

THE ANDHRA PRADESH PREVENTION OF COUCHING ACT, 1964

ACT No.04 OF 1964

ARRANGEMENT OF SECTIONS

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ACT No.04 OF 1964

[29th January, 1964]

AN ACT TO CONSOLIDATE AND AMEND THE LAW RELATING TO THE PREVENTION OF COUCHING BY UNQUALIFIED PERSONS IN THE STATE OF ANDHRA PRADESH.

BE it enacted by the Legislature of the State of Andhra Pradesh in the Fourteenth Year of the Republic of India as follows:-

1. Short title and commencement- (1) This Act may be called the Andhra Pradesh Prevention of Couching Act, 1964.
(2) It extends to the whole of the State of Andhra Pradesh.
2. Definitions – In this Act, unless the context otherwise requires,-
 - (i) 'couching ' means the operative displacement by the use of a needle or other instrument, of the opaque crystalline lens of the eye until the lens no longer intercepts the line of vision;
 - (ii) 'registered practitioner' means a person registered under ¹[the Andhra Pradesh (Andhra Area) Medical Registration Act, 1914 (Act IV of 1914)] or any other law similar thereto for the time being in force in the State of Andhra Pradesh.
3. Penalty for unlawful couching – Whoever, not being a registered practitioner or not possessing a qualification entitling him to be registered under the relevant law relating to the registration of medical practitioners referred to in clause (ii) of section 2, performs or attempts to perform couching on a person with or without his consent, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.
4. Offence to be cognizable and bailable – Notwithstanding anything in the ²[Code of Criminal Procedure, 1898,] an offence under this Act shall be cognizable and bailable.
5. Cognizance of offences – (1) No magistrate inferior to a magistrate of the second class shall try offence under this Act.
(2) No magistrate shall take cognizance of any offence under this Act except,-
 - (i) upon a complaint in writing made by the person on whom couching was performed or an attempt to perform couching was made; or
 - (ii) upon a report of a police officer not below the rank of a Sub-Inspector; or
 - (iii) Upon a report of any person or class of persons authorised by the State Government in this behalf.
(3) No magistrate shall take cognizance of any offence under this Act, unless the prosecution is instituted within six months from the date on which the offence is alleged to have been committed.

¹. Please see now the Andhra Pradesh Medical Practitioners Registration Act, 1968 (Act No.23 of 1968), in which the 1914 Act was repealed.

². Please see now the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974).

6. Repeal - The Andhra Pradesh (Andhra Area) Prevention of Couching Act, 1945 is hereby repealed.