

## MAHARASHTRA ACT No. XXVIII OF 1961.<sup>1</sup>

### [THE MAHARASHTRA MEDICAL PRACTITIONERS ACT, 1961]

[Received the assent of the President on the 10th day of June, 1961 ; assent first published in the *Maharashtra Government Gazette*, Part IV, on the 20th day of June, 1961.]

Amended by Mah. 19 of 1962 .

"	"	"	17 of 1965 .
"	"	"	21 of 1966 .
"	"	"	4 of 1969 .
"	"	"	5 of 1972 .*
"	"	"	49 of 1973 (20-2-1974). **
"	"	"	30 of 1979 (1-10-1976). **
"	"	"	66 of 1981 (23-12-1981). **
"	"	"	23 of 1982 (30-6-1982). **
"	"	"	34 of 1986 (12-8-1986). **
"	"	"	21 of 1993 (20-5-1993). **
"	"	"	9 of 2001 <sup>†</sup> (13-3-2001). **
"	"	"	40 of 2005 (25-8-2005). **

**An Act to regulate the qualifications and to provide for the registration of practitioners of the Ayurvedic, <sup>2</sup>[Siddha] and Unani Systems of Medicine, with a view to encourage the study and spread of such systems, and to make certain provisions relating to medical practitioners generally, in the State of Maharashtra; and for that purpose to consolidate and amend the law relating thereto.**

WHEREAS, it is expedient to regulate the qualifications and to provide for the registration of practitioners of the Ayurvedic, <sup>3</sup>[Siddha] and Unani Systems of Medicine, with a view to encourage the study and spread of such systems, and to make certain provisions relating to medical practitioners generally, in the State of Maharashtra; and for that purpose to consolidate and amend the law relating thereto; It is hereby enacted in the Twelfth Year of the Republic of India as follows, namely :—

### CHAPTER I.

#### PRELIMINARY.

1. (1) This Act may be called the Maharashtra Medical Practitioners Act, 1961.
- (2) It extends to the whole of the State of Maharashtra.

Short title,  
extent and  
commencement.

(3) The whole Act ( except Chapter VI thereof) shall come into force on such <sup>4</sup>date as the State Government may, by notification in the *Official Gazette*, appoint; and Chapter VI shall come into force on such other date <sup>5</sup>[being a subsequent date] as that Government, by like notification, appoints.

2. (1) In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which the whole Act except Chapter VI thereof comes into force;

Definitions.

<sup>1</sup> For Statement of Objects and Reasons, see *Mahrashtra Government Gazette* , 1960, Part V, pages 411-414 ; for Report of the Joint Committee, see *ibid.*, 1961 Part V, Pages 288-327.

<sup>2</sup> The word " Siddha " was inserted by Mah. 30 of 1979, s. 2.

<sup>3</sup> The word " Siddha " was inserted, *ibid.*, s. 3.

<sup>4</sup> 23rd day of October 1961, vide G.N., U.D., & P.H.D., No. MMP. 1061-(a) Unification, dated 21st October 1961.

<sup>5</sup> 1st day of November 1966, vide G.N., U.D., & P.H.D., No. MMP. 1164/51495-H, dated 1st September 1966.

\* Maharashtra Ordinance No. 1 of 1972 was repealed by Mah. 5 of 1972, s 9(1).

† 13th day of March 2001, vide G.N., M.E., & D.D., No. CIM. 2000/CR 93/2000/ACT, dated the 13th January, 2001.

\*\* This indicates the date of commencement of Act.

1 \*                   \*                   \*                   \*                   \*                   \*

(d) "by-law" means by-law made under section 31;

<sup>2</sup>[(e) "Council" means the Maharashtra Council of Indian Medicine established under section 3;]

(f) "Director of Ayurved" means the Director of Ayurved, Maharashtra State;

(fa) "Indian Medicine" means the system of Indian Medicine commonly known as Ashtang Ayurvedic or Siddha or Unani or Unani Tibb, whether, supplemented or not by such modern advances as the Central Council from time to time by notification may declare under clause (e) of sub-section (1) of section 2 of the Indian Medicine Central Council Act, 1970;]

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1970.

(g) <sup>3\*</sup>                   \*                   \*                   \*                   \*                   \*

(h) "Inspector" means an Inspector appointed by <sup>4</sup>[the Council];

(i) <sup>5\*</sup>                   \*                   \*                   \*                   \*                   \*

(j) "member" means a member of <sup>6</sup>[the Council];

(k) "President" means the President of <sup>7</sup>[the Council];

(l) "recognised institution" means any institution recognised under section 27;

(m) "register", except in Chapter VI, means the register of practitioners prepared and maintained under section 17;

(n) "registered practitioner" means a practitioner whose name is for the time being entered in the register;

(o) "Registrar" means the Registrar appointed under section 16;

(p) "rules" means rules made under section 30;

(q) "Schedule" means the Schedule appended to this Act;

(r) "State" means the State of Maharashtra;

<sup>8</sup>[(s) "Vice-President" means the Vice-President of the Council].

(2) For the purposes of Chapter VI, a person shall be deemed to practice any system of medicine who holds himself out as being able to diagnose, treat, operate or prescribe medicine or other remedy or to give medicine for any ailment, disease, injury, pain, deformity or physical condition or who, by any advertisement, demonstration, exhibition or teaching offers or undertakes, by any means or method whatsoever to diagnose, treat, operate or prescribe medicine or other remedy or to give medicine for any ailment, disease, injury, pain, deformity or physical condition :

Provided that, a person who—

- (i) mechanically fits or sells lenses, artificial eyes, limbs or other apparatus or appliances; or
- (ii) is engaged in the mechanical examination of eyes for the purpose of constructing or adjusting spectacles, eye-glasses or lenses; or

<sup>1</sup> Clauses (b) and (c) were deleted by Mah. 23 of 1982, s. 2(a) and (b), respectively.

<sup>2</sup> These clauses were substituted for clause (e), *ibid.*, s. 2(c).

<sup>3</sup> Clause (g) was deleted, *ibid.*, s. 2(d).

<sup>4</sup> These words were substituted for the words "the Faculty", *ibid.*, s. 2(e).

<sup>5</sup> Clause (i) was deleted by Mah. 30 of 1979., s. 4(b).

<sup>6</sup> These words were substituted for the words "the Board or the Faculty, as the case may be" by Mah. 23 of 1982, s. 2(f).

<sup>7</sup> These words were substituted for the words "the Board", *ibid.*, s. 2(g).

<sup>8</sup> Clause (s) was substituted for the original, *ibid.*, s. 2(h).

(iii) practises physio-therapy or electro-therapy or chiripody or naturopathy or hydrotherapy or yogic healing; or

(iv) without personal gain furnishes medical treatment or does domestic administration of family remedies; or

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of  
1948.

(v) being registered under the Dentists Act, 1948, limits his practice to the art of dentistry; or

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of  
1954.

(vi) being a nurse, midwife or health visitor registered or enlisted under the Bombay Nurses, Midwives and Health Visitors Act, 1954, or any other corresponding law for the time being in force in the State or a *Dai* attends on a case of labour, shall not be deemed to practise medicine.

*Explanation.*—In this sub-section—

(i) “advertisement” includes any word, letter, notice, circular, picture, illustration, model, sign, playcard, board or other document and any announcement made orally or by any means of producing or transmitting light, sound, smoke or other audible or visible representation; and

(ii) “physio-therapy” means treatment of any ailment, disease, injury, pain, deformity or physical condition, by message or other physical means, but does not include bone-setting.

## CHAPTER II.

### CONSTITUTION, FUNCTIONS AND POWERS OF <sup>1</sup>[THE COUNCIL].

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<sup>2</sup>[3. (1)(a) On the date of commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1982, a Council to be called “the Maharashtra Council of Indian Medicine” shall be deemed to have been established.

Establish-  
ment and  
incorporation  
of Council  
and  
dissolution  
of existing  
Board and  
Faculty, and  
Director to  
function as  
Administra-  
tor tempo-  
rarily.

(b) The Council shall be a body corporate by the name aforesaid, and have perpetual succession and a common seal, with power to acquire, hold and dispose of property and to contract, and may by the said name sue and be sued.

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(2) Subject to the provisions of section 41, the existing Board and the Faculty shall stand dissolved on and with effect from the date of commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1982, and all the members of the aforesaid Board and Faculty shall vacate office.

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1982.

(3) Notwithstanding anything contained in this Act, on and with effect from the date of commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1982, the Director of Ayurved shall function as the Administrator, and he shall exercise all the powers and perform all the functions of the Council established under sub-section (1) during the period he holds the office of the Administrator under sub-section (4).

(4) The term of office of the Administrator functioning under sub-section (3) shall expire on the day immediately preceding the date of publication under section 5 of the names of the members of the Council (including the President and the Vice-President) nominated, or as the case may be, elected in accordance with the provisions of sections 3A and 4.]

<sup>1</sup> These words were substituted for the words “THE BOARD AND THE FACULTY” by Mah. 23 of 1982, s. 3.

<sup>2</sup> This section was substituted for the original, *ibid.*, s. 4.

Constitution  
of Council.

<sup>1</sup>[3A. (1) The Council shall consist of the following members, including the President and the Vice-President,—

- (a) the Director of Ayurved, *ex-officio*;
- (b) five members nominated by the State Government, out of whom two shall be practitioners in Ashtang Ayurvedic or Siddha system of Medicine and two shall be practitioners in Unani or Unani Tibb system of medicine;
- (c) nine members elected by registered practitioners as follows, that is to say,—
  - (i) <sup>2</sup>[eight members elected by registered practitioners whose names are entered in Part I of the register, from amongst themselves;
  - <sup>3</sup>[(ii) one member elected by the registered practitioners whose names are entered in Part II and Part III of the register, from amongst themselves;]

4 \*                  \*                  \*                  \*                  \*                  \*

<sup>5</sup>[(d) (i) two members elected by the Principals or Heads of Colleges or institutions affiliated to or, as the case may be, recognised by any statutory university in the State of Maharashtra and which are imparting education in Indian Medicine for appearing at the examinations held by any such university, from amongst themselves; and

(ii) two members elected by the Teachers (other than Principals or Heads) of such colleges or institutions, from amongst themselves,

who are registered practitioners possessing any of the qualifications specified in the Schedule and for a period of not less than three years engaged in teaching any of the systems of Indian Medicine in any such colleges or institutions:

Provided that, the members to be elected under sub-clauses (i) and (ii) of this clause shall be persons other than those nominated or elected under the preceding clauses.]

(2) If at any election, the electors fail to elect the requisite number of members to the Council, the State Government shall nominate such registered practitioners as it deems fit to fill the vacancies which remain unfilled after the election, and the practitioners so nominated shall be deemed to have been duly elected under sub-section (1).

(3) The President and the Vice-President of the Council shall be elected by the members, from amongst themselves.]

<sup>1</sup> This section was inserted by Mah. 23 of 1982, s. 5.

<sup>2</sup> These words were substituted for the words "five members" by Mah. 21 of 1993, s. 2(a).

<sup>3</sup> Sub-clause (ii) was substituted for the original, *ibid.*, s. 2(b).

<sup>4</sup> Both provisos were deleted, *ibid.*, s. 2(c).

<sup>5</sup> Clause (d) was substituted for the original by Mah. 34 of 1986, s. 2.

[4. (1) The election of members of the Council, under section 3, shall be held at such time, and at such place, and in such manner as may be prescribed by rules : Provided that, for the purpose of any election under clause (c) of sub-section (1) of section 3A, the list referred to in sub-section (1) of section 23 (including any addendum or corrigendum thereto duly printed and published) and for the time being in force on such date as the State Government may, by general or special order, notify in this behalf (being a date not earlier than 30 days from the date of issue of such order) shall be the electoral roll.

Procedure of  
election of  
members,  
President  
and Vice-  
President.

(2)(a) Within seven days after the nomination and election of members under the foregoing provisions, a meeting shall be called for the election of the President and Vice-President on such date as the Director of Ayurved may fix. Such election shall be by ballot.

(b) The meeting called under clause (a) shall be presided over by the Director of Ayurved, and he shall have the right to vote. The Director presiding over such meeting (hereinafter referred to in this section as "the Presiding Officer") may, for reasons recorded in writing which in his opinion are sufficient, refuse to adjourn such meeting, or as the case may be, adjourn such meeting.

(c) If in the election of the President or Vice-President, there is an equality of votes the result of the election shall be decided by lot to be drawn in the presence of the Presiding Officer in such manner as he may determine.

(d) In the event of a dispute arising as to the validity of the election of a President or Vice-President, the Presiding Officer may, within 30 days from the date of the election, refer the dispute to the State Government for decision. The decision of the State Government in such dispute shall be final and conclusive and shall not be questioned in any Court.]

5. (1) The State Government shall, as soon as possible after the election held<sup>2</sup>[in accordance with the provisions of section 3A and 4], by notification in the *Official Gazette*, publish the names of the President,<sup>3</sup>[the Vice-President and the members of the Council.]

Term of  
office.

(2) The President and the<sup>4</sup>[Vice-President] shall hold office for such period as the State Government may specify in the notification published under sub-section (1), provided that, such period shall not exceed the term of office of such President or<sup>4</sup>[Vice-President], as a member under sub-section (3). The term shall commence from the date of the notification published under sub-section (1).

(3) (a) <sup>5</sup>[A member of the Council], whether elected or nominated, shall hold office for a period of five years commencing from the date of the notification published under sub-section (1).

(b) <sup>6\*</sup> \* \* \* \*

(4) The term of an outgoing President,<sup>7</sup>[Vice-President] or member shall notwithstanding anything contained in sub-section (2) or (3) be deemed to extend to and expire with the day immediately preceding the day on which the name of the successor of such President,<sup>7</sup>[Vice-President], or member is published under sub-section (1).

(5) An outgoing member shall be eligible for re-election or re-nomination.

<sup>1</sup>This section was substituted for the original, by Mah. 23 of 1982, s. 6.

<sup>2</sup>These words were substituted for the words and figures "under section 3 and 4" *ibid.*, s. 7(a) (i).

<sup>3</sup>These words were substituted for the words "the Chairman and the members of the Board and of the Faculty", *ibid.*, s. 7(a) (ii).

<sup>4</sup>These words were substituted for the word "Chairman", *ibid.*, s. 7(b).

<sup>5</sup>These words were substituted for the brackets, letters and words "(a) A members of the Board", *ibid.*, s. 7(c) (i).

<sup>6</sup>Clause (b) was deleted, *ibid.*, s. 7(c) (ii).

<sup>7</sup>These words were substituted for the word "Chairman", *ibid.*, s. 7(d).

(6) Notwithstanding anything contained in sub-section (3), the State Government may, by notification in the *Official Gazette*, extend from time to time the term of office of the members of <sup>1</sup>[the Council] for a further period not exceeding <sup>2</sup>[three years] in the aggregate.

Casual Vacancies.

6. (1) Any casual vacancy, previous to the expiry of the term, in the office of the President or <sup>3</sup>[the Vice-President] or a member nominated by the State Government due to his death, resignation, removal, disability or disqualification or any other reason, shall be filled by nomination by the State Government.

(2) Any such vacancy, in the office of a member of <sup>4</sup>[the Council] elected by registered practitioners, shall be filled by the State Government by nomination of a person from a panel of three registered practitioners recommended by <sup>4</sup>[the Council]:

Provided that, if <sup>4</sup>[the Council] fails to make a recommendation under this sub-section, within such time as the State Government may fix, the State Government may appoint any registered practitioner to fill the vacancy.

(3) <sup>5\*</sup> \* \* \* \*

(4) Any person nominated under sub-section (1) or (2) <sup>6\*</sup> \* \* \* \* to fill a vacancy shall, notwithstanding anything contained in section 5, hold office only so long as the person in whose place he is nominated or elected would have held office, if the vacancy had not occurred.

Resignation.

7. (1) An elected member may at any time resign his office by a notice in writing to the President <sup>7\*</sup> \* \* \* \* A nominated member may at any time resign his office by a notice in writing to the State Government. Such resignation shall take effect from the date on which the resignation is accepted by the President or <sup>7\*</sup> \* \* \* \* the State Government, as the case may be.

(2) The President or <sup>8</sup>[the Vice-President] may at any time resign his office by a notice in writing to the State Government. The resignation shall take effect from the date on which such resignation is accepted by the State Government.

8. (1) No person,—

- (a) who is an undischarged insolvent;
  - (b) who has been adjudged to be of unsound mind by a competent Court;
  - (c) whose name has been removed from the register; or
  - (d) who is a full time officer or servant of <sup>9</sup>[the Council],
- shall be eligible to be elected or nominated as a member.

(2) If any member —

(a) absents himself from three consecutive meetings of <sup>10</sup>[the Council] without such reasons as may, in the opinion of the State Government in the case of the President and the <sup>11</sup>[the Vice-President], and in the opinion of <sup>10</sup>[the Council], in the case of any other member, be sufficient; or

<sup>1</sup>These words were substituted for the words "the Board" by Mah. 23 of 1982, s. 7(e).

<sup>2</sup>These words were substituted for the words "two years" by Mah. 66 of 1981, s. 2.

<sup>3</sup>These words were substituted for the words "the Chairman", by Mah. 23 of 1982, s. 8(a).

<sup>4</sup>These words were substituted for the words "the Board", *ibid.*, s. 8(b).

<sup>5</sup>sub-section (3) was deleted, *ibid.*, s. 8(c).

<sup>6</sup>The words, brackets and figures "or elected under sub-section (3)", were deleted, *ibid.*, s. 8(d).

<sup>7</sup>The words "or the Chairman as the case may be" and the words "the Chairman or", were deleted, *ibid.*, s. 9(a) (i) and (ii), respectively.

<sup>8</sup>These words were substituted for the words "the Chairman", *ibid.*, s. 9(b).

<sup>9</sup>These words were substituted for the words "the Board or the Faculty", *ibid.*, s. 10(a).

<sup>10</sup>These words were substituted for the words "the Board or the Faculty, as the case may be", *ibid.*, s. 10(b)(i).

<sup>11</sup>These words were substituted for the words "the Chairman", *ibid.*, s. 10(b)(ii).

(b) becomes, or is found to be, subject to any of the disqualifications specified in sub-section (1),

the State Government shall declare his office to be vacant.

(3) The State Government may, on the recommendation of <sup>1</sup>[the Council], supported by at least two-thirds of the whole number of members, remove any member elected or nominated under this Act, if such member has been guilty of misconduct in the discharge of his duties as a member, or of any disgraceful conduct, or has become incapable of performing his duties as a member :

Provided that, no resolution recommending the removal of any member shall be passed by <sup>2</sup>[the Council], unless the member to whom it relates has been given a reasonable opportunity of showing cause why such recommendation should not be made.

(4) The State Government may remove the President or <sup>3</sup>[the Vice-President], if he has been guilty of misconduct in the discharge of his duties under this Act or of any disgraceful conduct, or has become incapable of performing his duties as the President or as the case may be, <sup>3</sup>[the Vice-President] :

Provided that, no such action shall be taken unless the President or, as the case may be, <sup>3</sup>[the Vice-President] is given a reasonable opportunity of showing cause why he should not be removed from office.

9. (1) The meetings of <sup>4</sup>[the Council] shall be convened, held and conducted in such manner as may be prescribed by rules.

<sup>5</sup>[(2) Save as otherwise provided in sub-section (2) of section 4, the President when present, shall preside at every meeting of the Council. If at any meeting the President is absent, then the Vice-President, and in the absence of both, some other member elected by the members present, from amongst themselves, shall preside at such meeting.]

(3) All questions at a meeting of <sup>6</sup>[the Council], shall be decided by a majority of the votes of the members present and voting at the meeting.

(4) The presiding authority at a meeting shall have and exercise a second or a casting vote, in case of an equality of votes.

(5) <sup>7</sup>[Eight members of the Council including the President and Vice-President] shall form a quorum. When a quorum is required but not present, the presiding authority shall adjourn the meeting to such hour on some future day as it may notify on the notice-board at the office of <sup>8</sup>[the Council] and the business which would have been brought before the original meeting, had there been a quorum thereat, shall be brought before the adjourned meeting, and may be disposed of at such meeting or any subsequent adjournment thereof, whether there be a quorum present or not.

Meetings of  
<sup>9</sup>[the  
Council].

<sup>1</sup>These words were substituted for the words, " the Board or the Faculty, as the case may be, " by Mah. 23 of 1982, s.10(c)(i).

<sup>2</sup>These words were substituted for the words "the Board or the Faculty," *ibid.*, s. 10(c)(ii).

<sup>3</sup>These words were substituted for the words "the Chairman ", *ibid.*, s. 10(d).

<sup>4</sup>These words were substituted for the words "the Board and the Faculty," *ibid.*, s. 11(a).

<sup>5</sup>This sub-section was substituted for the original, *ibid.*, s. 11(b).

<sup>6</sup>These words were substituted for the words "the Board or the Faculty," *ibid.*, s. 11(c).

<sup>7</sup>These words were substituted for the portion beginning with the words " Seven members" and ending with the words " Chairman as the case may be ", *ibid.*, s. 11(d)(i).

<sup>8</sup>These words were substituted for the words "the Board or the Faculty, as the case may be, ", *ibid.*, s. 11(d)(ii).

<sup>9</sup>These words were substituted for the words "the Board or the Faculty, ", *ibid.*, s. 11(e).

Proceedings of meetings and validity of acts.

**10.** (1) The proceedings of the discussion of every meetings of <sup>1</sup>[the Council] shall be treated as confidential and no person shall, without the previous resolution of <sup>2</sup>[the Council] disclose any portion thereof :

Provided that nothing in this section shall be deemed to prohibit any person from disclosing or publishing the text of any resolution adopted by <sup>3</sup>[the Council] unless <sup>3</sup>[the Council] directs such resolution also to be treated as confidential.

(2) No disqualification of or defect in the election, nomination or appointment of any person as a member or as the President or as <sup>4</sup>[the Vice-President], or as a presiding authority of a meeting, shall of itself be deemed to vitiate any act or proceedings of <sup>5</sup>[the Council] in which such person has taken part, whenever the majority of persons, parties to such act or proceedings, were entitled to vote.

(3) During any vacancy in <sup>6</sup>[the Council], the continuing members may act as if no vacancy had occurred :

Provided that, the number of vacancies shall at any time not exceed six in number.

Fees and allowances <sup>10</sup>[for meetings].

**11.** There shall be paid to the President, <sup>7</sup>[the Vice-President] and other members of <sup>8</sup>[the Council], <sup>9</sup>[ and to the members of their committees and to the Chairman and members of the appellate authority referred to in sub-section (7) of section 17] such fees and allowances for attendance at meetings, and such reasonable travelling allowances as shall from time to time be prescribed by rules.

Income and Expenditure of the <sup>14</sup>[Council].

**12.** (1) The income of <sup>11</sup>[the Council] shall consist of—

(a) fees received from practitioners ;

<sup>12</sup>[(a-1) fees received from examinees ;

(a-2) any other fees collected by the Council;]

(b) grants received from the State Government, if any; and

<sup>13</sup>[(c) donations and any other sums received by the Council.]

(2) It shall be competent for <sup>15</sup>[the Council] to incur expenditure for the following purposes, namely :—

(a) salaries and allowances of the Registrar and the staff <sup>16</sup>[ including the Inspectors] maintained by <sup>15</sup>[the Council];

(b) fees and allowances paid to the members of <sup>15</sup>[the Council], <sup>17</sup>[ or a committee <sup>18</sup>[(including a board of studies)] thereof or of the appellate authority referred to in sub-section (7) of section 17];

<sup>1</sup>These words were substituted for the words, " the Board and the Faculty shall " by Mah. 23 of 1982, s.12(a)(i).

<sup>2</sup>These words were substituted for the words " the Board or the Faculty, as the case may be" *ibid.*, s. 12(a)(ii).

<sup>3</sup>These words were substituted for the words " the Board or, as the case may be, Faculty," *ibid.*, s. 12(a)(iii).

<sup>4</sup>These words were substituted for the words " the Chairman" *ibid.*, s. 12(b)(i).

<sup>5</sup>These words were substituted for the words " the Board or, as the case may be, Faculty," *ibid.*, s. 12(b)(ii).

<sup>6</sup>These words were substituted for the words " the Board or the Faculty," *ibid.*, s. 12(c).

<sup>7</sup>These words were substituted for the words " the Chairman", *ibid.*, s. 13(a).

<sup>8</sup>These words were substituted for the words " the Board or the Faculty, ", *ibid.*, s. 13(b).

<sup>9</sup>These words, brackets and figures were inserted by Mah. 19 of 1962, s. 2(a).

<sup>10</sup>These words were substituted for the words " to President, Chairman and members," *ibid.*, s. 2(b).

<sup>11</sup>These words were substituted for the words " the Board" by Mah. 23 of 1982, s. 14(a)(i).

<sup>12</sup>These clauses were inserted, *ibid.*, s. 14(a)(ii).

<sup>13</sup>These clause was substituted for clause (c), *ibid.*, s. 14(a)(iii)..

<sup>14</sup>This word was substituted for the word " the Board ", *ibid.*, s. 14(c).

<sup>15</sup>These words were substituted for the word " the Board ", *ibid.*, s. 14(a)(i).

<sup>16</sup>These words were inserted, *ibid.*, s. 14(b)(ii).

<sup>17</sup>This portion was inserted by 19 of 1962, s. 3.

<sup>18</sup>These words were inserted, by Mah. 23 of 1982, s. 14(b)(iii).

<sup>1</sup>[(b-1) remuneration paid to paper setters, examiners, moderators and other persons appointed by the Council for the conduct of examinations;

(b-2) other expenses for the conduct of examinations;]

(c) such other expenses as are necessary for performing its duties and functions under this Act.

13. <sup>2</sup>[\* \* \* \* \*]

14. Subject to such conditions as may be prescribed by or under the provisions of this Act, the powers, duties and functions of <sup>3</sup>[the Council] shall be,—

<sup>4</sup>[(a) to provide for registration of practitioners and to maintain the register;]

(b) to hear and decide appeals from any decision of the Registrar;

(c) to prescribe a code of ethics for regulating the professional conduct of registered <sup>5</sup>[\* \* \* \* \*] practitioners;

(d) to reprimand a registered <sup>6</sup>[\* \* \* \* \*] practitioner, or to suspend or remove him from the register <sup>7</sup>[\* \* \* \* \*] or to take such other disciplinary action against him as may, in the opinion of <sup>8</sup>[the Council], be necessary or expedient ;

<sup>9</sup>[(e) to hold examinations and to make all the necessary arrangements of such examinations;

(f) to conduct the courses of training which were, immediately before the date of commencement of Maharashtra Medical Practitioners (Amendment) Act, 1982, conducted by the Faculty and such other courses as the Central Council prescribes by regulations made under clause (i) of section 36 of the Indian Medicine Central Council Act, 1970, leading to the examinations held by the Council, and to charge fees for such examinations ;

(g) to provide for post-graduate training ;

(h) to grant degrees, diplomas and marks of honour ;

(i) to award stipends, scholarships, medals, prizes and other rewards ;

(j) to recommend recognition of institutions for the purpose of giving instructions for the courses leading to the examinations held by the Council, or to recommend the cancellation of such recognition ;

(k) to recommend the inclusion of any degree, diploma, certificate or award in the Schedule or to recommend the removal of any degree, diploma, certificate or award from the Schedule ;

(l) to prepare, publish and prescribe text books, and to publish statements of prescribed courses of study ;

(m) to provide for the maintenance of an adequate standard of proficiency for the practice of the system of Indian Medicine ;

(n) to provide for research in the system of Indian Medicine ;

(o) to provide for the inspection of recognised institutions, and to require such institutions to furnish such information as may be necessary ;

<sup>1</sup> These clauses were inserted by Mah. 23 of 1982, s. 14 (b)(iv).

<sup>2</sup> Section 13 was deleted, *ibid.*, s. 15.

<sup>3</sup> These words were substituted for the words " the Board " *ibid.*, s. 16 (a).

<sup>4</sup> Clause (a) was substituted for the original by Mah. 30 of 1979, s. 5(a).

<sup>5</sup> The words " and enlisted " were deleted, *ibid.*, s. 5(b).

<sup>6</sup> The words " or and enlisted " were deleted, *ibid.*, s. 5(c).

<sup>7</sup> The words " or the list, as the case may be ", were deleted, *ibid.*

<sup>8</sup> These words were substituted for the words " the Board " by Mah. 23 of 1982, s. 16(b).

<sup>9</sup> These clauses were substituted for clause (e), *ibid.*, s. 16(c).

<sup>10</sup> This word was substituted for the word " Board " *ibid.*, s. 16(d).

Powers,  
duties and  
functions of  
the  
<sup>10</sup>[Council].

(p) to provide for the inspection of any other institutions giving instructions for any of the qualifications included in the Schedule ;

(q) to appoint boards of studies and committees consisting of persons, who may or may not be members of the Council, but at least half of the number of such persons shall be medical practitioners registered under any of the laws mentioned in sub-section (1) of section 34, and to lay down the constitution, the duties and the functions of such boards and committees ;

(r) subject to the approval of the State Government, to receive donations and to determine the conditions of acceptance of donations ;

(s) to exercise such other powers and perform such other duties and functions as are laid down in this Act, or may be prescribed by rules.]

15. [\* \* \* \* \*]

Registrar  
and other  
employees  
of <sup>2</sup>[the  
Council].

16. (1) The State Government shall, after consulting <sup>3</sup>[the Council] appoint a Registrar, who shall be the Executive Officer of <sup>4</sup>[the Council]. The salary, allowances and other conditions of service of the Registrar shall be such as may be prescribed by the State Government.

(2) <sup>5</sup>[The Council] may from time to time grant leave to the Registrar :

Provided that, if the period of leave does not exceed two months, the leave may be granted by the President.

(3) During any such temporary vacancy in the office of the Registrar due to leave or any other reason, <sup>6</sup>[the Council] may, with the previous sanction of the State Government, appoint another person to act in his place, and any person so appointed shall for the period of such appointment, be deemed to be the Registrar for the purpose of this Act :

Provided that, when the period of such vacancy does not exceed two months the appointment may be made by the President, who shall forthwith report such appointment to the State Government.

(4) The State Government may, after consulting <sup>7</sup>[the Council] suspend, dismiss or remove any person appointed as the Registrar, or impose any other penalty upon him.

(5) <sup>8</sup>[The Council] shall, from time to time, appoint such other officers and servants as it deems necessary for carrying out its duties and performing its functions under this Act :

Provided that, the number and designations and the salaries, allowances and other conditions of service of such officers and servants shall be such as the State Government may from time to time determine.

(6) The Registrar and any other officer or servant appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

<sup>1</sup> Section 15 was deleted, by Mah. 23 of 1982, s. 17.

<sup>2</sup> These words were substituted for the words "the Board and Faculty", *ibid.*, s. 18(f).

<sup>3</sup> These words were substituted for the words "the Board", *ibid.*, s. 18(a)(i).

<sup>4</sup> These words were substituted for the words "the Board and Faculty", *ibid.*, s. 18(a)(ii).

<sup>5</sup> These words were substituted for the words "the Board", *ibid.*, s. 18(b).

<sup>6</sup> These words were substituted for the words "the Board", *ibid.*, s. 18(c).

<sup>7</sup> These words were substituted for the words "the Board", *ibid.*, s. 18(d).

<sup>8</sup> These words were substituted for the words "the Board and Faculty", *ibid.*, s. 18(e).

Executive Committee of  
2[Council].

<sup>1</sup>[16A. (1) The <sup>2</sup>[Council] shall as soon as may be, constitute an Executive Committee consisting of the President, *ex-Officio*, and such number of other members, elected by the <sup>2</sup>[Council] from amongst its members, as may be prescribed by rules.

(2) The term of office of, the manner of filling casual vacancies among, and the procedure to be followed by, the members of the Executive Committee shall be such as may be prescribed by rules.

(3) In addition to the powers, duties and functions conferred, imposed and entrusted by this Act, the Executive Committee shall exercise such powers, perform such duties, and discharge such functions, of the <sup>2</sup>[Council] as may be delegated to it by rules or entrusted to it, from time to time, by the <sup>2</sup>[Council].

16B. <sup>3</sup>[\* \* \* \* \* ]]

### CHAPTER III.

#### <sup>4</sup>[REGISTRATION OF PRACTITIONERS].

17. (1) As soon as may be after the appointed day, the Registrar shall prepare and maintain thereafter a register of <sup>5</sup>[practitioners of Indian Medicine] for the State, in accordance with the provisions of this Act.

Preparation of Register.

(2) The register shall be divided into <sup>6</sup>[three parts], namely :—

(i) Part I containing the names of practitioners who possess any of the qualifications specified in the Schedule;

<sup>7</sup>[(ii) Part II containing the names of practitioners, whose names were included in that part immediately before the 1st day of October 1976;

(iii) Part III containing the names of practitioners, who on the 30th day of September 1976 were enlisted practitioners and who are on that day deemed to have become registered practitioners under section 18.]

Each part shall consist of one or more sections as the State Government may specify in this behalf.

(3) Every person who possesses any of the qualifications specified in the Schedule shall, at any time on an application made in the form prescribed by rules, to the Registrar and on payment of a fee of <sup>8</sup>[five hundred rupees] be entitled to have his name entered in the register.

48 of  
1970.

<sup>9</sup>[(3A) Notwithstanding anything contained in any law for the time being in force, every person enrolled on the register maintained under the Indian Medicine Central Council Act, 1970, but not enrolled on the register maintained under this Act, shall, on an application and on payment of the fee as provided in sub-section (3), be entitled to have his name entered in the register maintained under this Act.]

<sup>1</sup> Section 16A and 16B was inserted by Mah. 19 of 1962, s. 5.

<sup>2</sup> This word was substituted for the word "Board" by Mah. 23 of 1982, s. 19.

<sup>3</sup> Section 16B was deleted, *ibid.*, s. 20.

<sup>4</sup> This heading was substituted for the original heading "Registration and Enlistment" by Mah. 30 of 1979, s. 6.

<sup>5</sup> These words were substituted for the words "Ayurvedic and Unani Practitioners" by Mah. 23 of 1982, s. 21(a).

<sup>6</sup> These words were substituted for the words "two parts", by Mah. 30 of 1979, s. 7(a)(i).

<sup>7</sup> Clauses (ii) and (iii) were substituted for the original clause (ii), *ibid.*, s. 7(a)(ii).

<sup>8</sup> These words were substituted for the words "one hundred rupees" by Mah. 19 of 1993, s. 3.

<sup>9</sup> Sub-section (3A) was inserted by Mah. 30 of 1979, s. 7(b).

(4) The name of every person who on the day immediately preceding the appointed day stood registered in any register kept under—

(a) the Bombay Medical Practitioner's Act, 1938, as in force in the Bombay area of the State ; or

Bom.  
XXVI  
of  
1938.

(b) the Central Provinces and Berar Ayurvedic and Unani Practitioner's Act, 1947, as in force in the Vidarbha region of the State ; or

C.P.  
and  
Berar  
IV of  
1948.

(c) the Medical Act, as in force in the Hyderabad area of the State ;

Hyd.  
I of  
1312  
Fasli.

shall be entered in the register prepared under this Act without such permission being required to make an application or to pay any fee.

(5) Any person, not being a person qualified for registration under sub-section (3) or (4), who proves to the satisfaction of the Committee appointed under sub-section (6)—

(i) that he had been regularly practising the Ayurvedic or the Unani system of medicine in the Vidarbha region or the Hyderabad area of the State, for a period of not less than ten years immediately before the 23rd day of November 1960 ; or

(ii) that he was on the 4th day of November 1941 regularly practising the Ayurvedic or the Unani system of medicine in the Bombay area of the State, but his name was not entered in the register maintained under the Bombay Medical Practitioner's Act, 1938 ; [or

Bom.  
XXVI  
of  
1938.

(iii) that his name had been entered in the list kept under section 18 of the Bombay Medical Practitioner's Act, 1938, by virtue of paragraph (ii) or (iii) of sub-section (1) of section 31C inserted in that Act by the Bombay Medical Practitioner's (Amendment) Act, 1949, and stood included, on the day immediately preceding the date of the commencement of the Maharashtra Medical Practitioner's (Amendment) Act, 1964, in the list maintained under this Act, by virtue of clause (a) of sub-section (2) of section 18.]

Born.  
XXVI  
of  
1938.  
Born.  
XXXIII  
of  
1949.  
Mah.  
XVII of  
1965.

shall, on an application made in the form prescribed by rules, accompanied by a fee of ten rupees and such documents as may be prescribed by rules,<sup>2</sup>[on or before the 31st day of March 1965], be entitled to have his name entered in the register.

(6) All applications for registration under sub-section (5) shall be considered by a Committee of three members of <sup>3</sup>[the Council] appointed by the State Government. The Committee shall make enquiry in such manner as may be prescribed by rules. <sup>4</sup>[The Committee shall not entertain any further application from a person, if an application made by him under clauses (i) or (ii) of sub-section (5) has already been decided by it.]

<sup>1</sup> The word " or " and clause (iii) were inserted by Mah. 17 of 1965, s. 5(a)(i).

<sup>2</sup> These words were substituted for the words " within a period of two years from the appointed day ", *ibid.*, s. 5(a)(ii).

<sup>3</sup> These words were substituted for the words " the Board ", by Mah. 23 of 1982, s. 21 (c).

<sup>4</sup> This portion was added by Mah. 17 of 1965, s. 5(c).

(7) <sup>1</sup>[(a) Any person aggrieved by the decision of the Committee appointed under sub-section (6) may, within a period of one month from the date of which such decision is communicated to him, on payment of a fee of five rupees, appeal to the appellate authority constituted by the State Government in this behalf. The appellate authority shall consist of a Chairman who has for at least seven years held judicial office not lower in rank than that of a District Judge, one member elected by <sup>2</sup>[the Council], and the Director of Ayurved shall be the *ex-officio* member. The decision of the appellate authority shall be final.

(b) Notwithstanding anything contained in clause (a) any person aggrieved by such decision of the Committee, who has not already appealed to the appellate authority aforesaid before the date of the commencement of the Maharashtra Medical Practitioners' (Amendment) Act, 1964, may on or before the 31st day of March 1965, on payment of a like fee of five rupees, appeal to the appellate authority.]

<sup>3</sup>[(7A) If on an application for registration made under clause (iii) of sub-section (5) or on appeal under sub-section (7), a person is found eligible for registration, then on his name being included in the register the entry of his name in the list shall be cancelled.]

(8) The register shall include the following particulars, namely :—

(a) the full name and residential address of the registered practitioner;  
 (b) the date of his admission to the register maintained under this Act; and if he, be a person who was registered on the day immediately preceding the appointed day, in a register kept under any of the Acts referred to in sub-section (4), the date of his admission to that register;

(c) the qualification specified in the Schedule possessed by him, if any, and the date on which he obtained the qualification and the authority which conferred or granted it; and

(d) such further particulars as may be prescribed by rules.

(9) When the register is prepared in accordance with the foregoing provisions the Registrar shall publish a notice in the *Official Gazette* and such newspapers as <sup>4</sup>[the Council] may select, about the register having been prepared, and the register shall come into force from the date of the publication of such notice in the *Official Gazette*.

(10) (a) Every registered practitioner shall be given a certificate of registration in the form prescribed by rules. The registered practitioner shall display the certificate of registration in a conspicuous place in his dispensary, clinic or place of practice.

<sup>5</sup>[(b) Such certificate shall be valid until it is duly cancelled and the name of the practitioner is removed from the register under the provisions of this Act; and every certificate of registration given before the commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1972 which is valid on such commencement shall, subject to the provisions of section 23A, be valid likewise, and shall continue accordingly.]

<sup>6</sup>[(c) Where it is shown to the satisfaction of the Registrar that a certificate of registration has been defaced, lost or destroyed, the Registrar may, on payment of the prescribed fee, issue a duplicate certificate in such form as may be prescribed.]

<sup>1</sup> This clause was renumbered as clause (a) and clause (b) was inserted by Mah. 17 of 1968, s. 5(c).

<sup>2</sup> These words were substituted for the words " the Board " by Mah. 23 of 1982, s. 21(d).

<sup>3</sup> Sub-section (7A) was inserted by Mah. 17 of 1965, s. 5(d).

<sup>4</sup> These words were substituted for the words " the Board " by Mah. 23 of 1982, s. 21(e).

<sup>5</sup> Clause (b) was substituted by Mah. 5 of 1972, s. 2(b).

<sup>6</sup> Clause (c) was added by Mah. 21 of 1966, s. 2.

Enlisted  
practitioner's  
deemed to  
be registered  
practitioners  
on 30th  
September  
1976.

<sup>1</sup>[18. (1) Every person, who on the 30th day of September 1976, that is, the day immediately preceding the date of coming into force of section 17 of the Indian Medicine Central Council Act, 1970, was an enlisted practitioner under this Act shall be deemed to have become a registered practitioner under this Act, on that day and to have become a person enrolled on the State Register for the purposes of the said section 17. His name shall be entered by the Registrar in the register maintained under this Act with effect from that day, without such person being required to make any application or to pay any fee.

48 of  
1970.

(2) Every person whose name is entered in the register under sub-section (1) shall be given a certificate of registration in the form prescribed by rules, on the payment of a fee of fifteen rupees.

Provisional  
registration  
for practice.

18A. (1) If the courses of study to be undergone for obtaining any of the qualifications specified in the Schedule, include a period of training after a person has passed the qualifying examination, and before such qualification is conferred on him, any such person shall, on an application made to the Registrar, in the form prescribed by rules and on payment of a fee of <sup>2</sup>[seventy-five rupees] be granted a provisional registration in the register, in order to enable him to practice Ayurvedic or Unani system of medicine in an approved institution for the purpose of such training, and for no other purpose, for the period aforesaid.

(2) Every person who is granted a provisional registration under sub-section (1) shall be given a certificate of provisional registration in the form prescribed by rules, which shall remain in force for such period as may be specified therein.]

Persons not  
entitled to  
registration

<sup>5</sup>[\*\*\*]

19. Notwithstanding anything contained in <sup>3</sup>[section 17], no person, whose name has been removed from any register <sup>4</sup>[\* \*] kept under—

(i) the Bombay Medical Practitioners' Act, 1938, as in force in the Bombay area of the State;

(ii) the Central Provinces and Berar Ayurvedic and Unani Practitioners' Act, 1947, as in force in the Vidarbha region of the State;

(iii) the Medical Act, as in force in the Hyderabad area of the State;

(iv) any other law for the time being in force in India or any part thereof regulating the registration of practitioners of medicine,

for infamous conduct in a professional respect, shall be entitled to have his name entered in the register <sup>6</sup>[\* \* \*] unless his name is duly restored to the register <sup>7</sup>[\* \* \*] from which it was so removed.

Bom.  
XXVI  
of  
1938.  
C.P.  
and  
Berar  
IV of  
1948.  
Hyd.  
I of  
1312  
Fasli.

<sup>1</sup> Sections 18 and 18A were substituted for the original section 18 by Mah. 30 of 1979, s.8.

<sup>2</sup> These words were substituted for the words "fifteen rupees" by Mah. 21 of 1993, s. 4.

<sup>3</sup> The word and figures "section 17" were substituted for the words and figures "section 17 and 18" by Mah. 30 of 1979, s. 9(a).

<sup>4</sup> The words "or list" were deleted, *ibid.*, s. 9(b).

<sup>5</sup> The words "or enlistment" were deleted, *ibid.*, s. 9(c).

<sup>6</sup> The words "or the list respectively" were deleted, *ibid.*

<sup>7</sup> The words "or the list" were deleted, *ibid.*

**20.** (1) If a registered practitioner has been, after due inquiry, held by the <sup>1</sup>[Council]<sup>2</sup>[(or the Executive Committee)] in the manner prescribed by rules, found guilty of any misconduct by the <sup>1</sup>[Council] the <sup>1</sup>[Council] may—

Removal of  
names from  
the Register.  
[\* \* \*]

- (a) issue a letter of warning to such practitioner; or
- (b) direct the name of such practitioner—
  - (i) to be removed from the register for such period as may be specified in the direction, or
  - (ii) to be removed from the register permanently.

*Explanation.*—For the purposes of this section, “misconduct” shall mean—

- (i) the conviction of a registered practitioner by a criminal Court for an offence which involved moral turpitude, and which is cognizable within the meaning of <sup>4</sup>[the Code of Criminal Procedure, 1973]; or
- (ii) the conviction under the Army Act, 1950, of a registered practitioner subject to military law for an offence which is cognizable within the meaning of <sup>4</sup>[the Code of Criminal Procedure, 1973]; or
- (iii) any conduct which, in the opinion of the <sup>1</sup>[Council] is infamous in relation to the medical profession particularly under any code of ethics prescribed by the Board.

(2) If the name of any such practitioner is entered in—

<sup>5</sup>[(a) the register maintained under the Maharashtra Medical Council Act, 1965;]

(b) the register or list maintained under the Bombay Homoeopathic and Biochemic Practitioners' Act, 1959 or any other law for the time being in force in relation to the qualifications and registration of Homoeopathic or Biochemic practitioners in any part of the State;

it shall be the duty of the Registrar to give intimation of such removal to the authority entitled to maintain the said register or the said list.

(3) If the name of a registered practitioner is also entered in the register or the list, as the case may be, maintained under any of the laws referred to in sub-section (2) and it is removed from the said register or the said list, the <sup>1</sup>[Council] shall if such removal comes to its notice also remove his name from the register under this Act.

(4) The <sup>1</sup>[Council] may, on sufficient cause being shown, direct at any subsequent date that the name of a practitioner removed under sub-section (1) or <sup>6</sup>[(3)] shall be re-entered in the register on such conditions and on the payment of such fees, as may be prescribed by rules.

(5) The <sup>1</sup>[Council] may, of its own motion, or on the application of any person, after due and proper enquiry and after giving an opportunity to the person concerned of being heard, cancel or alter any entry in the register if in the opinion of the <sup>1</sup>[Council] such entry was fraudulently or incorrectly made.

<sup>1</sup> This word was substituted for the word "Board" by Mah. 23 of 1982, s. 22(a).

<sup>2</sup> These brackets and words were substituted for the brackets and words "(or a committee appointed by the Board for that purpose)" by Mah. 19 of 1962, s. 6(a).

<sup>3</sup> The word "list" was deleted by Mah. 30 of 1979, s. 10(c).

<sup>4</sup> These words were substituted for the words "the Code of Criminal Procedure, 1898" by Mah. 23 of 1982, s. 22(b).

<sup>5</sup> Clause (a) was substituted for the original by Mah. 30 of 1979, s. 10(a).

<sup>6</sup> This was substituted for "(2)" by Mah. 5 of 1972, s. 3.

(6) In holding any inquiry under this section, <sup>1</sup>[the Council] <sup>2</sup>[or the Executive Committee] shall have the same powers as are vested in Civil Courts under the Code of Civil procedure, 1908, when trying a suit, in respect of the following matters, namely :—

- (a) enforcing the attendance of any person, and examining him on oath;
- (b) compelling the production of documents;
- (c) issuing of commissions for the examination of witnesses.

(7) All inquiries under this section shall be deemed to be judicial proceedings, within the meaning of sections 193, 219 and 228 of the Indian Penal Code.

(8) (a) For the purpose of advising <sup>1</sup>[the Council] <sup>3</sup>[or the Executive Committee] on any question of law arising in any inquiry under this section, there may in all such inquiries be an assessor, who has been for not less than ten years.—

- (i) an Advocate enrolled under <sup>4</sup>[the Advocates Act, 1961];
- (ii) an attorney of a High Court.

(b) Where an assessor advises <sup>1</sup>[the Council] <sup>5</sup>[or the Executive Committee] on any question of law as to evidence, procedure or any other matter, he shall do so in the presence of every party, or person representing a party, as to the inquiry who appears there at or if the advice is tendered after <sup>1</sup>[the Council] <sup>5</sup>[or the Executive Committee] has begun to deliberate as to their findings, every such party or person as aforesaid shall be informed what advice the assessor has tendered. Such party or person shall also be informed if in any case <sup>1</sup>[the Council] <sup>5</sup>[or the Executive Committee] does not accept the advice of the assessor on any such question as aforesaid.

(c) Any assessor under this section may be appointed either generally, or for any particular inquiry or class of inquiries, and shall be paid such remuneration as may be prescribed by rules.

(9) <sup>6</sup>[\* \* \* \* \*]

21. (1) It shall be the duty of the Registrar to make entries in the register from time to time, to revise the same and to issue the certificates of registration <sup>7</sup>[\* \* \* \*] in accordance with the provisions of this Act, the rules made thereunder, and the orders of <sup>8</sup>[the Council].

(2) The names of registered practitioners who die or whose names are directed to be removed from the register under section 20 shall be removed therefrom.

(3) Any person whose name is entered in the register and who subsequent to his registration obtains any additional qualification which is specified in the Schedule, or desires to record in the register any change in his name, shall on an application made in this behalf and on payment of such fee as may be prescribed by rules, be entitled to have an entry stating such additional qualification made against his name in the register or such change in his name recorded in the register, as the case may be :

<sup>1</sup> These words were substituted for the words "the Board" by Mah. 23 of 1982, s. 22(a).

<sup>2</sup> These words were substituted for the words "or a committee appointed by the Board" by Mah. 19 of 1962, s. 6(b).

<sup>3</sup> These words were substituted for the words "or a committee appointed by it", *ibid.*, s. 6(c)(i).

<sup>4</sup> These words and figures were substituted for the words and figures "The Indian Bar Council Act, 1926, or" by Mah. 21 of 1982 s. 22(c).

<sup>5</sup> These words were substituted for the words "or Committee" by Mah. 19 of 1962, s. 6(c)(ii).

<sup>6</sup> Sub-section(9) was deleted by Mah. 30 of 1979, s. 10(b).

<sup>7</sup> The words "and renewal slip" were deleted by Mah. 5 of 1972, s. 4.

<sup>8</sup> These words were substituted for the words "the Board" by Mah. 23 of 1982, s. 23(a).

<sup>9</sup> The words "and list" were deleted by Mah. 30 of 1979, s. 11(b).

<sup>1</sup>[Provided that, where a registered practitioner whose name is entered in Part II or Part III of the register makes an application for entry of such additional qualification which involves change of his registration from Part II, or as the case may be, Part III to Part I of the register, such application shall be treated as an application for fresh registration, and it shall be accompanied by a fee of one hundred rupees. After the name of such registered practitioner is entrusted in Part I of the register, the entry of his name made in any of other Part of the register earlier shall be cancelled.]

(4) <sup>2</sup>[\* \* \* \* \*]

**22. [Renewal fee]. Deleted by Mah. 5 of 1972, s. 5.**

**23. (1)** At such time after the publication of the notice under sub-section (9) of section 17 as <sup>4</sup>[the Council] deems fit, and thereafter at such intervals as may be prescribed by rules, the Registrar shall cause to be printed and published a correct medical list of all persons for the time being entered in the register.

Publication of  
list of  
registered  
<sup>3</sup>[\* \* \* \*]  
practitioners.

**(2)** Except in a year in which a list is published under sub-section (1), the Registrar shall cause to be printed and published annually on or before a date to be prescribed by rules, an addendum and a corrigendum to the list published under sub-section (1) showing,—

(a) the names of all persons for the time being entered or re-entered in the register, and not included in any subsisting list already printed and published;

(b) the names of all practitioners included in any subsisting list, whose names have since been removed on account of any reason whatsoever from and not re-entered in the register; and

(c) any other amendments to the subsisting list.

<sup>5</sup>[(2A) Notwithstanding anything contained in sub-section (2), when the election of members of <sup>6</sup>[the Council] is to be held under <sup>7</sup>[clause (c) of sub-section (1) of section 3A] and any general or special order is issued by the State Government under the proviso to <sup>8</sup>[sub-section (1) of section 4] the Registrar shall review the subsisting list and if necessary cause to be printed and published, on the date immediately preceding the date notified under the said proviso, and addendum and corrigendum to the said list.]

**(3)** The form of the list published under sub-section (1), the particulars to be included therein, and the manner of its publication, shall be such as may be prescribed by rules.

**(4)** A copy of list referred to in sub-section (1) shall be evidence in all courts, and in all judicial or quasi-judicial proceedings, that the persons therein specified are registered according to the provisions of this Act, and the absence of the name of any person from such copy shall be evidence, until the contrary is proved that such person is not registered according to the provisions of this Act :

Provided that, in the case of any person whose name does not appear in such copy a certified copy under the hand of the Registrar of the entry of the name of

<sup>1</sup> This proviso was inserted by Mah. 23 of 1982, s. 23(b).

<sup>2</sup> Sub-section (4) was deleted by Mah. 30 of 1979, s. 11(a).

<sup>3</sup> The words "and enlisted" were deleted, *ibid*, s. 12(b).

<sup>4</sup> These words were substituted for the words "the Board" by Mah. 23 of 1982, s. 24(a).

<sup>5</sup> Sub-section (2A) was inserted by Mah. 4 of 1969, s. 3.

<sup>6</sup> These words were substituted for the words "the Board", by Mah. 23 of 1982, s. 24(b) (i).

<sup>7</sup> These words, brackets, letters and figure were substituted for the words, brackets, letters and figures "clause (b) of sub-section (2) of section 3", *ibid*, s. 24(b) (ii).

<sup>8</sup> These words, brackets and figures were substituted for the words, brackets and figures "sub-section (5) of the said section 3", *ibid*, s. 24(b) (iii).

such person on the register shall be evidence that such person is registered under the provisions of this Act. <sup>1</sup>[Such certificate copy may be issued by the Registrar on payment of such fee and in such form as may be prescribed.]

(5) <sup>2</sup>[\* \* \* \* \*]

Renewal of  
Registration.

<sup>3</sup>[23 A. (1) Notwithstanding anything contained in sections 17 and 23, after the commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1972, —

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1972.

(a) (i) the Registrar shall cause two general notices in the prescribed form to be published at an interval of not less than sixty days, in the *Official Gazette* and in such other manner as may be prescribed. The first such general notice shall be published on such date as the Registrar may, with the approval of the President decide, calling upon all registered practitioners to make an application to the Registrar for the continuance of their names on the register, and drawing attention to their liability to pay to <sup>4</sup>[the Council] a fee of fifty rupees therfor ;

(ii) the Registrar shall, after the publication of the first general notice under sub-clause (1) of this clause, send an individual notice <sup>5</sup>[under certificate of posting], enclosing therewith the prescribed form of application to every registered practitioner at his address as entered in the register calling upon him to return the application to the Registrar duly filled in for the continuance of his name on the register alongwith a fee of fifty rupees, within forty-five days of the receipt of such individual notice.

If any of the registered practitioners fails to return such application within the period specified in the individual notice alongwith a fee of fifty rupees, the Registrar shall, after the publication of the second general notice under clause (i), issue a further individual notice to such registered practitioner <sup>5</sup>[under certificate of posting], enclosing there with the prescribed from of application calling upon him to return the application to the Registrar for the continuance of his name on the register within thirty days of the receipt of the further individual notice together with a fee of fifty rupees, and an additional fee of five rupees ;

(iii) if the application together with the fee is returned within the period specified in such individual notices, the Registrar shall inform the registered practitioner <sup>5</sup>[under certificate of posting], that the fee has been received, and that the certificate of his registration shall, subject to the provisions of this section, continue in operation, unless such certificate is duly cancelled under this Act ;

(iv) if the application together with the fee is not returned within the period specified in the further individual notice, the Registrar shall remove the name of defaulting practitioner from the register and inform him of such removal <sup>5</sup>[under certificate of posting]. The fact of such removal shall be published in the *Official Gazette* and in such other manner as may be prescribed. On such removal, the certificate of registration issued to the defaulting practitioner shall be deemed to have been cancelled, and shall be liable to be withdrawn from the practitioner by the Registrar in the prescribed manner :

Provided that, on an application made to the Registrar in that behalf within the prescribed period, the name so removed may be re-entered in the register on payment of a fee of fifty rupees together with an additional fee of fifteen rupees; and thereupon, the certificate of registration, if withdrawn, shall be returned to the practitioner and shall continue in operation, and if not yet withdrawn, it shall also continue in operation, as provided in sub-clause (iii) of this clause ;

<sup>1</sup> These words were added by Mah. 21 of 1966, s. 3.

<sup>2</sup> Sub-section(5) was deleted by Mah. 30 of 1979, s. 12(a).

<sup>3</sup> Section 23 A was inserted by Mah. 5 of 1972, s. 6.

<sup>4</sup> These words were substituted for the words "the Board" by Mah. 23 of 1982, s. 25(a).

<sup>5</sup> These words were substituted for the words "by registered post" by Mah. 49 of 1973, s. 2(i).

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1972.

(b) and thereafter, every five years from the commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1972, the Registrar shall likewise cause two general notices in the prescribed form to be published at an interval of not less than sixty days, in the *Official Gazette*, and in such other manner as may be prescribed calling upon all registered practitioners to make an application to the Registrar for continuance of their names on the register without payment of the fee of fifty rupees referred to in clause (a), and thereupon, the provisions of clause (a) shall, *mutatis mutandis*, apply for the continuance of the names of registered practitioners on the register;

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of  
1973.

<sup>1</sup>[(c) (i) and the Registrar shall, as soon as may be, after the commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1973, send a notice under certificate of posting at the last known address alongwith the prescribed form of application to every person whose name has been removed from the register during the process of renewal which took place under section 22 of this Act before the commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1972, and call upon such person to return the application duly filled in for restoration of his name on the register alongwith a fee of fifty rupees together with arrears of dues, if any, payable to the Board before such commencement and an additional fee of fifteen rupees by way of penalty within sixty days from the date of the receipt of such notice :

Provided that, the Registrar may accept an application together with an additional fee of fifteen rupees after the expiry of this said period, if he is satisfied that the Applicant was prevented by sufficient cause from returning the application alongwith the fees and dues in time ;

(ii) if the application together with the fees and dues, if any, is returned within the period specified in such notice, the Registrar shall inform such person under certificate of posting, that the fees and dues, if any, have been received, and that his name has been restored to the register and that the certificate of his registration shall, subject to the provisions of this section, continue in operation unless such certificate is duly cancelled under this Act.]

<sup>2</sup>[(2) (a) Any registered practitioner to whom a certificate of registration is issued before the 9th day of November 1972, and such certificate is still in operation may at any time by an application in writing, accompanied by such certificate (in original) and a fee of five rupees, apply to the Registrar for issue of a fresh certificate of registration in lieu of the certificate issued earlier.

(b) On receipt of such application, the Registrar shall cancel such certificate and issue a fresh certificate of registration in the form prescribed by rules made under sub-section (10) of section 17.]

24. Fees paid under sections 17, 18, <sup>3</sup>[18A], 20, 21 <sup>4</sup>[and 23A] shall not be refunded.

No refund of fees.

<sup>5</sup>[25. Notwithstanding anything contained in any law for the time being in force,—  
(i) the expression "legally qualified Medical Practitioner" or "duly qualified Medical Practitioner" or any words importing a person recognised by law as a Medical Practitioner or member of the Medical Profession or as having a right to practise any system of medicine shall, in all Acts of the State Legislature and in all Central Acts (In their application to the State of Maharashtra), in so far as such Acts relate to any matters specified in List II or List III in the Seventh Schedule to the Constitution of India, include a practitioner whose name is entered in any part of the register maintained under this Act, whether before or on or

Rights of registered practitioners to practise.

<sup>1</sup> Clause (c) was inserted by Mah. 49 of 1973, s. 2(2).

<sup>2</sup> The original sub-section (2) was deleted by Mah. 30 of 1979, s. 13, and this sub-section (2) was inserted by Mah. 23 of 1982, s. 25(b).

<sup>3</sup> The figures and letter "18A" were inserted by Mah. 30 of 1979, s. 14.

<sup>4</sup> This was substituted for "and 22" by Mah. 5 of 1972, s. 7.

<sup>5</sup> Section 25 was substituted for the original section by Mah. 30 of 1979, s. 15.

after the 1st day of October 1976, that is, the date of coming into force of section 17 of the Indian Medicine Central Council Act, 1970; 48 of 1970.

(ii) it shall be lawful for every practitioner whose name is entered in any part of the register maintained under this Act to use in full after his name the words "Registered Medical Practitioner";

(iii) a certificate, required by any Act from a medical practitioner or medical officer, shall be valid if such certificate has been given and signed by a practitioner registered under Part I or Part II of the register maintained under this Act.]

#### CHAPTER IV.

##### EXAMINATIONS HELD BY <sup>1</sup>[COUNCIL], COURSES OF STUDIES, RECOGNITION OF INSTITUTIONS AND RECOGNITION OF QUALIFICATIONS

Examinations held by <sup>3</sup>[Council] and Courses of studies.

**26.** <sup>2</sup>[The Council] shall by by-laws made under section 31 prescribe the examinations to be held by it, the qualifications for admission to such examinations, the courses of studies for such examinations (including the subjects, of medicine, surgery, midwifery and gynaecology), the standard of passing, the degree, diploma, certificate or any other like award to be give to persons who pass the examinations and such other matters in respect of such examinations as may be necessary or expedient.

**27.** (1) Every institution recognised under this section shall, subject to such conditions as may be prescribed by the <sup>4</sup>[Council], be entitled to train students for the examinations of the <sup>4</sup>[Council].

(2) Any institution desirous of recognition under this Act shall send an application to the Registrar, giving full information in respect of the following matters, namely:—

(a) the constitution and personnel of the managing body;

(b) subjects and courses in which it gives or proposes to give instruction, and the examination for which it seeks recognition;

(c) accommodation, equipment and the number of students for whom provision has been or is proposed to be made;

(d) the strength of the staff, their salaries, qualification, and the research work carried out by them;

(e) fees levied or proposed to be levied, and the financial provision made for capital expenditure on buildings and equipment and for continued maintenance and efficient working of the Institutions:

Provided that, no application shall be entertained by the Registrar unless the institution agrees in writing to give all facilities to any Inspectores or visitors authorised by the <sup>4</sup>[Council] to make an inspection or enquiry or to attend any examination under sub-sections (3) to (9).

(3) The Registrat shall place the application before the <sup>4</sup>[Council], and the <sup>4</sup>[Council] may direct the Registrar to call for any futher information which it may deem necessary. The <sup>4</sup>[Council] may also direct a local inquiry to be made by a competent person or persons authorised by it in this behalf.

(4) After recording the report of such local inquiry and after making such further inquiry as may be necessary, the <sup>4</sup>[Council] shall forward the application together with its report, to the State Government with its recommendation. The State Government may thereupon grant or refuse the recognition, or may grant it subject to such conditions as it deems fit. The State Government shall not grant recongnition to any insititution which does not provide such facilities for clinical training as may be prescribed under the by-laws. The decision of the State Government shall be final.

<sup>1</sup> This word was substituted for the word "Faculty" by Mah. 23 of 1982, s. 26.

<sup>2</sup> These words were substituted for the words "The Faculty" *ibid.*, s. 27(a).

<sup>3</sup> This word was substituted for the word "Faculty", *ibid.*, s. 27(b).

<sup>4</sup> This word was substituted for the word "Faculty", *ibid.*, s. 28.

(5) It shall be the duty of the <sup>1</sup>[Council] to secure the maintenance of an adequate standard proficiency in the subjects of medicine, surgery, midwifery and gynaecology and for the practice of the Ayurvedic system of medicine or the Unani system of medicine. For the purpose of securing the maintenance of such standard, the <sup>2</sup>[Council] shall have authority to call on the governing body or authorised of any recognised institution to permit Inspectors or visitors appointed by the <sup>2</sup>[Council] in this behalf, who may or may not be members of the <sup>1</sup>[Council] to inspect the recognised institution and the hospitals attached to it, and to attend and be present at all or any of the examinations held by the institution, Every recognised institution shall comply with the directions issued by the <sup>1</sup>[Council] from time to time.

(6) The Inspectors or visitors shall not interfere with the conduct of any examination but it shall be their duty to report to the <sup>2</sup>[Council] their opinion as to the sufficiency or insufficiency of every examination which they attend, and any other matters in regard to such institution on which the <sup>1</sup>[Council] may require them to report.

(7) Every recognised institution and every examination held by such institutions shall be inspected by the <sup>2</sup>[Council] through its Inspectors or visitors at least once in five years, and more frequently if the <sup>2</sup>[Council] so desires.

(8) The <sup>1</sup>[Council] shall forward a copy of every such report to the authorities of the institution in respect of which the report was made, and shall also forward a copy of such report, together with any observations made thereon by the said body, to the State Government.

(9) An Inspector, or a visitor shall receive such remuneration to be paid as part of the expenses of the <sup>2</sup>[Council], as may be prescribed by rules.

**28.** (1) If it appears to the State Government on the report of the <sup>2</sup>[Council] or otherwise that any recognised institution is not maintaining an adequate standard of training according to the requirements of the <sup>2</sup>[Council], the State Government may ask the <sup>1</sup>[Council] to direct the institutions to take steps within such reasonable time as it may fix to bring the training upto the required standard.

(2) If the institution fails so to do within the stipulated time, the State Government may at any time withdraw the recognition granted to such institution.

**29.** (1) If it shall appear to the State Government on the report of the <sup>3</sup>[Council] or otherwise that the course of study and examinations prescribed by any university, body or institution conferring a degree, diploma, certificate or any other like award not entered in the Schedule, is such as to secure the possession, by person obtaining such degree, diploma, certificate or award of, the requisite knowledge and skill for the efficient practice of their profession, including the medicine, surgery, midwifery and gynaecology, it shall be lawful for the State Government from time to time by notification in the *Official Gazette*, to amend the Schedule and to direct the inclusion therein of any such degree, diploma, certificate or award subject to such conditions (if any) as may be specified in respect of any such degree, diploma, certificate or award.

(2) Any university, body or institution desirous of having included in the Schedule, any degree, diploma, certificate or award in the Ayurvedic system of medicine or the Unani system of medicine conferred by it, may apply to the <sup>3</sup>[Council] in the manner provided in sub-section (2) of section 27 and for the purposes of this section the <sup>3</sup>[Council] shall have all the powers specified in sub-sections (3) to (9) of section 27 as if the university, body or institution had applied for recognition under section 27.

Withdraw  
of recognition  
of institutions.

Amendment  
of Schedule.

<sup>1</sup> This word was substituted for the word "Faculty" by Mah. 23 of 1982, s. 28.

<sup>2</sup> This word was substituted for the word "Faculty" *ibid.*, s. 29.

<sup>3</sup> This word was substituted for the word "Faculty", *ibid.*, s. 30.

(3) If it appears to the State Government on the report of the <sup>1</sup>[Council] or otherwise that the course of study or the examination prescribed by any university, body or institution for any degree, diploma, certificate or award which is entered in the Schedule under this section, are such not as to secure the maintenance of an adequate standard of proficiency for the practice of the Ayurvedic systems of medicine or the Unani system of medicine, as the case may be, including the practice of medicine, surgery, midwifery and gynaecology it shall be lawful for the State Government at any time by notification in the *Official Gazette*, to direct the removal of any such degree, diploma, certificate or award from the Schedule :

Provided that, no notification under sub-section (1) or this sub-section shall be issued by the State Government without first consulting the <sup>1</sup>[Council] :

Provided further that, before making any recommendation to the State Government under this sub-section to remove any degree, diploma, certificate or award from the Schedule, the <sup>1</sup>[Council] shall require the university, body or institution to take such steps as may be directed by the <sup>1</sup>[Council] and within such reasonable time as the <sup>1</sup>[Council] may prescribe to bring the course of study of examination or such degree, diploma or award to the required standard.

#### CHAPTER V.

##### MISCELLANEOUS.

Rules.

**30.** (1) The State Government may, by notification in the *Official Gazette*, and subject to the condition of previous publication make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the time and place at which and the manner in which election to <sup>2</sup>[the Council shall be held under sub-section (1) of section 4] ;

(b) the manner in which the meetings of <sup>3</sup>[the Council] shall be convened, held and conducted under sub-section (1) of section 9 ;

<sup>4</sup>[(c) the fees and other allowances to be paid under section 11] ;

<sup>5</sup>[(d) the powers, duties and functions of the Council under clause (s) of section 14] ;

<sup>6</sup>[(da) the number and term of office of, the manner of filling casual vacancies among, and the procedure to be followed by, the members of the Executive Committees, and the powers, duties and functions of <sup>7</sup>[the Council delegated to the Executive Committee under section 16A]] ;

(e) any further particulars to be entered in the register <sup>8</sup> [ \* \* \* \* ] ;

<sup>9</sup>[(f) the forms of application for registration and provisional registration under sections 17 and 18A, and the documents to accompany such forms];

(g) the manner of making enquiry by the committee appointed under sub-section (6) of section 17;

(h) the forms of certificate of registration <sup>10</sup>[and provisional registration];

(i) the manner of holding enquiry under section 20;

<sup>1</sup> This word was substituted for the word " Faculty " by Mah. 23 of 1982, s. 30.

<sup>2</sup> This portion was substituted for the portion beginning with the words " The Board and to the Faculty " and ending with the words " respectively " *ibid.*, s. 31(a).

<sup>3</sup> These words were substituted for the word " the Board and the Faculty ", *ibid.*, s. 31(b).

<sup>4</sup> This clause was substituted for the original by Mah. 19 of 1962, s. 7(a).

<sup>5</sup> This Clause was substituted for the original by Mah. 23 of 1982, s. 31(c).

<sup>6</sup> This clause was inserted by Mah. 19 of 1962, s. 7(b).

<sup>7</sup> This portion was substituted for the portion beginning with the words " the Board and the Faculty " and ending with the word, figures and letter " and 16B " by Mah. 23 of 1982. 31(d).

<sup>8</sup> This word " and the list " were deleted by Mah. 30 of 1979, s. 16(a).

<sup>9</sup> Clause (f) was substituted for the original, *ibid.*, s. 16(b).

<sup>10</sup> The words " and provisional registration " were substituted for the words " and enlistment " *ibid.*, s. 16(c).

(j) the conditions and the fees for re-entering the name of a practitioner removed under section 20;

(k) the remuneration to be paid to the assessor under clause (c) of sub-section (8) of section 20;

(l) the fees chargeable for the entry of additional qualifications or change of name under sub-section (3) of section 21;

[\* \* \* \* \*]

(o) the interval at which the medical list shall be published under sub-section (1) of section 23;

(p) the forms of the medical list, the supplementary list, the particulars to be included therein and the manner of publication under sub-section (3) of section 23;

(q) remuneration to be paid to an Inspector or visitor under sub-section (9) of section 27;

(r) any other matter which is to be or may be prescribed under this Act;

(s) the furtherance of any of the objects of this Act.

<sup>2</sup>[(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that rule should not be made, and notify such decision in the *Official Gazette*, the rule shall from the date of publication of such notification 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 or omitted to be done under that rule.]

31. (1) The <sup>3</sup>[Council] may, with the previous sanction of the State Government make by-laws, not inconsistent with the provisions of this Act or the rules made thereunder, for the following matters, namely :— By-laws.

(a) the examinations to be held by it ;

(b) the qualifications for admission to and the courses of studies for the examinations;

(c) the standard of passing;

(d) the degree, diploma, certificate or other like award to be conferred upon those who pass the examinations, and the manner of conferring such degree, diploma, certificate or award;

(e) the language in which the examinations shall be conducted;

(f) the conditions of appointment of examiners, paper-setters, moderators and other persons appointed and fees to be paid to them the conduct of examination and the fees to be charged for the conduct of examinations;

(g) the conditions for the recognition of teachers in recognised institutions;

(h) the number of students to be admitted to recognised institutions;

(i) the language in which instructions shall be given in recognised institution;

(j) such other matters as may be necessary for the exercise of the powers and performance of duties and functions by the <sup>3</sup>[Council] under this Act.

<sup>1</sup> Clauses (m) and (n) were deleted by Mah. 5 of 1972, s. 8.

<sup>2</sup> Sub-section (3) was substituted by Mah. 17 of 1965, s. 8.

<sup>3</sup> This word was substituted for the word "Faculty" by Mah. 23 of 1982, s. 32.

(2) The State Government on receiving the draft by-laws may sanction or refuse to sanction the same, or sanctions subject to such modifications as it may think fit or return them to the <sup>1</sup>[Council] for further consideration.

(3) All by-laws when sanctioned, shall be published in the *Official Gazette* by the State Government.

(4) The State Government may, by notification in the *Official Gazette*, cancel any by-law.

Control of  
State  
Government.

**32.** (1) If at any time it appears to the State Government that <sup>2</sup>[the Council] or its President <sup>3</sup>[or Vice-President] has failed to exercise or has exceeded or abused any of the powers conferred upon it or him by or under this Act or has otherwise ceased to function, or has become incapable of functioning, the State Government may, if it considers such failure, excess or abuse, to be of a serious character, notify the particulars thereof to the <sup>4</sup>[Council] or the President <sup>5</sup>[or the Vice-President] as the case may be. If <sup>2</sup>[the Council] or the President <sup>5</sup>[or the Vice-President] fails to remedy such failure, excess or abuse within such reasonable time as the State Government may fix in this behalf, the State Government may remove the President <sup>5</sup>[or the Vice-President], or dissolve <sup>6</sup>[the Council] and cause all or any of the powers, duties and functions of <sup>2</sup>[the Council] to be exercised and performed by such persons and for such period not exceeding <sup>7</sup>[two years] as it may think fit, and shall take steps to constitute a <sup>8</sup>[new Council].

(2) Notwithstanding anything contained in this Act, or in the rules or by-laws, if at any time it appears to the State Government, <sup>9</sup>[the Council] or any other authority empowered to exercise any of the powers or to perform any of the duties or functions under this Act, has not been validly constituted or appointed, the State Government may cause any of such powers or functions to be exercised or performed by such person, in such manner and for such period not exceeding six months and subject to such conditions, as it thinks fit.

## CHAPTER VI.

### GENERAL PROVISIONS APPLICABLE TO ALL MEDICAL PRACTITIONERS.

Prohibition of  
medical  
practice by  
persons not  
registered.

<sup>10</sup>[33. (1). Notwithstanding anything contained in any law for the time being in force or in any judgment, decree or order of any Court, no person other than a medical practitioner whose name is entered in—

- (i) the register maintained under this Act; or
- (ii) the register or the list prepared and maintained under the Bombay Homoeopathic and Biochemic Practitioners' Act, 1959 or under any other law for the time being in force in relation to the qualifications and registration of Homoeopathic or Biochemic Practitioners in any part of the State; or
- (iii) the register prepared and maintained under the Maharashtra Medical Council Act, 1965; or

<sup>1</sup> This word was substituted for the word "Faculty" by Mah. 23 of 1982, s. 32.

<sup>2</sup> These words were substituted for the words "the New Board of the Faculty", *ibid.*, s. 33(a)(i).

<sup>3</sup> These words were substituted for the word "or Chairman", *ibid.*, s. 33 (a) (ii).

<sup>4</sup> These words were substituted for the words "Board or Faculty", *ibid.*, s. 33 (a) (iii).

<sup>5</sup> These words were substituted for the words "or the Chairman", *ibid.*, s. 33 (a) (iv).

<sup>6</sup> These words were substituted for the words "new Board or new Faculty, as the case may be", *ibid.*, s. 33 (a) (v).

<sup>7</sup> These words were substituted for the words "one year" by Mah. 49 of 1973, s. 3.

<sup>8</sup> These words were substituted for the words "the Board or Faculty, as the case may be" by Mah. 23 of 1982, s. 33 (a) (vi).

<sup>9</sup> These words were substituted for the words "the Board or Faculty", *ibid.*, s. 33(b).

<sup>10</sup> Section 33 was substituted for the original by Mah. 30 of 1979, s. 17.

Born.  
XII of  
1960.

Mah.  
XLVI  
of  
1965.

CII of  
1956. (iv) the Indian Medical Register prepared and maintained under the Indian Medical Council Act, 1956,

shall practise any system of medicine in the State :

Provided that, the State Government may, by notification in the *Official Gazette*, direct that subject to such conditions as it may deem fit to impose and the payment of such fees as may be prescribed by rules, the provisions of this section shall not apply to any class of persons, or to area, as may be specified in such notification.

<sup>1</sup>[(2) Any person, who acts in contravention of any of the provisions of sub-section (1) shall, on conviction, <sup>2</sup>[be punished,—

(a) for the first offence, with rigorous imprisonment for a term which shall not be less than two years but which may extend to five years and with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees; and

(b) for a second or subsequent offence, with rigorous imprisonment for a term which may extend to ten years and with fine which may extend to ten thousand rupees :

Provided that, when the contravention is continued after the order of conviction, a further fine which may extend to five hundred rupees, for each day of continuation of such contravention, may be imposed.]]

<sup>3</sup>[(3A. (1). <sup>4</sup>[Notwithstanding anything contained in any law for the time being in force,] no person, who is not a practitioner registered under any of the Acts referred to <sup>5</sup>[in section 33] shall, after the commencement of this Chapter, hold any appointment as,—

(a) physician, surgeon, or other medical officer, in any hospital, infirmary or dispensary not supported wholly by voluntary contribution ;

(b) medical officer of health of any local authority ;

(c) teacher in medicine, surgery or midwifery in any public institution.

<sup>6</sup>[Explanation.—For the purpose of this sub-section a practitioner registered under this Act shall not include a practitioner registered under Part III of the register maintained under this Act.]

<sup>7</sup>[(2) Any person, who contravenes the provisions of sub-section (1) shall, on conviction, <sup>8</sup>[be punished,—

(a) for the first offence, with rigorous imprisonment for a term which shall not be less than two years but which may extend to five years and with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees; and

(b) for a second or subsequent offence, with rigorous imprisonment for a term which may extend to ten years and with fine which may extend to ten thousand rupees :

Provided that, when the contravention is continued after the order of conviction, a further fine which may extend to five hundred rupees, for each day of continuation of such contravention, may be imposed.]]

34. (1). Notwithstanding anything in any law for the time being in force, a birth or a death certificate, or a medical or fitness certificate, or any other certificate required by any law to be signed or authenticated by a duly qualified medical practitioner, shall be valid only if it has been signed or authenticated by a practitioner registered under,—

<sup>9</sup>[(i) Part I or Part II of the register maintained under this Act;]

<sup>10</sup>[(ii) the Maharashtra Medical Council Act, 1965;]

Unregistered persons not to hold certain appointments.

Registered practitioners competent to give valid certificates or expert evidence.

<sup>1</sup> Sub-section (2) was substituted for the original by Mah. 21 of 1993, s.5.

<sup>2</sup> These words were substituted for the portion beginning with the words "be punished" and ending with the words "conviction for the first such contravention" by Mah. 9 of 2001, s. 2.

<sup>3</sup> Section 33A was inserted by Mah. 17 of 1965, s. 9.

<sup>4</sup> These words and figures were substituted for the word " Notwithstanding anything contained in the last preceding section " by Mah. 30 of 1979, s. 18(a).

<sup>5</sup> These words were substituted for the words "in that section" by Mah. 21 of 1993, s. 6(a).

<sup>6</sup> This *Explanation* was inserted by Mah. 30 of 1979 s. 18(b).

<sup>7</sup> Sub-section (2) was substituted for the original by Mah. 21 of 1993, s. 6(b).

<sup>8</sup> These words were substituted for the portion beginning with the words "be punished with rigorous imprisonment" and ending with the words "for the first such contravention" by Mah. 9 of 2001, s. 3.

<sup>9</sup> Clause (i) was substituted for the original by Mah. 30 of 1979, s. 19 (a) (i).

<sup>10</sup> Clause (ii) was substituted for the original, *ibid.*, s. 19 (a) (ii).

(iii) the Bombay Homoeopathic and Biochemic Practitioners Act, 1959 or any other law for the time being in force in relation to the qualifications and registration of Homoeopathic or Biochemic Practitioners in any part of the State ; or

Bom.  
XII of  
1960.

(iv) the Indian Medical Council Act, 1956.

CII of  
1956.

(2) <sup>1</sup>[Notwithstanding anything contained in any law for the time being in force, no person] other than a practitioner registered under any of the laws specified in sub-section (1) shall be qualified to give evidence at any inquest or in any Court of law as an expert under section 45 of the Indian Evidence Act, 1872, on any matter relating to medicine, surgery or midwifery.

1 of  
1872.

Conferring,  
granting or  
issuing  
colourable  
imitations of  
degrees,  
diplomas or  
licences to  
be an  
offence.

**35. (1) No person other than,—**

- (a) a University established by law ;
- (b) the <sup>2</sup>[Council] constituted under this Act ;
- (c) an authority specified or notified under the Indian Medical Degrees Act, 1916 ;

VII of  
1916.

(d) the Court of Examiners constituted under the Bombay Homoeopathic and Biochemic Practitioners Act, 1959 or any other body constituted under any other law for the time being in force in relation to the qualifications and registration of Homoeopathic or Biochemic Practitioners in any part of the State ;

Bom.  
XII of  
1960.

(e) any authority empowered or recognised as competent, by the State Government, to confer, grant or issue any degree, diploma, licence, certificate or any other like award,

shall confer, grant or issue or hold himself out as entitled to confer, grant or issue any degree, diploma, licence, certificate or any other like award which is identical with or is a colourable imitation of any degree, diploma, licence, certificate or award granted by a body or institution specified in clauses (a), (b), (c), (d) or (e) of this sub-section <sup>3</sup>[or which states or implies that the holder thereof is qualified to practice any system of medicine].

(2) Any person, who contravenes the provisions of sub-section (1), and if the person so contravening is an association, every member of such association who, knowingly or wilfully authorises or permits the contravention shall, on conviction, be punished,—

- (i) for a first offence, with fine which may extent to one thousand rupees ;
- (ii) for a subsequent offence, with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.

Prohibition  
against  
addition of  
any title,  
description,  
etc., to  
name of any  
person  
unless  
authorised to  
do so.

**36. (1) No person shall add to him name, any title, description, letters or abbreviations which imply that he holds a degree, diploma, licence or certificate or any other like award as his qualification to practise any system of medicine unless,—**

- (a) he actually holds such degree, diploma, license or certificate or any other like award ; and
- (b) such degree, diploma, license or certificate or any other like award—  
(i) is recognised by any law for the time being in force in India or in part thereof, or

<sup>1</sup> These words were substituted for the words "No person" by Mah. 30 of 1979, s. 19(b).

<sup>2</sup> These words were substituted for the words "Faculty" by Mah. 23 of 1982, s. 34.

<sup>3</sup> These words were added by Mah. 21 of 1966, s. 4.

(ii) has been conferred, granted or issued by a body or institution referred to in sub-section (1) of section 35, or

(iii) has been recognised by the Medical Council of India,<sup>1</sup>[or

(iv) has been recognised by the Central Council of Indian Medicine.]

<sup>2</sup>[(2) Any person, who contravenes the provisions of sub-section (1) shall, on conviction, be punished with rigorous imprisonment for a term which shall not be less than one year but which may extend to three years and with fine which shall not be less than one thousand rupees but which may extend to five thousand rupees ; and when the contravention is a continuing one, with further fine which may extend to two hundred rupees for every day during which such contravention continues after conviction for the first such contravention.].

3 \*

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<sup>1</sup> The word "or" and clause (iv) were inserted by Mah. 30 of 1979, s. 20.

<sup>2</sup> Sub-section (2) was substituted for the original by Mah. 21 of 1993, s. 7.

<sup>3</sup> Section 37 was deleted by Mah. 40 of 2005, s. 2.

Cognizance  
of offences.

**38.** All offences under this Act shall be <sup>1</sup>[congnizable and non-bailable].

Indemnity to  
persons  
acting under  
the Act.

**39.** No suit, prosecution, or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act, or under the rules or by-laws made thereunder.

## CHAPTER VII.

### REPEAL AND TRANSITIONAL PROVISIONS.

Repeal and  
saving.

**40.** (1) Subject to the provisions of this Chapter, on the appointed day,—

(a) the Bombay Medical Practitioners' Act, 1938, in its application to the Bombay area of the State ;

Bom.  
XXVI  
of  
1938.

(b) the Central Provinces and Berar Ayurvedic and Unani Practitioners Act, 1947, in its application to the Vidarbha region of the State ;

C.P. &  
Berar  
IV of  
1948.

(c) the Medical Act, in its application to the Hyderabad area of the State, shall stand repealed.

Hyd. I  
of  
1312  
Fasli.

(2) Subject to the provisions of sub-section (2) of section 44 all or any of the rules, by-laws, regulations, orders or any other instruments made or issued under any of the Acts repealed under sub-section (1), relating to any examinations held by any Faculty, Board or Medical Council or like body competent to hold such examinations under the said Acts, as the State Government may by order specify of the appointed day, shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to have been made or issued under and for the purposes of the relevant provisions of this Act and be in force accordingly, unless and until superseded by any rules or by-laws or other orders made under this Acts. All other rules, by-laws, reguations, orders or any other instruments made or issued under the said Acts shall on and from the appointed day cease to be in force.

(3) The register kept or maintained or deemed to be kept and maintained,—

(i) under the Bombay Medical Practitioners' Act, 1938, in its application to the Bombay area of the State ; and

Bom.  
XXVI  
of  
1938.

(ii) under the Central Provinces and Berar Ayurvedic and Unani Practitioners Act, 1947, in its application to the Vidarbha region of the State, which are in force immediately before the appointed day, shall be deemed to be the register under this Act, until the register prepared under section 17 comes into force under sub-section (9) thereof.

C.P.&  
Berar  
IV of  
1948.

<sup>1</sup> These words were substituted for the word "congnizable" by Mah. 9 of 2001, s. 4.,

(4) The list kept or deemed to be kept under the Act repealed under clause (a) of sub-section (1) which is in force immediately before the appointed day, shall be deemed to be the list under this Act, until the list prepared under section 18 comes into force under sub-section (3) of section 18 read with sub-section (9) of section 17.

(5) Any appointment, notification, notice, order or form made, issued or given under any of the Acts, repealed under sub-section (1) and subsisting immediately before the appointed day shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, issued or given under the relevant provisions of this Act, and be in force throughout the State accordingly unless and until superseded by any appointment, notification, notice, order or form made, issued or given under this Act.

Mah.  
XXIII  
of  
1982.

<sup>1</sup>[41. On and with effect from the date of commencement of the Maharashtra Medical Practitioners (Amendment) Act, 1982 (hereinafter in this section referred to as "the commencement date"), the following consequences shall ensue, that is to say,—

Vesting of rights, duties etc. in the Council and saving.

(a) all rights of the Board and the Faculty dissolved under sub-section (2) of section 3 (hereinafter in this section referred to as "the dissolved Board and Faculty") shall on the commencement date vest in the Council established under sub-section (1) of section 3 (hereinafter referred to as "the Council");

(b) all the property movable or immovable which on the day immediately preceding the commencement date vested in the dissolved Board and Faculty shall, subject to all limitations and conditions as were in force on that day, vest in the Council;

(c) all sums due to the dissolved Board and Faculty on any account shall be recoverable by the Council, which shall be competent to take any measure or institute any proceedings which it would have been open to the dissolved Board and Faculty to take or institute if the Maharashtra Medical Practitioners (Amendment) Act, 1982 had not come into operation;

(d) all debts, liabilities and obligations incurred by or on behalf of the dissolved Board and Faculty, immediately before the commencement date and subsisting on the said day, shall be deemed to have been incurred by the Council in exercise of the powers conferred on it by or under this Act and shall continue in operation accordingly;

(e) all proceedings and matters pending before any authority or officer immediately before the commencement date shall be deemed to be transferred to and continued before the corresponding authority or officer under this Act as amended by the Maharashtra Medical Practitioners (Amendment) Act, 1982 competent to entertain such proceedings and matters;

(f) all prosecutions instituted by or on behalf of or against the dissolved Board and Faculty and all suits and other legal proceedings instituted by or against the dissolved Board and Faculty or any officer or any such dissolved Board and Faculty on behalf of the dissolved Board and Faculty pending on the commencement date, shall be continued by or against the Council;

Mah.  
XXIII  
of  
1982.

Mah.  
XXIII  
of  
1982.

<sup>1</sup> This section was substituted for the original by Mah. 23 of 1982, s. 35.

(g) the Registrar and all officers and servants in the employment of the dissolved Board and Faculty immediately before the commencement date, shall be the Registrar, officers and servants employed by the Council and shall receive salaries and allowances and be subject to the conditions of service or retirement benefits which they were entitled to or subject to on the commencement date :

Provided that—

(i) the service rendered by such Registrar, officers and servants before the commencement date shall be deemed to be service rendered under the Council;

(ii) if, in the opinion of the Council, the services of any officer or servant are not necessary as being surplus in view of the State Government sanctioning new pattern of staff with due reference to the volume of work of the Council or are not suitable to the requirements of services under it, it may, with the previous approval of the State Government, discontinue the services of any such officer or servant and any officer or servant whose services are so discontinued shall be entitled to receive from the Council such leave, pension, gratuity or other benefits as he would have, if the Maharashtra Medical Practitioners (Amendment) Act, 1982 had not been enacted been entitled to receive on being invalidated out of service of the dissolved Board or Faculty and may receive such additional amount by way of compensation as the Council may with the sanction of the State Government determine;

Mah.  
XXIII  
of  
1982.

(h) any appointment, notification, notice, order, rule, bye-law, register, registration certificate, recognition or form held, made, issued, maintained or granted under this Act and subsisting and in force immediately before the commencement date shall, in so far as it is not inconsistent with the provisions of this Act as amended by the Maharashtra Medical Practitioners (Amendment) Act, 1982, continue to be in force, unless and until superseded by any appointment, notification, notice, order, rule, bye-law, register, registration certificate, recognition or form held, made, issued, maintained or granted under this Act as amended by the Maharashtra Medical Practitioners (Amendment) Act, 1982.]

Mah.  
XXIII  
of  
1982.

Mah.  
XXIII  
of  
1982.

**142. Dissolution of Faculty and constitution of new Faculty. [Deleted].**

**143. Provision regarding Registrars. [Deleted].**

**144. Provision regarding examination. [Deleted].**

**145. Provision regarding recognised institutions. [Deleted].**

**146. Vesting of rights, duties etc. [Deleted].**

Power to  
remove  
difficulty.

**47.** If any difficulty arises in giving effect to the provisions of this Act<sup>1</sup> [as amended by the Maharashtra Medical Practitioners (Amendment) Act, 1982, during the period of one year from the date of commencement of the said amendment Act,] the State Government may as occasion requires, by order do anything which appears to it necessary or expedient for the purpose of removing the difficulty.

Mah.  
XXIII  
of  
1982.

<sup>1</sup> Sections 42, 43, 44, 45 and 46 of the Act were deleted by Mah. 23 of 1982, s. 36.

<sup>2</sup> These words were inserted by Mah. 32 of 1982, s. 37.

## SCHEDULE

(See sections 15, 17, 21, 29 and 44)

**Qualifications the possession of which entitles a person to registration****PART A**

Qualifications in the Ayurvedic System of medicine with a course supplemented by modern advances with,—

(a) the Inter Science (B Group) examination as qualification for admission ; or

(b) the Matriculation or S.S.C. Examination or its equivalent Examination as qualification for admission, provided the course is of a duration of six or more years.

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
1	Benaras Hindu University, Benaras	(1) Ayurvedacharya with Bachelor of Medicine and Surgery.  (2) Ayurvedacharya with Medicine and Surgery.  (3) Ayurvedacharya with Modern Medicine and Surgery.	A.M.B.S. (Ben.) (This qualification shall be recognised only when granted in or after 1952).  A.M.S. (Ben.)  A.M.M.S. (Ben.)
2	University of Poona . . .	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S. (Poona)
3	Faculty of Ayurvedic and Unani System of Medicine constituted under the Bombay Medical Practitioners Act, 1938 [and, on and after the 23rd October, 1961, the Maharashtra Faculty of Ayurvedic and Unani Systems of Medicine constituted under the Maharashtra Medical Practitioners Act, 1961.]	Graduate of Faculty of Ayurvedic Medicine.	G.F.A.M. (Bom.)
4	Collage of Indigenous Medicine, Madras.	Graduate of the College of Indigenous Medicine.	G.C.I.M. (Madras)
5	Tilak Maharashtra Vidyapeeth, Poona.	Ayurvidya-Parangat	A.V.P. (Poona).
<sup>2</sup> [6]	Faculty of Ayurvedic and Unani System of Medicine, Gujarat.	Graduate of the Faculty of Ayurvedic Medicine.	G.F.A.M. (Guj.)]
<sup>3</sup> [7]	University of Kerala	Bachelor in Ayurvedic Medicine.	B.A.M. (Kerala).

<sup>1</sup> This portion was added by G.N., U.D. & P.H.D., No. MMP. 1061-Unification, dated 29th January 1962.

<sup>2</sup> This entry was included by G.N., U.D. & P.H.D. No. BMP. 1261/46587-H, dated 27th March 1962.

<sup>3</sup> Entries 7 to 9 were included by G.N., U.D. & P.H.D., No. MMP. 1364/19569-H, dated 28th March 1964.

## PART A—Contd.

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
8	University of Gujarat	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S. (Guj.)
9	University of Nagpur	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S. (Nag.)]
10	Ravishankar University, Raipur	Bachelor of Ayurvedic Medicine and Surgery. (Ayurvedacharya).	B.A.M.S. (Ravi). (This qualification shall be recognised only when granted to students admitted by the University on or after the 1st day of June 1968).
11	Maharashtra Faculty of Ayurvedic and Unani Systems of Medicine, Bombay.	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S. (Mah. Faculty).
12	Marathwada University, Aurangabad.	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M. & S.
13	Shivaji University, Kolhapur	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M. & S.
14	University of Indore (Madhya Pradesh).	Ayurved Sankaya (Bachelor of Ayurved with Modern Medicine and Surgery.)	B.A.M.S.
15	University of Jabalpur (Madhya Pradesh).	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S.
16	University of Kanpur (Uttar Pradesh).	'Ayurvedacharya' Bachelor of Ayurved with Modern Medicine and Surgery.	B.A.M.S. (Kanpur)
17	University of Sagar (Madhya Pradesh).	'Ayurvedacharya' Bachelor of Ayurved with Modern Medicine and Surgery.	B.A.M.S. (Sagar), (This qualification shall be recognised only when granted in or after 1972).
18	Vikram University, Ujjain (Madhya Pradesh).	Bachelor of Ayurved with Modern Medicine and Surgery.	B.A.M.S. (This qualification shall be recognised only when granted to students admitted by the University before 1971).

<sup>1</sup>[PART A-1

Qualifications in Indian System of Medicine—Ayurved recommended by the  
Central Council of Indian Medicine

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
1	University of Nagpur	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Nag.) (The 5½ years degree awarded to students admitted in 1971 and 1972 only).
2	University of Pune	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Pune) (The 6½ years degree awarded to students admitted in 1971 and 1972 only).
3	University of Bombay	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Bom.) (The 7½ years degree awarded to students admitted in 1973 and thereafter).
4	University of Nagpur	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Nag.) (The 7½ years degree awarded to students admitted in 1973 and thereafter).
5	University of Pune	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Pune) (The 7½ years degree awarded to students admitted in 1973 and thereafter).
6	Marathwada University, Aurangabad.	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Marathwada) (The 7½ years degree awarded to students admitted in 1973 and thereafter).
7	Shivaji University, Kolhapur.	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Shivaji) (The 7½ years degree awarded to students admitted in 1973 and thereafter).]
8	Gujrat Ayurved University, Jamnagar (Gujrat).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Jamnagar) (from 1982 onwards).
9	Kurukshtera University, Kurukshtera (Haryana).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Kurukshtera) (From 1982 onwards).

<sup>1</sup> Part A-1 was added by G.N., U.D. & P.H.D., No. MMP. 2576/4787-PH-7, dated the 7th November 1977.

<sup>2</sup> These entries were added by G.N., M.E. & D.D., No. Act. 1784/113/MED-8, dated the 12th April 1984.

**PART A-1—Contd.**

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
10	Maharishi Dayanand University, Rohtak (Haryana).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Rohtak) (From 1982 onwards).
11	University of Mysore, Mysore (Karnataka).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Mysore) (From 1982 onwards).
12	Sambalpur University, Burla Sambalpur (Orissa).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Sambalpur) (From 1980 onwards).
13	Gurunanak Dev University, Amritsar (Punjab).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Amritsar) (From 1982 onwards).
14	Punjab University, Patiala (Punjab).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Patiala) (From 1976 onwards).
15	Rajasthan University, Jaipur (Rajasthan).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Jaipur) (From 1980 onwards).
16	Lucknow University, Lucknow (Uttar Pradesh).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Lucknow) (From 1982 onwards).
17	University of Bihar, Muzaffarpur, (Bihar).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Muzaffarpur) (From 1981 onwards).
18	Kameshwar Singh Darbhanga Sanskruti University, Darbhanga (Bihar).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (Darbhanga) (From 1981 onwards).]
19	University of Amravati, (Maharashtra).	"Ayurvedacharya" (Bachelor of Ayurvedic Medicine and Surgery).	B.A.M.S. (From 1988 onwards).]

**PART B**

Qualifications in the Ayurvedic System of Medicine with course supplemented by modern advances with the Matriculation or S.S.C. Examination or its equivalent Examination as qualification for admission.

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
1	Faculty of Ayurvedic and Unani Systems of Medicine, constituted under the Bombay Medical Practitioners Act, 1938.	Ayurved Visharad	D.A.S.F. (Bom.)

<sup>1</sup> This entry was added by G.N., M.E. & D.D., No. C.I.M. 1089/493/MED-8, dated the 26th May 1989.

## PART B—Contd.

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
2	Vidarbha Board of Ayurvedic and Unani Systems of Medicine constituted under the Central Provinces and Berar Ayurvedic and Unani Practitioners' Act, 1947 (C. P. & Berar Act IV of 1948) <sup>1</sup> [and, on and after the 23rd October, 1961, the Maharashtra Faculty of Ayurvedic and Unani systems of Medicine constituted under the Maharashtra Medical Practitioners Act, 1961].	Ayurved with <sup>2</sup> [Bachelor of Ayurved with Modern Medicine and Surgery Ayurvedidyanacharya.]	B.A.M. S. (Vid.)
3.	Board of Indian Medicine Hyderabad (Deccan), constituted under the rules made under the Medical Act (Hyd. I of 1312 Fasli).	Ayurved Visharad of the Government Ayurvedic College, Hyderabad.	A.V.V. (Hyd.)
4.	Tilak Maharashtra Vidyapeeth, Poona.	Ayurvedic Visharad . . .	. . A.V.V. (Pune). (This qualification shall be recognised only when granted before 1944).
5.	Ayurved Mahavidyalaya, Ahmednagar.	Ayurvedteerth . . .	A. T. (Nagar). (This qualification shall be recognised only when granted before 1942).
6.	Aryangla Vaidyak Mahavidyalaya, Satara.	Ayurved Visharad . . .	A. V. V. (Satara). (This qualification shall be recognised only when granted before 1942).
7.	U. P. Ayurved Mahavidyalaya, Patan (Baroda State).	Girihit Ayurved-Shastra . . .	L. A. M. (Patan). (This qualification shall be recognised only when granted before 1942).
8.	Gurukul University, Kangri . . .	Ayurvedalankar . . .	A.L. (Kang). (This qualification shall be recognised only when (a) granted after 1926 but before 1952 ; (b) granted after 1952 to students admitted by the University before June 1952).
9.	Board of Examiners in Indian Medicine, Madras.	Licentiate of Indian Medicine . . L. I. M. (Madras).	

<sup>1</sup> This portion was added by G.N., U. D. & P.H. D., No. MMP. 1061-Unification, dated the 29th January, 1962.

<sup>2</sup> These words were substituted by G.N., U.D., P.H. & H.D., No. MMP. 1168-H, dated the 16th December, 1968.

**PART B—Contd.**

Serial No.	Authority	Qualification	Abbreviation for registration and conditions for registration, if any
1	2	3	4
10	The ad-hoc Committee appointed by Bombay Government Resolution in Local Self-Government, and Public Health Department No. AUC, 4859/73751/31474-H, dated the 31st December 1959 [and, on and after the 23rd October, 1961, the Maharashtra Faculty of Ayurvedic and Unani Systems of Medicine constituted under the Maharashtra Medical Practitioners Act, 1961.]	<sup>2</sup> [Ayurved-Visharad (Graduate of College of Ayurvedic Medicine), Nanded].	<sup>2</sup> [A.V. V. (G. C. A.M.) Nanded.]
<sup>3</sup> [11]	Board of Indian Medicine, U.P. . .	(1) Bachelor of Indian Medicine and Surgery. (2) Diploma of Indian Medicine and Surgery.	B.I.M.S. (U.P.) D.I.M.S. (U.P.)
12	Government Ayurvedic College, Patna.	Ayurvedacharya and Graduate of Ayurvedic Medicine and Surgery.	G.A.M.S. (Patna).
13	Ayurvedic and Tibbi College, Delhi.	(1) Ayurvedacharya Dhanwantari. (2) Bhishagacharya Dhanwantari.	
14	Government Ayurvedic School and College, Mysore.	Licentiate of Ayurved Medicine and Surgery.	L.A.M.S. (Mysore).
15	Faculty of Ayurvedic Medicine, Bengal.	(1) Member of the Ayurvedic State Faculty. (2) Fellow of the Ayurvedic State Faculty.	M.A.S.F. (Bengal). F.A.S.F. (Bengal)].
<sup>4</sup> [16]	University of Kerala . . .	Diploma in Ayurvedic Medicine.	D.A.M. (Kerala).
17	Board of Indian Medicine, Uttar-Pradesh.	Ayurvedacharya, Bachelor of Medicine and Surgery.	A.M.B.S., U.P. (This qualification shall be recognised only when granted after 1956.)]
<sup>5</sup> [18]	J. B. Ashtang Ayurvedic College, Culcutta.	Diploma of L.A.M.S. (Bhishagratna).	L.A.M.S. (Bhishagratna, Bengal. This qualification shall be recognised only when granted in or before 1942.)]

<sup>1</sup> This portion was added by G.N., U. D. & P.H. D., No. MMP. 1061-Unification, dated the 29th January, 1962.

<sup>2</sup> Substituted by G.N., U.D. and P.H.D., No. ADR. 4668/75920-H, dated 20th May, 1969.

<sup>3</sup> Entries 11 to 15 were included by G.N., U. D. & P.H. D., No. MMP. 1061/63024-H, dated 17th June, 1963.

<sup>4</sup> Entries 16 and 17 were included by G.N., U. D. & P.H. D., No. MMP. 1364/195569-H, dated 28th March, 1964.

<sup>5</sup> This entry is included by G.N., U. D. P.H. & H.D., No. MMP. 1365/29551-H, dated 5th September, 1966.

**PART B—Contd.**

Serial No. (1)	Authority (2)	Qualifications (3)	Abbreviation for registration and conditions for registration, if any (4)
<sup>1</sup> [19 Government Ayurvedic School, Raipur.		Diploma of Licentiate Ayurvedic Practioner(Bhishagwar).	L.A.P. (Bhishagwar), Madhya Pradesh. (This qualification shall be recognised only when granted in or before 1958.)
<sup>2</sup> [20 Maharashtra Faculty of Ayurvedic and Unani Systems of Medicine, Bombay.		Member of the Faculty of Ayurvedic Medicine.	<sup>3</sup> [M. F. A. M. (Maharashtra).]]
<sup>4</sup> [21 Board of Sudies in Indian Medicines, Mysore, Bengalore.		Graduate Course of Integrated Medicines.	G.C.I.M. (Mysore) (This qualification shall be recognised only when granted upto 1967.)
22 University of Sagar . . .		Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S. (Sagar). (This qualification shall be recognised only when granted to students admitted by the University before the 1st day of June 1964.)
23 Ravishankar University Raipur. . .		Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S. (Ravi). (This qualification shall be recognised only when granted to students admitted by the University after the 31st day of May, 1964 but before the 1st day of June, 1968.)
24 Dayanand Ayurvedic College	Vaidya Vachaspati . .		V. V. (This qualification shall be recognised only when granted before 1947.)

<sup>1</sup> This entry is added by G.N., U. D. P.H. & H.D., No. MMP. 1165/77886/77886-H, dated 1st December, 1966.

<sup>2</sup> Added by G.N., U. D. P.H. & H.D., No. AVD. 1267/47254-H, dated 14th December, 1967.

<sup>3</sup> Substituted by G.N., U.D., P.H. & H.D., No. AVD. 1268/79281-H, dated 24th December, 1968.

<sup>4</sup> Added by G.N., U. D. P.H. & H.D., No. MMP. 1267/52101-H, dated 9th May, 1968.

**PART C**

Qualification in the Ayurvedic System of Medicine with the matriculation or S.S.C. examination or an equivalent examination with Sanskrit, as qualification for admission.

Serial No.	Authority	Qualifications	Abbreviation for registration and conditions for registration, if any
(1)	(2)	(3)	(4)
1	The Committee for Shuddha Ayurvedic Course appointed under Bombay Government Resolution, in Local Self-Government and Public Health Department No. ADR-1253, dated the 17th September, 1953 [and, on and after the 23rd October, 1961, the Maharashtra Faculty of Ayurvedic and Unani Systems of Medicine constituted under the Maharashtra Medical Practitioners Act, 1961.]	Ayurvedic-Pravin, styled as such under Bombay Government Resolution in L. S. G and P.H.D. No. BMP. 1054-H, dated the 12th July, 1956, granted in 1957 and thereafter.	D.S.A.C. (Born.)
2	Board of Studies in Indian Medicine, Mysore.	Ayurvedic Pravin . . .	D.A.S.C. (Mysore)
3	Committee of Shuddha Ayurvedic Course, Gujarat State, Ahmedabad.	Ayurved Pravin . . .	D.S. A.C. (Gujarat) (This qualification shall be recognised only when granted upto April 1968.)]
4	Board of Studies in Indian Medicine, Bangalore (Karnataka).	Diploma in Ayurvedic Medicine	D.A. M. (This qualification shall be recognised only when granted to students admitted prior to July, 1968.)
5	Government of Kerala.	Diploma in Ayurvedic Medicine	D.A.M. (Kerala) (This qualification shall be recognised only when granted to students admitted in or before July, 1968.)
6	University of Bombay (Maharashtra).	'Ayurvedacharya' Bachelor of Shuddha Ayurvedic Medicine.	B.S.A.M.
7	University of Pune (Maharashtra).	'Ayurvedacharya' Bachelor of Shuddha Ayurvedic Medicine.	B.S.A.M.
8	Shivaji University, Kolhapur (Maharashtra).	'Ayurvedacharya' Bachelor of Shuddha Ayurvedic Medicine.	B.S.A.M.
9	Marathwada University, Kolhapur (Maharashtra).	'Ayurvedacharya' Bachelor of Shuddha Ayurvedic Medicine.	B.S.A.M.

<sup>1</sup> This portion was added by G.N., U. D. and P.H.D., No. MMP. 1061-Unification, dated 29th January, 1962.

<sup>2</sup> Added by G.N., U. D. P.H. & H.D., No. MMP. 1368/44807(a)-H, dated 11th November, 1968.

**PART D**  
**Qualification in the Unani System of Medicine**

Serial No.	Authority granting the qualification	Qualifications	Abbreviation for registration and conditions for registration, if any
(1)	(2)	(3)	(4)
1.	Board of Examiners in Unani	Mahire-Tib-o-Jarrahat	.. M.T.J. (Bom.). (This qualification shall be recognised qualification only when granted in 1942 or 1943).
2.	Faculty of Ayurvedic and Unani Systems of Medicine constituted under the Bombay Medical Practitioner's Act, 1938 (Bom. XXVI of 1938).	Mahire-Tib-o-Jarrahat	.. D.U.S.F. (Bom.)
3.	Ayurvedic and Unani Tibbi College, Delhi.	(i) Fazil-e-Tib-o-Jarrahat (ii) Kamil-e-Tib-o-Jarrahat	.. F.T.J. (Del.) .. K.T.J. (Del.)
[4].	Government Ayurvedic College, Mysore.	Licentiate of Unani Medicine and Surgery.	I.L.M.S. (Mysore).
5.	Board of Indian Medicine, U.P. . .	(1) Bachelor of Indian Medicine and Surgery. (2) Diploma in Indian Medicine and Surgery.	B.I.M.S. (U.P.) D.I.M.S. (U.P.)
6.	Government Unani Tibbi College, Hyderabad.	Tabeeb-e-Mustanad	D.I.M.S. (U.P.)
[ 7. ]	Board of Indian Medicine, Uttar Pradesh.	Fazil-Ul-Tib, Bachelor of Medicine and Surgery.	F.M.B.S. (U.P.). (This qualification shall be recognised qualification only when granted after 1956).
8	Muslim University, Aligarh	Bachelor of Unani Medicine and Surgery.	B.U.M.S. (Aligarh).]
9	Maharashtra Faculty of Ayurvedic and Unani Systems of Medicine, Bombay.	Diploma in Unani Medicine and Surgery.	D.U.M.S. D.U.S.F. (Bom.) (Maharashtra).
[10]	University of Pune (Maharashtra).	Kamil-a-Tib-o-Jarrahat (Bachelor of Unani Medicine and Surgery.)	B.U.M.S. (from 1987 onwards).]

**<sup>4</sup>[PART E]**

All qualifications specified in the Second, Third and Fourth Schedule to the Indian Medicine Central Council Act, 1970, other than those specified in Part A to D above.]

<sup>1</sup> Entries 4 to 6 were included by G.N., U. D. and P.H.D., No. MMP. 1061/6304-H, dated 17th June, 1963.

<sup>2</sup> Entries 7 and 8 were included by G.N., U. D. and P.H.D., No. MMP. 1364/19569-H, dated 28th March, 1964.

<sup>3</sup> Entry 10 was included by G.N., M.E. & D.D., No. CIM. 10881088/265/88/MED-8, dated 8th November, 1988.

<sup>4</sup> Part E was added by Mah. 30 of 1979, s. 21.