

HARYANA GOVT GA2.(EXTRA.), AUG. 4, 151

1076 (SRVN. 13, 1898 SAKA)

PART I

LEGISLATIVE DEPARTMENT

Notification

The 4th August, 1976

No. 47-Leg.176.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 27th July, 1976, and is hereby published for general information:

Haryana Act No. 37 of 1976

THE HARYANA VETERINARY COUNCIL ACT, 1976

AN

ACT

to provide for the registration of veterinary practitioners in the State of Haryana and for matters connected therewith.

BE it enacted by the Legislature of the State of Haryana in the Twenty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Veterinary Council Act, 1976. Short extent and

(2) It extends to the whole of the State of Haryana.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

2. In this Act, unless the context otherwise requires, — Definitions,.

(a) "the Council" means the Haryana Veterinary Council established under section 3;

(b) "Director" means the Director of Animal Husbandry, Haryana;

(c) "Government" means the Government of the State of Haryana;

(d) "hospital" means an institution where animals are treated by methods approved by the Council;

(e) "member" means a member of the Council;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "President" means the President of the Council;

(h) "recognised veterinary qualifications" means any of the veterinary degrees or diplomas specified in the Schedule;

(i) "register" means a register of veterinary practitioners maintained under section 16;

(j) "registered veterinary practitioner" means a veterinary practitioner registered under this Act;

(k) "Registrar" means the Registrar appointed under section 14 : (1) "Schedule" means the Schedule appended to this Act.

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Est abishment
of Council,

3. (1) With effect from such date as the Government may, by notification, appoint in this behalf, there shall be established for carrying out the purposes of this Act a Council to be known as the Haryana Veterinary Council.

(2) The Council shall be a body corporate with the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and may by that name sue and be sued.

Constitution of
Council.

4. (1) The Council shall consist of the following members, namely

- (a) the Director, ... *ex-officio* member;
- (b) the Principal of each veterinary college, ... *ex-officio* member;
- (c) one member to be elected by each faculty of veterinary science or faculty, by whatever name called, which deals with veterinary education in the university or universities in the State of Haryana;
- (d) four members to be elected by veterinary practitioners residing in the State of Haryana and registered under this Act, or,
- (e) in the case of the first election, qualified to be so registered;
- two members to be nominated by the Government from amongst the registered veterinary practitioners under this Act, or in the case of the first nomination, qualified to be so registered.

(2) The Director shall be the President of the Council.

Nomination of members in default of election. 5. In the event of the requisite number of members not being elected under clauses (e) and (d) of sub-section (1) of section 4, the Government may fill up the vacancy or vacancies by nominating *the required number of registered veterinary practitioners and a person So nominated shall be deemed to be a member duly elected.

Publication of names of members. 6. The name of every person elected or nominated under section 4 or section 5 shall be published by the Government in the Official Gazette.

Leave of absence to members, 7. The Council may permit a member to absent himself from the meetings of the Council for a period not exceeding six months.

Occurrence of casual vacancies. 8. (1) A member shall be deemed to have vacated his seat who—

(a) fails to accept office within a period of thirty days of the date of his nomination or election; or

(b) is absent, without excuse sufficient in the opinion of the Council, from three consecutive meetings of the Council; or

(c) is absent out of India for a period exceeding six consecutive months.

(2) On the occurrence of a vacancy referred to in sub-section (1), the President shall forthwith report the fact of such vacancy to the Government.

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

10. (1) The term of office of a member shall be five years from the date of his acceptance of office. **Term of office of members,**

(2) A person ceasing to be a member by reason of the expiration of his term of office shall be eligible for re-election or re-nomination.

11. (1) No business shall be transacted at a meeting of the Council unless a quorum of five members is present. **Quorum and voting,**

(2) In the absence of the President at a meeting, some other member, to be chosen from amongst the members present, shall act as President.

(3) Save as otherwise provided in clause (b) of sub-section (1) of section 25, all questions arising at a meeting shall be decided by the votes of the majority of the members present and voting, or, in the case of an equality of votes, by the casting vote of the President, or, in his absence, of the member presiding at the meeting.

(4) No act or proceedings of the Council shall be deemed invalid merely by reason of a vacancy in the Council or of a defect in the election or nomination.

tion of a person acting as a member.

12. (1) Subject to the provisions of this Act and the rules made thereunder, the Council may make regulations in respect of—

Regulations as to meetings

- (a) the time and place at which meeting shall be held;
- (b) the issue of notices convening such meeting; and
- (c) the conduct of business thereat.

(2) Until such time as the regulations referred to in sub-section (1) have come into operation, it shall be lawful for the President to summon, by letter addressed to each member, a meeting of the Council at such time and place as to him shall seem expedient.

13. There shall be paid to the members such expenses as may from time to time be prescribed by regulations under clause (a) of sub-section (1) of section 35.

Payment of expenses to members.

14. (1) The Council—

(a) shall appoint a Registrar;

Appointment of Registrar and other employees.

(b) may grant leave to the Registrar and appoint a person to act in his place;

(c) shall pay to the Registrar and to the person, if any, appointed to act in his place, such salary and such allowances, if any, as the Council may determine from time to time:

Provided that the appointment and the salary and allowances, if any, of the Registrar shall be subject to the previous sanction of the Government.

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(2) The Council may appoint such other employees as it may consider necessary for the purposes of this Act, and shall pay them such salary and such allowances, if any, as the Council may determine.

(3) The Registrar or the person appointed to act in his place shall act as Secretary to the Council.

(4) Every person appointed under sub-section (1) or sub-section (2) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.

Punishment and dismissal of employees

15. (1) The Council may punish or dismiss a person appointed under sub-section (1) or sub-section (2) of section 14 after he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that

(a) previous sanction of the Government shall be necessary in the case

of a person appointed under sub-section (1) of section 14;

(b) a person appointed under sub-section (2) of section 14 shall have

a right of appeal to the Government against an order under this section within a period of thirty days from the date of the communication of the order to him.

(2) The power to punish conferred by sub-section (1) shall be deemed to include the power to suspend an employee.

(3) The power to dismiss conferred by sub-section (1), shall be deemed to include the power to suspend any employee against whom the power

of dismissal might be exercised, pending inquiry into his conduct.

Orders by Council for sainte-lice of register, 16. (1) The Council shall, as soon as convenient after the commencement of this Act, and from time to time as occasion may require, make orders for regulating the maintenance of the register of veterinary practitioners.

(2) The register shall be kept in such forms as may be prescribed.

Registrar's functions in respect of register. 17. The Registrar shall keep the register of veterinary practitioners in accordance with the provisions of this Act and of any orders made by the Council and shall from time to time make all necessary alterations in the registered addresses or appointments, and the registered qualifications entered therein or titles, of the practitioners entered therein, and erase the names of any practitioners who have died.

Persons entitled to be registered.

18. (1) Every person holding any of the qualifications referred to in the Schedule and every person for the time being registered under any Act for the registration of veterinary practitioners in force in any other State in India, if reciprocity of registration has been arranged with the authority administering such Act, shall, subject to the provisions hereinafter contained and on payment of such fees as may be fixed in that behalf by regulations made under clause (b) of sub-section (2) of section 24, be entitled to be registered as practitioners:

Provided that the Registrar shall refer to the Council an application for entry in the register from a person in respect of whom he considers that the Council may wish to proceed under sub-section (1) of section 25 :

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Provided further that the Registrar, if so directed by the Council, shall refuse to register the name of any person not mentioned in the fact that he is in possession of veterinary degree or diploma recognised as such and his name is included in the

Schedule.

(2) The Government may, from time to time, by notification, amend the Schedule.

19. The Council shall have power to call on the governing body or authorities of a veterinary college or school, included in or desirous of being included in the Schedule--
- (a) to furnish such reports, returns or other information as the Council given therein; and
- (b) to provide facilities to enable a member deputed by the Council in this behalf to be present at the examination held by such college or school.
20. Every person who applies to have his name entered in the register--
- (a) must satisfy the Registrar that he is in possession of recognised veterinary qualifications ;
- (b) must inform the Registrar of the dates on which he obtained the title or qualifications which entitled him to claim registration under this Act ; and
- (c) give the Registrar any information which he reasonably may require for the purpose of discharging his duties under this Act.
21. If a person whose name is entered in the register obtains any title or qualifications other than the title or qualifications in respect of which he has been registered, he shall, on payment of such fees as may be fixed in this behalf by regulation made under clause (b) of sub-section (1) of section 35, against his name in the register, either in the statement for, or in addition to, any entry previously made.
22. All fees received by the Council under this Act shall, in the manner prescribed, be applied for the purposes of this Act.
23. If a person is dissatisfied with a decision of the Registrar, refusing to enter any title or qualification of such person in the register, he may, at any time within a period of three months from the date of such decision, appeal to the Council.
24. Any entry in the register which is proved to the satisfaction of the Council to have been fraudulently or incorrectly made, may be erased or amended by the Council after notice has been given to the person concerned and his objections, if any, have been considered.
25. (1) The Council may upon reference from the Registrar or on its own motion prohibit the entry in, or order the removal from the register of the name of any veterinary practitioner--
- (a) who has been sentenced by a criminal court or a court martial to imprisonment for an offence indicating in the opinion of the Council such a defect in character as would render the entry or continuance of his name in the register undesirable ; or
- (b) whom the Council after inquiry (at which an opportunity has been given to him to be heard in his defence and to appear either in person or by counsel, advocate, pleader or attorney, and which may at the discretion of the Council, be held in camera) has found guilty by a majority of two-thirds of the members present and voting at the meeting, of infamous conduct in any professional respect.
- (2) Nothing in sub-section (1) shall be deemed to justify the exclusion or removal from the register of the name of any veterinary practitioner on the ground of his adoption of a theory or veterinary medicine or surgery not in accordance with the accepted view for the time being of his association with an unregistered practitioner ; so long as the unregistered practitioner--
- (a) is in possession of one of the qualifications specified in the

Schedule;

(6) is not a person whose name it has reason to believe has been excluded or removed from the register by the Council or would be so excluded if application for registration thereof were made.

(3) The Council may direct that the name of any person, against whom an order has been made under sub-section (1) shall be entered or re-entered, as the case may be.

Appeal to Gov- 26. (1) An appeal shall lie to the Government from every decision of the Council under section 23 or section 25.

(2) Every appeal under sub-section (1) shall be preferred within a period of three months from the date of such decision.

Jar w suits and other legal proceedings. 27. No suit or other legal proceeding shall lie in respect of any act done in the exercise of power conferred by this Act on the Government or the Council or any of its members or office-bearers.

Notice of deaths and names from register. 28. (1) Every Registrar of Deaths who receives notice of the death of a person, whose name he knows to be entered in the register shall forthwith transmit by post to the Registrar of the Council a certificate of such death, signed by him and stating particulars of the time and place of death, (2)

On receipt of such certificate, or other reliable information regarding the death, the Registrar shall enter the name of the deceased person in the register.

(3) Every person registered under this Act shall be exempt, if he so desires, from serving on any inquest.

Penalty on wire-girared person representing that he is a registered person 29. If a person whose name is not entered in the register falsely pretends that it is so entered or uses in connection with his name or title any words or letters representing that his name is so entered, he shall, whether any person is actually deceived by such representation or not, be punishable, to three hundred rupees,

Proceeding in inquiries and appeals. 30. For the purpose of any inquiry held under section 25, or of any appeal under section 26, the Council shall be deemed to be a court within the meaning of the Indian Evidence Act, 1872, and shall exercise the powers of a Commissioner appointed under the Public Servants (Inquiries) Act, 1850.

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and every such inquiry and appeal shall be conducted, as far as may be, in accordance with the provisions of section 5 and sections 8 to 10 of the Public Servants (Inquiries) Act, 1850.

31. No person other than a registered veterinary practitioner shall be competent to hold an office as a veterinary physician, surgeon or other veterinary officer in any hospital which is supported wholly or partly by public funds, or in any public hospital or institution, or as a veterinary officer under a local authority unless he is registered under this Act.

32. (1) No certificate required by any Act from any veterinary practitioner or veterinary officer unless the person signing the certificate is registered under this Act.

(2) No prescription by a veterinary practitioner or veterinary officer is registered under this Act.

(3) No person shall be qualified to give evidence as an expert under section 45 of the Indian Evidence Act, 1872, in any matter relating to veterinary science unless the said person is registered under this Act.

33. (1) The Registrar shall once in every five years, on or before a date to be fixed in this behalf by the Council, cause to be printed and published a correct list of the names for the time being entered in the

- (a) all names entered in the register arranged in alphabetical order according to the surnames; to, entries in list.
- (b) the registered address or appointment of each person whose name is entered in the register; and
- (c) the registered titles and qualifications of each such person, and the date on which each such title was granted or each

(2) The Registrar shall also cause to be printed and published an annual supplement in January every year showing therein the corrections made up to the 31st December preceding, the list of names entered in the register, last published.

(3) Every court shall presume that a person whose name is entered in the latest of such lists is duly registered under this Act, and that a person whose name is not so entered is not registered under this Act:

Provided that, in the case of any person whose name does not appear in such list, a certified copy signed by the Registrar of the entry of the name of such person in the register shall be evidence that such person is registered under this Act.

34.(1) The Government may, after previous publication, make rules for carrying out the purposes of this Act. Power to make rules.

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

- (a) to regulate elections under this Act;
- (b) to prescribe the form of the register;

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(c) to regulate the application of fees;

(d) to regulate the procedure to be followed by the Council for-

(1) conducting any inquiry under section 25; and

(ii) disposing of appeals from the decision of the Registrar preferred under section 23.

(3) Every rule made under this section shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to make regulations.

35. (1) In addition to the power conferred by section 12, the Council may, with the previous sanction of the Government, make regulations

- (a) to prescribe the expenses payable to the members;
- (b) to prescribe the fees chargeable in respect of any registration under this Act;
- (c) to regulate the keeping of accounts; and
- (d) to prescribe conditions of service of persons appointed under section 14.

36. If at any time it appears to the Government that the Council has failed to exercise or has exceeded or abused a power conferred upon it under this Act, or has failed to perform a duty imposed upon it under this Act, the Government may, if it considers such failure, excess or abuse to be of a serious character, notify the particulars thereof to the Council; and if the

Council fails to remedy such default, excess or abuse within such time as may be fixed by the Government in this behalf, it may dissolve the Council and cause all or any of the powers and duties of the Council to be exercised and performed by such agency and for such period as it may think fit:

Provided that it shall take steps as soon as may be convenient to constitute a new Council under section 4.

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SCHEDULE

(See sections 2, 18 and 19)

Recognised Veterinary Qualifications

Part I.—Recognised institutions in India : —

1

Veterinary degrees and diplomas granted by Institutions

Serial No.	Institution	Qualifications	Abbreviations for registration
1	Agra University ..	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
2	Andhra University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
3	Bihar University..	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
4	Bombay University	Bachelor of Science (Veterinary)	B.Sc. (Vet)
5	Calcutta University	Bachelor of Veterinary Science	B.V.Sc. Science
6	Gauhati University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
7	Kerala University	Bachelor of Veterinary Science	B.V.Sc. Science
8	Madras University	Bachelor of Veterinary Science	B.V.Sc. Science
9	Osmania University	Bachelor of Veterinary Science	B.V.Sc. Science
10	Partjab University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A. H.
11	Rajasthan University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
12	Sagar University	Bachelor of Veterinary Science	B.V.Sc. Science
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Serial No.	Institution	Qualifications	Abbreviations for registration
13	Utkal University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A. H.
14	Vikram University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
15	Assam Veterinary College	Graduate in Veterinary Science	G.V.Sc.

	Bengal Veterinary College	(i) Graduate of Bengal Veterinary College	G.B.V.C.
		(ii) Graduate in Veterinary Science	
17	Bihar Veterinary College	Graduate of Bihar Veterinary College	G.B.V.C.
18	Bombay Veterinary College	Graduate of Bombay Veterinary College	G.M.V.C.
19	Madras Veterinary College	Graduate of Madras Veterinary College	G.M.V.C.
20	Punjab Veterinary College (Lahore)	(i) Licensed Veterinary Practitioner	
		(ii) Graduate of Punjab Veterinary College	G.P.V.C.
21	Haryana Agricultural University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
		Bachelor of Veterinary Science	& A.Sc. Science and Animal

Part II. --Recognised Veterinary Qualifications granted by institutions outside India :—

Serial No.	Country	Qualifications	Abbreviations for registration
I	United Kingdom..	Members of the Royal College of Veterinary Surgeons	M.R.C.V.S.

J. M. TANDON,
Secretary to Government, Haryana,
Legislative Department.