

M.P. REGULATION OF COUCHING ACT, 1944

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Preamble Sections 1. 2. 3. 4. 5

6. Short title. Meaning of registered practitioner. Penalty for unlawful couching. Penalty for abetment of offence. Offence to be cognizable, bailable and Jurisdiction of Magistrates. Cognizance of offences. compoundable. Page 164 164 164 164 165 165 165 164 Short title. THE MADHYA PRADESH REGULATION OF COUCHING ACT, 1944 (No. 2 of 1944)¹ (Received the assent of the Governor on the 26th March 1944; assent first published in the "Central Provinces and Berar Gazette" on the 31st March 1944.) An Act to prevent couching by unqualified persons. Preamble. Whereas it is expedient to prevent couching by unqualified persons ; And whereas the Governor of the Central Provinces and Berar has assumed to himself under the Proclamation, dated the 10th November 1939, issued by him under section 93 of the Govern- ment of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature ;² therefore, in exercise of the said powers, the Governor of the Central Provinces and Berar is pleased to make the following Act i— (1) This Act may be cited as the [Madhya Pradesh]³ 1. Regulation of Couching Act, 1944. It extends to and shall be in force in the whole of Madhya Pradesh.]⁴ 2. In this Act, the expression "registered practitioner" Meaning of registered shall have the meaning assigned to it in the Central Provinces and practitioner. Berar Medical Registration Act, 1916 (1 of 1916). 3, Whoever, not being a registered practitioner, or not Penalty for unlawful possessing a professional qualification entitling him to be couching. registered under the Central Provinces and Berar Medical Registra- tion Act, 1916 (1 of 1916), couches or attempts to couch or agrees or offers by physical means or interference with the eye to give vision to a person suffering from cataract, With or without that person's consent, shall on conviction, be punishable with impriso- ment Of either description for a term which may extend to six months or with fine which may extend to one thousand rupees or Nvith both

4. Whoever abets the commission of an offence under Penalty for abetment of this Act shall, on conviction, be punishable with the punishment offence. provided for the offence in section 3. 1. 2. 3

4. For Statement of Objects and Reasons, see Central Provinces and Berar Gazette, dated the 2nd April, 1943, Part 11, page 8. The whole Act has been continued after 26th April. 1948, vide provisions of C. P. and Berar Act 48 of 1947, S. 2 (1). Subs: by M. P. Act 23 of 1958, S. 3 (4), for "Central Provinces and Berar". Subs. ibid, S.3 (3), Sch, part A, item 43. THE MADHYA PRADESH REGULATION OF COUCHING Act, 1944 165 5. Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898) an offence punishable under this Act shall be cognizable and bailable and may be compounded with the permission of the Court. 6. (1) No Magistrate having powers inferior to that of the second class shall try any offence punishable under this Act. (2) A Magistrate may take cognizance of an offence under this Act— (a) on a report of a police officer ; (b) on information of any other person; (c) upon his own knowledge or suspicion that such offence has been committed: Provided that no cognizance shall be taken where the offence alleged was committed more than six months previously. Offence to be cogni- zable, bailable and compoundable. Jurisdiction of Magistrate⁵. Cognizance of offences.