

TAMIL NADU REGISTRATION OF PRACTITIONERS OF INTEGRATED MEDICINE ACT, 1956

632 Registratibn of Érauilioners [1956t TN, Act XXVII of lategaled Medicine. ILTAM.IL NADU ACT No, XXVII 0b 19562, [THB I[TAMIL NADU] REGISTRATION OF PRACTITIONERS 0B INTEGRATED MEDICINE ACT, 1956.] (Received the assent of the President on the 20th November 1956; first published in the Fort St. George Ga&tte on the 28th November 1956,) An Act to provide for the registration of practitioners of integrated medicine in the 8[State of Flamil Nadu], WÄBAS it is expedient to provide for the registration of practitioners of integrated medicine in the 81State of Tamil Nadui ; BBit enacted in the Seventh Year of the Republic of india es follows S— I. (1) This Act may be called the ltTamil Nadul, dhort title and extent, Registration of Practitioners of Integrated Medicine Act, 1956. (2) It extends to the whole of the 8[State Of Tamil Nadul

2. In this A Cti unless the context otherwise requires—Definitions, (a) "Board" meansthe '[Board of Integrated Medi- Tamil Nadul\$ constituted under this Act ; (b) "Government" means the State Government! {These wjrds were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended b the Tamil Nadu Adaptation of Laws (Second Amendment) Order, *For Statement of Objects and Reasons, see Fort St. George Gazette, Part IV-A, Extraordinary, dated the 18th October 1956, paF 207. This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the First Schedule to, the 'I'amil Nadu (Transferred Territory) Extension. of Laws Act, 1960 Camil Nadu Act 23 of 1960), repealing the: corresponding law in force in that territory. 8This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the I'amil Nadu Adaptation of Laws (Second Amend' ment) Order, 1969. 4This expression was substituted tor the expression "Board Of Integ•ated Medicine, Madras" by paragraph 3(1) of, and the Schedule to, the Tam. • ' Nadu Adaptation of Laws Order, 1970, which was to have come into force on the 14th January 1969. *ON, Act Registration of Practitionâi' of Integrated Medicine, c " oi In.dian medicine]" means one or all of the three systems of medicine,•. that is, (Ayuveda, Siddha and Unani syste:ns of medicine;} (d) integrated medicine" means a conjoint study, training and in indigenous medicine and moder.n medicine; (e) "modern medicine" means modern scientific medicine including surgery and obstetrics ; (D "practitioner" means a practitioner of inte- gated medicine ; (g) "register" mean.s the register of maintained under this Act ; (h) "registered practitioner" means a practitioner whose name is for the time entered in the register, 3, (1) The Government shall, by notification, constitute Constitution a Board to be called "The 2[Board of Integrated Medicine, of Board. Tamil Nadu]". (2) The Board shall be a body corporate, shall have perpetual and a common seal end shall, by said name, sue and be sued, (3) The Board shall consist of— (a) four members elected from among l.hemseives by .the registered practitioners holding the diploma of Gmduate of the Coltege of Integrated Medicine granted by the Nard of Examiners in Integrated Medicine ; (b) four elected from among themselves by the registered practitioners holding the diploma of Licentiate in Integrated Medicine granted by the Board of Examiners in Integrated Medicine ; (c) one member elected from among themselves by such members of the staff of the College of Integrated Medicine as are registered practitiotrrs ; IThae words were substituted for the words6'indigenous medicine" by section 2 of the Tamil Nadu Registration of Practitioners of Integrated Medicine (Amendment) Act, 1971 (Tamil Nadu Act 36 of 1971), which was deemed to have come into force on the 28th November 1956, 2 This expresion was substituted for the expression "Board •of Medicine, Madras" by paragraph 3(1) of, and the Schedule to, tne Tamil Nada Adaptation of Laws Order, 1970, •Ghich was deemed to have come into foxee on the 14th January 1969, of Integrated Medicine, (d) six members nominated by the Government ; Provided that pending the preparali',n of registers, the Government may nominate to the first Board members referred to in clauses (a) , (b) and (c) above out or perscns who ate' eligible for regissration in the registers, and such shall hold offco for guch period as the GOVERNmen! may, be notification, appoint. (4) In the eve.nt of Lhe requisite number (If members not being elec(ed uner any of i he clauses (a), (b) and (c) mp.*' fill UP the of sub-sec{ion (3), the Gov-: vacancies by nominacing the required number of registered practitioners. Every practitioner so nominated shall be deemed to be a memnber CEN ly elec{ed , (5) Nominations under sub-sec{ion (4), or clause (d) of sub-section (3) shall be so mac{e as (o give, as far as possible, proper

representation to the different systems of integrated medicine. (6) The President of the Board shall be elected by the members of the Board from among themselves in the prescribed manner: Provided that for a period of four years from the date of the constitution of the Board under this Act, the President shall be a person nominated by the Government and if he is not already a member of the Board, shall be ex-Officio member of the Board in addition to the members specified in sub-section (3): Provided further that the President so nominated shall not be removed from office except by or under the orders of the Government.

Privileges of 4. (i) Notwithstanding anything to the contrary contained in any enactment, rule, by-law or any other provision of law--- Practitioners. (a) A certificate required by law to be given by a medical practitioner shall be valid if it is signed by a registered practitioner; and (b) The expression "legally qualified medical practitioner" or "duly qualified medical practitioner" or any word or expression importing reference to a person recognized by law as a medical practitioner or as 1956 T.N. Act XXVIII Registration of Practitioners 635 of Integrated Medicine, a member of the medical profession shall, in all Tamil Nadu Acts and in all Central Acts in their application to the State of Tamil Nadu in so far as such Acts relate to any of the matters specified in List I or List III in the Seventh Schedule to the Constitution, be deemed to include a registered practitioner. (2) Except with the sanction of the Government, no one other than a registered practitioner shall be competent to hold any appointment as physician, surgeon or other medical officer in any hospital, dispensary, asylum, infirmary or lying-in-hospital of indigenous or integrated medicine, maintained or aided by the Government or a local authority or both and not supported entirely by voluntary contributions, (3) Notwithstanding anything contained in subsection (2) of section 4 of the 8[Tamil Nadu Medical Registration Act, 1914 (8[Tamil Nadu] Act IV of 1914), all registered practitioners shall be competent to hold any appointment as physician, surgeon or other medical institutions of modern medicine or as Medical Officer of Health, which are open to registered practitioners as defined in the Tamil Nadu Medical Registration Act, 1914' (8[Tamil Nadu] Act IV of 1914), and subject to such conditions as may be prescribed, 5, (1) No act of the Board or of any person acting as Acts of President or member of the Board shall be deemed to be void, etc., invalid by reason only of any defect in the constitution of not invalid. the Board or on the ground that the President or member by reason of defect in constitution, these words were substituted for the words "all Acts of the Legislature of the State of Tamil Nadu" by paragraph 3(1) of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969. The expression "State of Tamil Nadu" having been earlier substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 2 This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 8 These words were substituted for the words "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by Tamil Nadu Adaptation of Laws (Second Amendment) C 1969.- 636 Registration [1956 Act of Integrated of the Board was not entitled to hold or continue in such office by reason of any disqualification or by reason of any irregularity or illegality in his nomination or election, or by reason of such act having been done" during the period of any vacancy in the office of President or member of the Board. (2) Every meeting of the Board the minutes of the proceedings at which have been signed as laid down in the rules and by-laws made under section 15 shall be deemed to have been duly convened and to be free from all defects and irregularity. Registrar 6. (1) The Board shall appoint a Registrar who shall and other act as Secretary of the Board and who shall also act as officers-treasurer unless the Board appoints another person as treasurer. (2) The Board may also appoint such other officers and set off as it may deem necessary for the purposes of this Act. (3) The Registrar or 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 (Central Act XLV of 1860). Register. 7, (1) It shall be the duty of the Registrar to keep a register of registered practitioners and, from time to time, to revise the register and publish it in the prescribed manner. (2) The register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (Central Act 1 of 1872). (3) The name of any registered practitioner who is dead or whose name directed to be removed from the register under section 10 shall be removed from the register. For this purpose information regarding the death of registered practitioners shall be furnished to the Registrar by such officers, in such form and in such manner, as may

be prescribed. 1956 ; Registration of Practitioner. 637 of Integrated Medicine 8.. Every person who possesses the diploma of Licentiate Registration. Integrated Medicine; or the diploma of Graduate of the College of Integrated Medicine, granted by the Board of Examiners in Integrated Medicine, shall, on payment of a fee of fifteen rupees and on furnishing to the Registrar proof of his qualification for registration, be entitled to have his name registered in the register: Provided that the Board may refuse to permit the registration of any person who has been convicted of any offence which, in the opinion of the Board, implies a defect of character disqualifying him to be registered or who, after an inquiry at which opportunity has been given to the candidate to be heard in person or by pleader, has been held by the Board to have been guilty of professional misconduct, 9, A registered practitioner shall, on payment of a fee of five rupees, be entitled to have entered in the register additional any further diplomas or degrees in integrated medicine in which he may obtain, 10. (1) The Board may, if it sees fit and after giving adequate notice to the person concerned and inquiring into his objections, if any, order that any entry in the register, by the Board which shall be proved to the satisfaction of the Board to have been fraudulently or incorrectly made or brought about, be cancelled or amended, (2) (i) The Board may direct the removal altogether or, for a specified period from the register of the name of any registered practitioner or the same reasons for which registration may be refused, by the Board under section 8 and the proviso thereto shall apply to any inquiry under this section: Provided that the name of a registered practitioner shall not be removed from the register on the ground of his association in any professional respect with a qualified practitioner of any other system of medicine or with an unregistered practitioner if such unregistered practitioner— (a) possesses the qualifications necessary for registration as a registered practitioner and amends the register. 638 Registration of Practitioners of [1956: TON, Act XXVII Integrated Medicine (b) is not a person whose name the Board has refused to register under the proviso to section 8 or whose name the Board has removed from the register under this sub-section. Explanation.— The expression "qualified practitioner" shall, for the purpose of this proviso, mean a practitioner qualified under rules made by the Government in this behalf. (ii) The Board may also direct that any name so removed shall be restored. (3) Nothing in sub-section (2) shall relieve a registered practitioner of any obligations or code of ethics which may be upon registered practitioners generally by the Board (4) Any registered practitioner may make an application to the Board for the deletion of his name from the register and the Board may, on such application and subject to such rules as may be made by the Government, direct such deletion. Any such practitioner may apply for fresh registration under section 8. ILIO-A (1) Notwithstanding anything contained in this Act, the Board may, by order in writing amend registration by deleting therefrom the name of any person who by reason of the alteration of boundaries under the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959-(Central Act 56 of 1959), has ceased to reside or practise in the State of Tamil Nadu: Provided that the Board may, before passing an order, make such inquiry as it deems necessary. (2) Any person aggrieved by an order under sub-section (1) may appeal to such authority and within such time, as may be specified in this behalf by the Government and such authority shall pass such order on the appeal as it thinks fit. (3) An order of the Board under sub-section (1), or where an appeal has been against it under subsection (2), the order of the appellate authority, shall be final. This section was inserted by paragraph 3 of , and the Schedule to, the Madras Adaptation of Laws Order, 1961, which was deemed to have come into force on the 1st April 1960, 2 This expression was substituted for the expression "State of Madras " by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws Amendment Order, 1969. Act XXV 111 Registration of Practitioners "639 of Integrated Medicine, (4) The provisions of this section shall be in force from such date as the Government may, by notification, appoint. 11 Any person who possesses the diploma of Licentiate in Indigenous Medicine, or diploma of Graduate of the indigenous Indigenous Medicine granted by the Board of Medicine and Indian Medicine Examiners in Indigenous Medicine. 2 [or a diploma deemed to be Licentiate in Indian Medicine, or a diploma of Graduate equivalent of the College of Indian Medicine granted by the Board of Diploma Examiners in Indian Medicine] shall be deemed to possess Of Integrated Medicine the diploma of Licentiate in Integrated Medicine or, as the case may be, the diploma of Graduate of the College of Integrated Medicine granted by the Board of Examiners in Integrated Medicine for all the purposes of this Act. 12, No act done in the exercise of any power conferred Jurisdiction by or under this Act on the Government or the Board or Of Civil Courts. the Registrar shall be questioned in any Civil Court. 13, If at any time it shall appear to

the Government Control by that the Board has neglected to exercise or has exceeded or Government, abused any power conferred upon it under this Act, or has neglected to perform any duty imposed upon it by this Act, the Government may notify the particulars of such neglect, excess or abuse to the Board and, if the Board fails to remedy such neglect, excess or abuse, within such time as may be fixed by the Government in this behalf, the Government may, for the purpose of remedying such neglect, excess or abuse, cause any or all of the powers and duties of the Board to be exercised and met by Such agency and for such period as the Government may think fit. 14. Every person who falsely pretends to be a registered Practitioner, whether any person is actually deceived by such false pretence or not, shall, on conviction, be liable to be punished with fine which may extend to three hundred rupees. 1 This marginal heading was substituted for the original marginal heading by section 3(1) of the Tamil Nadu Registration of Practitioners of Integrated Medicine (Amendment) Act, 1971 (Tamil Nadu Act 36 of 1971), which was deemed to have come into force on the 28th November 1956. 2 These words were inserted by section 3(2) of the Tamil Nadu Registration of Practitioners of Integrated Medicine (Amendment) Act, 1971 (Tamil Nadu Act 36 of 1971), which was deemed to have come into force on the 28th November 1956, 640 Registration of Practitioners [1956: T.N. Act XXVII of Integrated Medicine 15, (1) The Government may make rules for the purpose Power to make rules of carrying out the provisions of this Act. or by-laws, (4) In particular and without prejudice to the generality of the foregoing provision such rules may provide— (a) for the qualifications of the members of the Board ; (b) for the election of members to the Board ; (c) for the term of office of the elected and nominated members of the Board ; (d) for the circumstances in which a member of the Board shall be deemed to have vacated his seat; (e) for the procedure to be followed for filling up a vacancy when the seat of any member of the Board becomes vacant ; (f) for the election of the President of the Board or of any other person presiding over the Board and the term of office of the President ; (g) for the procedure at meetings of the Board ; (h) for the institution, hearing and disposal of appeals, for the authorities competent to hold enquiries and hear appeals and the procedure to be followed in such inquiries ; (i) for the compilation and publication of the register ; (j) for the disposal of the fees received under this (k) for all matters expressly required or allowed by this Act to be prescribed. (3) The Board may, with the previous sanction of the Government, make by-laws— (a) for the convening of meeting of the Board ; (b) for the conduct of business at such meetings ; (c) for the appointment and control and the fixation of pay and allowances of the officers and servants referred to in section 6, 1956: T.N. Act XXVII] Registration of Practitioners 641 of Integrated Medicine (4) The power to make rules under this Act shall be Subject to the condition of previous publication. (5) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications whether by way of repeal or amendment as the Legislative Assembly may make within fourteen days on which the Legislative Assembly actually sits either in the same session or in more than one session.