates for election to the State Council and specify the place at which the nomination papers are to be delivered. (9) Presentation of nomination paper and requirement for valid nomination. - (i) On or before the date appointed under clause (a) of sub-rule (i) of rule 3 (8), each candidate shall send by registered post with acknowledgement due or deliver in person to the Returning Officer a nomination paper in Form III. (ii) Every nomination paper shall be subscribed by two electors-one as the proposed and the other as the seconder and assented by the candidate proposed and seconder by them: Provided that no elector shall subscribe as proposer or seconder more nomination papers than there are seats to be filled up: Provided further that, if an elector subscribes to more number of nomination papers than there are seats to be filled up, the nomination papers first received by the Returning Officer equal to the number of seats to be filled up shall, if they are otherwise in order, be held to be valid, and if all such nomination papers subscribed by the same elector in excess of the number of seats to be filled up are received simultaneously, all such nomination papers shall held to be invalid. (iii) On receipt of each nomination paper the Returning Officer shall endorse thereon the date and the hour of receipt. (10) Rejection of nomination papers. - A nomination paper which is not received on or before the date appointed by the Returning Officer in that behalf shall be rejected. (11) Scrutiny of nomination papers. - (i) On the date and the time appointed by the Returning Officer for scrutiny of nomination papers, the candidates and the proposer and the seconder of each candidate or other representatives duly authorised by the candidates in this behalf may attend the office of the Returning Officer who shall allow them to examine the nomination papers of all the candidates which have been received by him as aforesaid. (ii) The Returning Officer shall examine the nomination papers thus received and decide all questions which may arise as to the validity of any nomination, and his decision thereon shall be final. (12) Withdrawal of Candidature. - (1) Any candidate may withdraw his candidature by notice in writing signed by him and delivered to the Returning Officer before the date fixed under clause (c) of sub-rule (i) of rule 3(8). (ii) 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. (13) Publication of the list of contesting candidates. - (i) Immediately after the expiry of the period within candidatures may be withdrawn under rule 3(12), the Returning Officer shall prepare and publish a list of contesting candidates-that is to say, candidates who were validly nominated and who have not withdrawn their candidature within the said period. (ii) The said list shall contain the names (in alphabetical order) and the addresses of the contesting candidates as given in the nomination papers. (iii) The said list shall be

published in the Official Gazette of Rajasthan and be given wide publicity in such manner as the Returning Officer may deem fit.(14)[Voting. [Substituted by Notification No. G.S.R. 2, dated 4.4.2016 (w.e.f. 21.4.1988).] - (i) If the number of duly nominated candidates for election does not exceed the number of members to be elected, the Returning Officer shall forthwith declare such candidates to be duly elected. If the number of such candidates exceeds the number of members to be so elected, the Returning Officer shall, shall fix a period of not exceeding seven days for election of members through online voting.(ii)For online voting, the eligible voter has to login with Registered Veterinary Practitioner number. After login, he will receive a onetime password (OTP) on his. motile number. On entering such onetime password (OTP) the voter will be able to see the list of contesting candidates and then he may vote by ticking (V) as many candidates as there are seats to be filled by the election. After voting, voter shall get an acknowledgement that he has completed the voting process successfully. After voting voter shall be automatically logged out and re-vote shall not be possible;](15)[and (16) [Deleted by Notification No. G.S.R. 2, dated 4.4.2016 (w.e.f. 21.4.1988).] ***](17)[Counting of votes. [Substituted by Notification No. G.S.R. 2, dated 4.4.2016 (w.e.f. 21.4.1988).] - (i) The Returning Officer shall, on the date and time fixed by him for this purpose, enter the password and get the number of votes received by each contesting candidate.(ii)Any contesting candidate or his representative duly authorized in writing by him may remain present in person to watch the process of counting.(18)Declaration of result. - (i) The Returning Officer shall draw up a list of candidates in order of highest votes polled and declare the candidates elected, in that order according to the number of seats to be filled up.(ii)When there is equality of votes among any two or more candidates, then the candidate who shall be deemed to have been elected shall be determined by lots to be drawn by the Returning Officer or any other officer authorized by him in such manner as he may determine.(iii)The Returning Officer shall, as soon as the result is declared inform each successful candidate of his being elected to the State Council.(iv)If any candidate declared elected under clause (i) above refuses to act as member, then in the place of that candidate one of the remaining unsuccessful candidates to whom the next largest number of votes have been polled, shall be deemed to have been elected and the same procedure shall be adopted as often as a vacancy is caused in this way.; and(19)Election documents. - After declaration of result the Returning Officer shall preserve all the documents relating to election for a period of six months and shall not destroy without the previous sanction of the Government.](20)Intimation of results of election. - (i) The Returning Officer shall intimate the names of the elected candidates to the Government of Rajasthan for enabling it to fulfill its statutory obligation of publishing their names in the Official Gazette of Rajasthan under sub-section (2) of section 32 of the Act.(ii)In case of any dispute regarding the election, which may be lodged with the Returning Officer within fifteen days of declaration of the results of that election, it shall be referred to the Government of Rajasthan for its decision, under section 37 of the Act, which shall be final.

Part III

Election of the President of the State Veterinary Council

4.

(1) Register of members of the State Council. - The Office of the State Council shall maintain a register in Form VII giving the names and other details of the members elected or nominated to it from time to time. (2) Procedure for election of the President of the State Council- (i) The election of the President of the State Council by the members of the Council from amongst themselves shall be held at the first meeting of the said Council after its constitution or reconstitution, as the case may be. (ii) The Registrar shall invite the members present at that meeting to make their nominations for the office of the said President. Each nomination shall be supported by another member present at that meeting as the seconder: Provided that no member shall nominate or second more than one member for the said Presidentship. (iii) If there be only one person so nominated, he shall be declared duly elected as the President of the State Council. (iv) If, however, there be more than one member duly nominated and seconded for the Presidentship, the Registrar shall proceed to take ballots in the following manners, namely:- (a) A slip of paper shall be given to every member present who shall write on it the name of one of the contestants in whose favour the member wishes to cast his vote. He shall then fold the slip and hand it over to the Registrar. (b) On receipt of all the slips the Registrar shall count the number of votes secured by each, contestant and shall declare that member who secures the largest number of votes to be duly elected as the President of the State Council. (c) If there is an equality in the votes secured by two or more contestants thus making it difficult to decide as to who gets the maximum votes the Registrar may then decide the issue by taking lots in such manner as he deems fit, and the person so identified by the draw of lots shall be declared as duly elected as the President of the State Council.

Part IV

Procedure for transaction of business of the State Council

5. Time and place of business.

(1) The business meetings of the State Council shall ordinarily be held once in every three months at such time and place as may be decided by its President: Provided that the place chosen shall be within the State of Rajasthan. (2) The President of the State Council may in the course of a business meeting of the said Council decide the date for its next meeting. (3) A special meeting of the State Council, if deemed necessary shall be called by the said President on seven days notice at any time. (4) The first meeting of the State Council held in any financial year shall be the annual meeting of that Council for that year. (5) The minutes of every meeting other than a special meeting, called under rule 5(3) shall be despatched by the Registrar by hand or by registered post to every member of the State Council not later than thirty days after the said meeting. (6) The items of business on the preliminary agenda of an ordinary quarterly meeting of the State Council shall be intimated to the members by the Registrar, in writing, well in advance of the meeting and in any case not less than thirty days prior to the date fixed for the meeting. (7) In the case of a special meeting, however, the Registrar shall, not less than seven days before the date fixed for that meeting, issue alongwith the notice for the said meeting the items of business on the agenda proposed for that meeting. (8) A

member who wishes to move any motion not included on the agenda for an ordinary meeting or to move an amendment to any item of agenda so included, shall give notice therefore to the Registrar, in writing, not less than fifteen days before the date fixed for the meeting. Thereafter the Registrar shall, in consultation with the President of the State Council, accommodate such a request on the final agenda for the meeting.(9)Every meeting of the State Council shall be presided over by its President when present or, in his absence, by other member chosen by the members present from amongst themselves to preside over that meeting.(10)(i)The quorum necessary for transaction of business at a meeting of the State Council shall not be less than one third of the strength of the Council.(ii)If at the time appointed for a meeting there is no quorum then the meeting shall not commence until there is quorum, and if even at the expiry of one hour from the appointed time there is no quorum the meeting shall stand adjourned to such future date and time in the same quarter as the President of the State Council may appoint.(11)All questions which come up before any meeting of the State Council shall be decided by a majority of the members present and voting.(12)In the case of an equality of votes, the presiding person shall have casting vote.(13)A copy of the minutes of each meeting of the State Council, whether ordinary or special, shall be submitted to its President within two days of the meeting and after being attested by him sent to each member as provided under rule 5(5).

Part V

Executive and other committees

6.

(1)The State Council may, under section 40 of the Act, appoint from among its members an Executive Committee and other Committees, on the adoption of a motion to this effect, for such purposes as it may consider necessary and define the purposes and functions of such Committee in the said motion itself.(2)The State Council may also co-opt any person or persons specially qualified to advise on any matter to any committee other than the Executive Committee, by adopting a motion to this effect.(3)The quorum for a meeting of the Executive Committee or other committee shall be specified at the time of appointment of the concerned Committee(s) and shall not be less than the simple majority of members appointed in this regard.(4)The Executive Committee and other committees so appointed shall report to the Registrar of the State Council on the matters referred in the motion(s) appointing the said Committee(s) within the time frame specified for this purpose in the said motion(s).(5)Save in exceptional circumstances, no extension of time shall be given to any Committee appointed by the State Council under rule 6(1) read with section 40 of the Act.(6)The Registrar shall place before the State Council the said report of the Committee at the next meeting of the Council.

Part VI

Fees and allowances to President and other members of the State Council and Members of the Committees (other than members of the State Council)

7.

(1)The President and other members of the State Council other than the State Government officials and ex-officio members shall, under section 41 of the Act, be paid travelling allowance as applicable to Class I officers of the Government of Rajasthan, for attending the meetings of the said Council and Committee(s).(2)The members of the Committees other than the members of the State Council, shall also be paid likewise travelling allowances for attending the meeting of the Committees.(3)The State Government officials who are nominated by the Government of Rajasthan and ex-officio members shall, however be entitled for travelling and other allowances as per Government/institution rules from their respective offices/organisations.(4)As for the daily allowances for non-official members, they shall be paid amounts equivalent to those admissible to Class I officials of the Government of Rajasthan.(5)A fee of Rs. 50/- shall be paid to all members other than the President of the State Council and Government Officials who are members for attending a meeting of the State Council or the Executive Committee or other Committees.(6)For the President or the State Council, if he is not a State Government official, an amount of Rs. 100/- shall be paid for each meeting of the State Council, and Rs. 50/- for other meetings.(7)Where a member of the State Council other than its President presided over a meeting of the Council under rule 5 (9), he shall be paid a fee of Rs. 100/-.

Part VII

Terms and conditions of service of Registrar and other officers and employees.

8.

The terms and conditions of service of the Registrar, and of the other officers and employees appointed by the State Council shall be those applicable to similar State Government officials under the Rajasthan Animal Husbandry State Service Rules.

Part VIII

9. State Veterinary Register.

- The State Government/the State Council, as the case may be, shall, as provided for under section 44 of the Act, maintain the State Veterinary register for registration in Form VIII containing the names and other relevant particulars of the persons possessing the recognised veterinary qualifications and registered with the State Council under the Act.

Part IX

10. Application for registration and registration fees.

(1) Every person who holds a recognised veterinary qualification and resides in the State of Rajasthan and who desires his name to be registered with the State Council shall apply to the Registration Tribunal/the Registrar, as the case may be, in Form IX duly filled in and signed by himself. (2) Every such application shall be accompanied by a registration fee of Rs. 25/-. (3) On the entry of a person's name in the State Veterinary register, the Registrar shall issue to him a certificate of registration in Form X.

11. Renewal fee for registration.

(1) Any person desiring to retain his name in the State Veterinary register shall pay to the State Council every five years a registration renewal fee of Rs. 15/- before the 1st day April of the year in which his registration renewal falls due. (2) Where the said renewal fee is not paid within the period mentioned in sub-rule (1) the defaulter's name shall stand removed from the said register and shall be restored to it only after the payment of the said renewal fee with fine which shall be Rs. 15/- for every one month or part thereof of his fault.

12. Fee for restoration of a name.

- The fee for restoration of a name removed from the State Veterinary register under section 49 of the Act shall be Rs. 25/-.

13. Cost of the State Veterinary register.

- The charge leviable from persons applying for a copy of the State Veterinary register shall be Rs. 10/-.

14. Transfer of registration.

(1) Where a registered veterinary practitioner of one State is practising veterinary medicine in another State he may apply for the transfer of his name, in Form XI, from the register of the first State where he is registered to the register of the second State where he is practising. (2) The application for such transfer shall be accompanied by a fee not exceeding the one prescribed by the concerned second State for renewal of registration with its State Council under section 48 of the Act.

15. Issue of duplicate certificate.

(1) A duplicate certificate of registration or renewal as the case may be, shall be issued by the Registrar of the State Council under section 54 of the Act on payment of a fee of Rs. 10/-. (2) The said duplicate certificate shall be in Form XII.

Part X

Funds

16.

(1) All receipts/funds of the State Council shall be deposited in favour of Rajasthan State Veterinary Council. (2) The funds will be controlled by the Registrar, Rajasthan State Veterinary Council. Form-1 [See rules 3(4) & 3(5)] To, The Registrar, Rajasthan State Veterinary Council, Jaipur-302015 Sir, I do hereby file under rules 3.4 and 3.5 of the Rajasthan State Veterinary Council Rules framed under the Indian Veterinary Council Act, 1984 (52 of 1984), my claim for inclusion of my name in the election roll for the ensuing election to the Rajasthan State Veterinary Council under clause (a) of sub-section (1) of section 32 of the said Act. The relevant details are given below:-

Name (in block letters) :

Address :

Academic qualifications :

Designation and official address, if any :

Grounds for the claim (with proof, if any) :

I declare that I am a citizen of India, residing in Rajasthan State and practising Veterinary medicine/employed in Rajasthan State. Place.....Date.....(Signature of claimant) Name

: Regn. No.: Form-II [See rules 3(4) & 3(5)] Objection in an Entry in the Draft Electoral Roll To, The Registrar, Rajasthan State Veterinary Council, Jaipur. Sir, I do hereby file, under rules 3.4 and 3.5 of the Rajasthan State Veterinary Council Rules framed under the Indian Veterinary Council Act, 1984 (52 of 1984), my objection to the following entry in the draft electoral roll prepared by you in connection with the ensuing election to the Rajasthan State Veterinary Council under clause (a) of sub-section (1) of section 32 of the said Act:-

1. Name of the person (in block letters) the entry of whose name in the draft electoral roll is objected to :

2. Particulars of entry objected to :

3. Grounds of objection to the entry :

(Signature of objector) Place.....Date.....Serial No. and Name of object, as entered in the Draft Electoral Roll.....

Address of objector

(Counter signature)

Place.....Date.....Serial No. Name of the person counter-signing, as entered in the Draft Electoral Roll

Address of the person countersigning

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