

# THE DENTISTS ACT, 1948

The Act has main object of regulating standard of dental education ,dental profession and dental ethics in the country and also recommend to the Government of India to accord permission to start a dental college, start higher education, and to increase seats for students in a dental college.

The Act defined following terms: Dental Hygienist is described as s person who scales, cleans and polishes teeth or give instruction in dental hygiene. Dental mechanic is a person who makes or repair denture or dental appliances. Dentistry includes performance of any operation and treatment of disease of jaw or teeth, performance of radiographic work,anesthesia, aritfical denture, etc. Dentist is the person who practices dentistry.

The Act authorises the council to give recognition to any degree or diploma in dentistry obtained from India or from foreign countries. Council registered dental hygienist and dental mechanics who have completed prescribed period of training and education. For registration of dental hygienists, mechanists, and dentists, the registers are maintained. The Council appoints an inspector who may inspect any dental college and submit a report which may lead to action and even cancellation of registration of college.

No person shall establish an authority or institute to conduct a course of study or training or receiving degree or diploma shall be recognised until it is permitted by the Central Government in accordance with the provision of this Act (10A, 10B, 10C).

The Act authorises state governments to constitute state level councils for the fulfillment of the object.

False registration or misuse of title during practice is taken as crime and punishable. Name can be removed from the register in case of suppression of fact, or for infamous conduct, or for false registration. Commission of inquiry can be held by 3 persons appointed by Central Government including one judge from the high court. Punishment may be fine up to Rs. 500 to Rs. 1000 or imprisonment up to 6 months or both.

# **THE REHABILITATION COUNCIL OF INDIA ACT, 1992**

- The Act is aimed to regulate the training of rehabilitation professionals and the maintenance of a Central Rehabilitation Register. The Act identify recognised qualification granted by the University, etc. in India and outside India (Secs. 11,12). A person possessing qualification has certain rights and can practice rehabilitation (Sec 13). The Act regulates the standard of education, training and examination (Secs 14,15). Recognition of the Institution can be withdrawn if it does not fulfill requirement as specify in the Act (Sec. 17). The Council shall maintain a register bearing the names of professional who has got registered themselves. In case of infamous conduct and any illegal practice done by the person may cause the removal of his from the register (Sec. 21). The Act has scope for further improvement in rules and regulation (Secs 29,30)

# THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970

- The Central Council of Indian Medicine is a statutory Body constituted and reconstituted in 1984 and 1995 under the Act. The main objects of the Central Council are as follows:

1.) To prescribe minimum standards of education in Indian System of Medicine viz Ayurved, Siddha and Unani Tibb.

2.) To recognise and withdrawal of recognition of medical qualification in Indian Medicine if standards are not met.

3.) To maintain the central register of Indian medicine and revise the register from time to time.

4.) To prescribe standards of professional conduct, etiquette and code of ethics to be observed by the practitioners.

5.) To prepare and draft uniform curriculum and syllabus for undergraduate and postgraduate education in these systems of medicine.

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# THE HOMOEOPATHY CENTRAL COUNCIL ACT, 1973

- The Central Council of Homoeopathy has been constituted by the central government under the provisions of Homoeopathy Central Council Act 1973 for following activities:
  - 1.) To maintain the register of physicians of homoeopathy received education in India or abroad.
  - 2.) To prescribe the minimum standards of education required for granting the recognition to the qualification, institutions, etc.
  - 3.) To conduct inspections of institutions for granting recognition or withdrawal of recognition.
  - 4.) Taking action against those physicians who are committed professional misconduct.

# THE CONSUMER PROTECTION ACT (CPA), 1986

- The CPA is a piece of comprehensive legislation and recognises six rights of the consumer, namely:
  - 1.) Right to safety.
  - 2.) Right to be informed.
  - 3.) Right to choose.
  - 4.) Right to be heard,
  - 5.) Right to seek redressal and
  - 6.) Right to consumer education.
- Consumers with complaints can approach the Commissions at the District, State and Central level. There is no court fee and the consumer does not have to go through lawyers.
- The Supreme Court declared that doctors were like any other providers of service under contract, and therefore are under the same obligation to compensate the purchaser (patient) for any deficiency in the quality of their services.
- Under this Act, a complaint means any allegation in writing made by a complainant in regard to one or more of the following:
  - 1.) He has suffered a loss or damage as a result of any unfair trade practice adopted by any trader;
  - 2.) The goods/service mentioned in the complaint suffer from one or more defects.
  - 3.) A trader has charged for the goods mentioned in the complaint a price in excess of the price which is fixed by the law, displaced on the goods or displaced on any packet containing such goods.
- Negligence means that a person who holds himself ready to give medical advice and treatment implied undertakes that he is possessing the skill and knowledge for that purpose. Such a person, when consulted by a patient, owes him certain duties, namely a duty of care in deciding what treatment to give or a duty of case in the administration of that treatment. A breach of any of those duties gives a right of action for negligence to the patient. Doctors with independent practice, unless rendering only free service, private hospitals charging all, and all hospitals free as well as paying patients, doctors/hospitals paid by an insurance firm for treatment of a client or an employer from that of an employee, are liable for any negligence.

- If the Cost of the Services or goods and compensation asked for, is less than Rs. 2 lakh, then the complaint can be filed in the District Forum. If the cost is more than Rs. 2 lakh but less than 20 lakhs, the complaint can be filed before the State Commission and for higher amount the complaint can be filed before the National Commission at New Delhi which shall decide the case within a defined period.
- Ministry of Consumer Affairs, Food & Public Distribution, Government of India has instituted Swami Vivekanand National Award to encourage Voluntary Consumer Organisation, Women and Youth for people's participation in consumer movement. Bureau of Indian Standards (BIS) has formulated quality standards for over seventeen thousands items. Five regional reference standards laboratories of weight & measures of central government have been operating in India (Standards of weights & measures) (Enforcement) Act 1985. Consumer awareness programmes have been operational through AIR, Doordarshan, and print media.

# **THE EPIDEMIC DISEASES ACT, 1897**

- The Act provides power to exercise for the control and to prevent any epidemic or spread of epidemic in the States or Country. The states may authorise any of its officers or agency to take such measures if the state feel that the public at large is threaten with an outbreak of any dangerous epidemic (Sec. 2). Person who is inspecting, is empowered to determine about the process and authority to take responsibility of all expenses incurred in compensation, traveling, temporary accommodation, segregation of infected person, etc.

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