

# The Rajasthan Veterinary Practitioners Act, 1962

RAJASTHAN

India

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### Act 1 of 1963

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The Rajasthan Veterinary Practitioners Act, 1962 Act No. 1 of 1963 [Received the assent of the President on the 25th day of January, 1963.] An Act to provide for the registration of veterinary practitioners in the State of Rajasthan and for other ancillary purposes. Be it enacted by the Rajasthan State Legislature in the Thirteenth Year of the Republic of India as follows:- Preliminary

### 1. Short title, extent and commencement.

(1) This Act may be called the Rajasthan Veterinary Practitioners Act, 1962. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

### 2. Definitions.

- In this Act, unless the subject or context otherwise requires,- (a) "Council" means the Rajasthan Veterinary Council established under this Act; (b) "Director" means the Director of Animal Husbandry for the State of Rajasthan; (c) "hospital" means an institution in the State where animals are treated by methods approved by the Council; (d) "member" means a member of the Council; (e) "prescribed" means prescribed by rules or regulation made under this Act; (f) "President" means the President of the Council; (g) "recognised veterinary qualification" means any of the veterinary degrees or diplomas which are included in the Schedule; (h) "register" means the register of veterinary practitioners maintained under this Act; (i) "registered veterinary practitioner" means a veterinary practitioner who holds a recognised veterinary qualification and is for the time being duly registered in the register; (j) "Registrar" means the Registrar appointed under this Act; (k) "Registration Officer" means the Registration Officer appointed under this Act; (l) "rules" and "regulations" means rules and regulations made under this Act; (m) "Schedule" means the Schedule appended to this Act; (n) "State Government" means the Government of the State of Rajasthan; (o) "Veterinary College" means any veterinary college or college of veterinary science or college of veterinary science and animal husbandry established in the State of Rajasthan. Veterinary

## Council

### **3. Establishment of Council.**

(1)The State Government shall, as soon as may be possible after the preparation of the first register, by notification in the Official Gazette, establish a Council to be called the Rajasthan Veterinary Council and such Council shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued.(2)The Council shall also act as an advisory body to the State Government in all policy matters concerning veterinary profession, veterinary profession, veterinary education and development of animal husbandry in the State.

### **4. Composition of the Council.**

(1)The Council shall consist of the following members, namely:-(a)the Director - ex-officio;(b)the Principal of each veterinary college - ex-officio;(c)one representative other than the Principal of a veterinary college or the member of the faculty of veterinary science or any other faculty, by whatever name called, which deals with veterinary education in the University of Rajasthan, to be elected by the said University;(d)four members to be elected by veterinary practitioners residing in the State of Rajasthan and registered under this Act or, in the case of the first election, qualified to be so registered;(e)two members to be nominated by the State Government from among the registered veterinary practitioners.(2)The Director shall be the President of the Council.

### **5. Nomination of members on default of election.**

- In the event of the requisite number of members not being elected under any of the clauses (c) and (d) of section 4, the State Government may fill up the vacancy or vacancies by nomination and a person so nominated shall be deemed to be member duly elected.

### **6. Publication of names of members.**

- The name of every person elected or nominated under section 4 or section 5 shall be published by the State Government in the Official Gazette.

### **7. Leave of absence to members.**

- The Council may permit a member to absent himself from the meetings of the Council for a period not exceeding six months.

### **8. Occurrence of casual vacancies.**

(1)A member of the Council shall be deemed to have vacated his seat who-(a)fails to accept office within one month of the date of his nomination or election, or(b)is absent, without excuse sufficient in the opinion of the Council, from three consecutive meetings of the Council, or(c)is absent out of

India for a period exceeding six consecutive months.(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 State Government.

## **9. Filing of casual vacancies.**

- If a member of the Council dies or resigns his membership or ceases to be a member as provided in sub-section (1) of section 8, the vacancy shall be filled within three months by a fresh election or nomination, as the case may be.

## **10. Term of office of members.**

(1)The term of office of a member of the Council shall be three years from the date of his acceptance of office.(2)A person ceasing to be a member by reason of the expiration of his term of office shall be eligible for re-election or re-nomination.

## **11. Quorum and voting.**

(1)No business shall be transacted at a meeting of the Council unless a quorum of five members be present.(2)In the absence of the President at a meeting some other member, to be chosen from among the members present, shall act as President.(3)Save as otherwise provided in clause (b) of sub-section (1) of section 25, all questions arising at a meeting shall be decided by the votes of the majority of the members present and voting, or, in the case of an equality of votes, by the casting vote of the President, or in his absence, of the member presiding at the meeting.(4)No act or proceeding of the Council shall be deemed invalid merely by reason of a vacancy in the Council or of a defect in the election or nomination of a person acting as a member of the Council.

## **12. Regulations as to meetings.**

(1)Subject to the provisions of this Act and of any rules made by the State Government under this Act, the Council may make regulations in respect of-(a)the time and place at which its meetings shall be held;(b)the issue of notices convening such meetings; and(c)the conduct of business thereat.(2)Until such time as the regulations referred to in sub-section (1) have come into operation, it shall be lawful for the President to summon, by letter addressed to each member, a meeting of the Council at such time and place as to him shall seem expedient.

## **13. Payment of expenses to members.**

- There shall be paid to the members of the Council such expenses as may, from time to time, be prescribed by regulations under clause (a) of sub-section (4) of section 34.

## **14. Appointment of Registrar and other officials.**

(1)The Council-(a)shall appoint a Registrar;(b)may grant leave to such Registrar and appoint person to act in his place; and(c)shall pay to the Registrar and to the person (if any) appointed to act in his place such salary and such allowances (if any) as the Council may determine from time to time;Provided that the appointment and the salary and allowances (if any) of the Registrar shall be subject to the previous sanction of the State Government.(2)The Council may appoint such other officers and such ministerial and class IV staff as it may consider necessary for the purpose of this Act, and shall pay them such salary and such allowances (if any) as the Council may determine.(3)The Registrar or the person appointed to act in his place shall act as Secretary of the Council.(4)Every person appointed under sub-sections (1) and (2) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

## **15. Punishment and dismissal of officials of the council.**

(1)The Council may punish or dismiss a person appointed under sub-sections (1) and (2) of section 14 after he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him:Provided that-(a)previous sanction of the State Government shall be necessary in the case of a person appointed under sub-section (1) of section 14, and(b)a person appointed under sub-section (2) of section 14 shall have a right of appeal to the State Government against an order under this section within one month from the date of the communication of the order to him.(2)The power to punish, conferred by sub-section (1), shall be deemed to include the power to suspend an officer.(3)The power to dismiss, conferred by sub-section (1), shall be deemed to include the power to suspend any person against whom the power of dismissal might be exercised, pending inquiry into his conduct.The Register of Veterinary Practitioners

## **16. Orders by the Council for maintenance of register.**

(1)The Council shall, as soon as convenient after the commencement of this Act and from time to time as occasion may require, make orders for regulating the maintenance of the register of veterinary practitioners.(2)The said register shall be kept in such form as may be prescribed.

## **17. Registrar's functions in respect of register.**

- The Registrar shall keep the register of veterinary practitioners in accordance with the provisions of this Act and any orders made by the Council and shall from time to time make all necessary alterations in the registered addresses or appointments, and registered qualifications entered therein, or titles of the practitioners entered therein, and erase the names of any practitioners who have died.

## **18. Persons entitled to be registered.**

(1) Every person holding any of the qualifications referred to in the Schedule and every person for the time being registered under any Act for the registration of veterinary practitioners in force in any other State of India, if reciprocity of registration has been arranged with the authority administering such Act shall, subject to the provisions hereinafter contained and on payment of such fees as may be fixed in this behalf by regulations made under clause (b) of sub-section (4) of section 34, be entitled to have his name entered in the register of veterinary practitioners: Provided that the Registrar shall refer to the Council an application for entry in the register from a person in respect of whom he considers that the Council may wish to proceed under sub-section (1) of section 25: Provided also that the Registrar, if so directed by the Council, shall refuse to register the name of any person notwithstanding the fact that he is in possession of a veterinary degree or diploma recognised and included in the Schedule. (2) The Council may amend the Schedule as and when necessary.

## **19. Power of Council to call for information from veterinary college or school.**

- The Council shall have power to call on the governing body or authorities of a veterinary college or school, included in or desirous of being included in the Schedule-(a) to furnish such reports, returns or other information as the Council may require to enable it to judge the efficiency of the instruction given therein; and (b) to provide facilities to enable a member of the Council deputed by the Council in this behalf to be present at the examination held by such college or school.

## **20. Information required of applicant for registration.**

- Every person who applies to have his name entered in the register of veterinary practitioners-(a) must satisfy the Registrar that he is in possession of a recognised veterinary qualification, (b) must inform the Registrar of the dates on which he obtained the title or qualifications which entitled him to claim registration under this Act, and (c) give the Registrar any information which he reasonably may require for the purposes of discharging his duties under this Act.

## **21. Entry of new title and qualifications in register.**

- If a person whose name is entered in the register of veterinary practitioners obtains any title or qualifications other than the title or qualifications in respect of which he has been registered, he shall, on payment of such fees as may be fixed in this behalf by regulations made under clause (b) of sub-section (4) of section 34, be entitled to have an entry stating such other title or qualification made against his name in the register, either in substitution for, or in addition to, any entry previously made.

## **22. Disposal of fees.**

- All fees received by the Council under this Act shall, in the manner prescribed, be applied for the purposes of this Act.

## **23. Appeal to Council from decision of Registrar.**

- If a person is dissatisfied with a decision of the Registrar refusing to enter any title or qualification of such person in the register of veterinary practitioners, he may, at any time within three months from the date of such decision, appeal to the Council.

## **24. Erasure of fraudulent and incorrect entries.**

- Any entry in the register of veterinary practitioners which is proved to the satisfaction of the Council to have been fraudulently or incorrectly made may be erased under an order in writing of the Council after notice has been given to the person concerned his objections (if any) have been considered.

## **25. Power of Council to prohibit entry in or to direct removal from the register, etc.**

(1)The Council may, upon reference from the Registrar or otherwise, prohibit the entry in, or order the removal from, the register of the name of any veterinary practitioner-(a)who has been sentenced by a criminal court or a court-martial to imprisonment for an offence indicating in the opinion of the Council such defect in character as would render the entry or continuance of his name in the register undesirable, or(b)whom the Council after inquiry (at which an opportunity has been given to him to be heard in his defence and to appear either in person or by counsel, vakil, pleader or attorney, and which may at the discretion of the Council be held in camera) has found guilty, by a majority of two-thirds of the members present and voting at the meeting, of infamous conduct in any professional respect.(2)Nothing in sub-section (1) shall be deemed to justify the exclusion or removal from the register of the name of any veterinary practitioner on the ground of his adoption of a theory of veterinary medicine or surgery not in accordance with the accepted view for the time being or of his association with an unregistered practitioner, so long as the unregistered practitioner-(a)is in possession of a recognised veterinary qualification;(b)is not a person whose name the Council has reason to believe has been excluded or removed from the register by the Council under sub-section (1) or would be so excluded if an application for registration thereof were made.(3)The Council may direct that the name of any person against whom an order has been made under sub-section (1) shall be entered or re-entered, as the case may be.

## **26. Appeal to the State Government from decisions of Council.**

(1)An appeal shall lie to the State Government from every decision of the Council under section 23 or section 25.(2)Every appeal under sub-section (1) shall be preferred within three months from the

date of such decision.

## **27. Bar to suits and other legal proceedings.**

- No suit or other legal proceedings shall lie in respect of any act done in the exercise of powers conferred by this Act on the State Government or the Council or any of its members or office-bearers.

## **28. Notice of deaths and erasures of names from register.**

(1) Every Registrar of deaths who receives notice of the death of a person whose name he knows to be entered in the register of veterinary practitioners shall forth-with transmit by post to the Registrar of the Council a certificate of such death, signed by him and stating particulars of the time and place of death. (2) On receipt of such certificate, or other reliable information regarding death, the Registrar shall erase the name of the deceased person from the register. (3) Every person registered under the Act shall be exempt, if he so desires, from serving on any inquest.

## **29. Penalty on unregistered person representing that he is registered.**

- If a person whose name is not entered in the register of veterinary practitioners falsely pretends that it is so entered or uses in connection with his name or title any words or letters representing that his name is so entered, he shall whether any person is actually deceived by such representation or not, be punishable, on conviction by a Magistrate of the first class, with fine which may extend to three hundred rupees.

## **30. Proceedings in inquiries and appeals.**

- For the purpose of any inquiry held under section 25, or of any appeal under section 23, the Council shall be deemed to be a court within the meaning of the Indian Evidence Act, 1872 (Central Act I of 1872), and shall exercise the powers of a Commissioner appointed under the Public Servants (Inquiries) Act, 1850 (Central Act 37 of 1850), and every such inquiry and appeal shall be conducted, as far as may be, in accordance with the provisions of section 5 and sections 8 to 10 of the said Public Servants (Inquiries) Act, 1850.

## **31. Reservation of certain appointments to registered practitioners.**

- No person other than a registered veterinary practitioner shall be competent to hold an appointment as a Veterinary Physician, Surgeon or other Veterinary Officer in any veterinary hospital which is supported partially or wholly by public funds, or in any public establishment, body or institution or under a local authority.

### **32. Qualified practitioner's certificates etc.**

(1)No certificate required by any Act from any veterinary practitioner or veterinary officer shall be valid unless the person signing the certificate shall have been registered under this Act.(2)No prescription by a veterinary practitioner or veterinary officer shall be dispensed by chemists unless the person prescribing the prescription shall have been registered under this Act.(3)No person shall be qualified to give evidence as an expert under section 45 of the Indian Evidence Act, 1872 (Central Act 1 of 1872), on any matter relating to veterinary science, unless the said person shall have been registered under this Act.  
Annual Veterinary List

### **33. Publication of, and presumption as to entries in Annual Veterinary List.**

(1)The Registrar shall once in every three years, on or before a date to be fixed in this behalf by the Council, cause to be printed and published a correct list of the names for the time being entered in the register of veterinary practitioners setting forth-(a)all names entered in the register arranged in alphabetical order according to the surnames;(b)the registered address or appointment of each person whose name is entered in the register; and(c)the registered titles and qualifications of each such person, and the date on which each such title was granted or each such qualification was certified.(2)The Registrar shall also cause to be printed and published an annual supplement in January every year showing therein the corrections made up to the 31st December, preceding, in the list of names in the register of veterinary practitioners last published.(3)Every court shall presume that a person whose name is entered in the latest of such lists is duly registered under this Act, and that a person whose name is not so entered is not registered under this Act:Provided that, in the case of any person whose name does not appear in such list, a certified copy signed by the Registrar of the entry of the name of such person in the register of veterinary practitioners shall be evidence that such person is registered under this Act.  
Rules and Regulations

### **34. Rules and Regulations.**

(1)The State Government may, after previous publication, from time to time make rules consistent with this Act to carry out the purposes of this Act.(2)In particular and without prejudice to the generality of the foregoing power, the State Government may make rules-(a)to regulate elections under this Act,(b)to prescribe the term of the register of veterinary practitioners to be maintained under this Act,(c)to regulate the application of fees;(d)to regulate the procedure to be followed by the Council for-(i)conducting any inquiry under section 25; and(ii)disposing of appeals from the decision of the Registrar preferred under section 23.(3)All rules finally made under this Act shall be laid as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such rules or resolves that any such rule should not be made, such 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 thereunder.(4)In addition to the power conferred by section 12, the Council may with the sanction of the State



Government, make regulations-(a)to prescribe the expenses payable to members of the Council;(b)to prescribe the fees chargeable in respect of any registration under this Act;(c)to regulate the keeping of accounts; and(d)to prescribe conditions of service of persons appointed under section 14.(5)All rules and regulations made under this section shall be published in the Official Gazette.

### 35. Control of Council by the State Government.

- If at any time it shall appear to the State Government that the Council has failed to exercise or has exceeded or abused a power conferred upon it under this Act, or has failed to perform a duty imposed upon it by this Act, the Government may, if it considers such failure, excess or abuse to be of a serious character, notify the particulars thereof to the Council, and if the Council fails to remedy such default, excess or abuse within such time as may be fixed by the Government in this behalf, it may dissolve the Council and cause all or any of the powers and duties of the Council to be exercised and performed by such agency and for such period as it may think fit:Provided that it shall take steps as soon as may be convenient to constitute a new Council of members prescribed in section 4.

## Schedule

Recognised Veterinary Qualifications

### Part I – Recognised veterinary degrees and diplomas granted by institutions in India.

| S. No. | Institution          | Qualification                                     | Abbreviation for registration |
|--------|----------------------|---|-------------------------------|
| 1      | 2                    | 3   | 4                             |
| 1.     | Agra University      | Bachelor of Veterinary Science & Animal Husbandry | B.V.Sc. & A.H.                |
| 2.     | Andhra University    | -do-  | -do-                          |
| 3.     | Bihar University     | -do-  | -do-                          |
| 4.     | Bombay University    | Bachelor of Science (Veterinary)                  | B.Sc. (Vet)                   |
| 5.     | Calcutta University  | Bachelor of Veterinary Science                    | B.V.Sc.                       |
| 6.     | Gauhati University   | Bachelor of Veterinary Science & A.H.             | B.V.Sc. & A.H.                |
| 7.     | Kerala University    | Bachelor of Veterinary Science                    | B.V.Sc.                       |
| 8.     | Madras University    | -do-  | -do-                          |
| 9.     | Osmania University   | -do-  | -do-                          |
| 10.    | Punjab University    | -do-  | -do-                          |
| 11.    | Rajasthan University | Bachelor of Veterinary Science & Animal Husbandry | B.V.Sc. & A.H.                |

|     |                                    |   |                |
|-----|------------------------------------|---|----------------|
| 12. | Sagar University                   | Bachelor of Veterinary Science                    | B.V.Sc.        |
| 13. | Utkal University                   | Bachelor of Veterinary Science & Animal Husbandry | B.V.Sc. & A.H. |
| 14. | Vikram University                  | -do-  | -do-           |
| 15. | Assam Veterinary College           | Graduate in Veterinary Science                    | G.V.Sc.        |
| 16. | Bengal Veterinary College          | (1) Graduate of Bengal Veterinary College         | G.B.V.C.       |
|     |                                    | (2) Graduate in Veterinary Science                | G.V.Sc.        |
| 17. | Bihar Veterinary College           | Graduate of Bihar Veterinary College              | G.B.V.C.       |
| 18. | Bombay Veterinary College          | Graduate of Bombay Veterinary College             | G.B.V.C.       |
| 19. | Madras Veterinary College          | Graduate of Madras Veterinary College             | G.M.V.C.       |
| 20. | Punjab Veterinary College (Lahore) | (1) Licensed Veterinary Practitioner              | L.V.P.         |
|     |                                    | (2) Graduate of Punjab Veterinary College         | G.P.V.C.       |

## Part II – Recognised veterinary qualifications granted by institutions outside India.

| Country        | Qualification                                       | Abbreviation for registration |
|----------------|---|-------------------------------|
| United Kingdom | Member of the Royal College of Veterinary Surgeons. | M.R.C.V.S.                    |