

THE UNITED PROVINCES VETERINARY COUNCIL

ACT, 1947¹

(U. P. Act no. XX OF 1947)

Amended by

U. P. Act XXX of 1956

Adapted and modified by the Adaptation of Laws Order, 1950

[Passed by the United Provinces Legislative Assembly on April 9, 1947 and by the United Provinces Legislative Council on May 26, 1947. Received the assent of the Governor of the United Provinces on July 20, 1947, under section 75 of the Government of India Act, 1935 and was published in the United Provinces Government Gazette on August 2, 1947]

AN

ACT

to provide for the Registration of Veterinary Practitioners in the United Provinces

Preamble **WHEREAS it is expedient to provide for the registration of Veterinary practitioners in the United Provinces:**

It is hereby enacted as follows:

PRELIMINARY

Short title and extent **1.** (1) This Act may be called the United Provinces Veterinary Council Act, 1947.

(2) It extends² to the whole of [Uttar Pradesh]³.

Definition **2.** In this Act, unless there is anything repugnant in the subject or context,-

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

(b) "Hospital" means institutions, where animals are treated by methods approved by the Council;

1. For S. O. R. see Gazette 1947, Pt. VII, pp 24-28.

2. This Act has been extended to the areas mentioned in column I of this table under the Act or Order mentioned in column 2 and enforced in such areas under notification, if any, mentioned in column 3 with effect from the date mentioned in column 4 against each area.

Areas	Act or Order under which extended	Notification, if any under which enforced	Date from which enforced
1	2	3	4
1. Rampur District	Rampur (Application of Laws) Act 1950,	..	Dec. 30, 1949
2. Banaras District	Banaras (Application of Laws) Order, 1949.	3262 (i) XVII-Merge dated Nov. 30, 1949.	Nov. 30, 1949
3. Tehri Garhwal District	Tehri-Garhwal (Application of Laws) Order, 1949.	3262 (2) XVII-Merge dated Nov. 30, 1949.	Nov. 30, 1949

3. Subs. by the A.O. 1950 for (the United Provinces).

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

(d) "Registered Practitioner" means any person registered under the provisions of this Act.

UTTAR PRADESH VETERINARY COUNCIL

Establishment of the Uttar Pradesh Veterinary Council

3. There shall be established a Council called [Uttar Pradesh]¹ "Veterinary Council" and such Council shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued.

Constitution of Council

4. (1) The said Council shall consist of thirteen members appointed in the following manner, namely:—

(a) a President to be nominated by the [State Government]²

(b) five members to be nominated by the [State Government]²;

(c) three members to be elected by Veterinary practitioners residing in the [Uttar Pradesh]³ and registered under this Act, or, in the case of the first election, qualified to be so registered;

(d) one member to be elected by the Executive Council of the University to which the [State]³ Veterinary College may be affiliated;

(e) two members to be elected by the [Uttar Pradesh]¹ Legislative Assembly and one by the [Uttar Pradesh]¹ Legislative Council.

Nomination of members in Default of election

5. If the electoral body referred to in section 4 does not in the case of vacancy referred to in section 10, within three months and, in any other case, by such date as may be prescribed by rules made in that behalf under clause (a) of sub-section (2) of section [35]⁴, elect a person to be a member of the Council, the [State Government]² shall nominate a member in his place, and a person so nominated shall be deemed to be a member as if he had been duly elected by such body.

Publication of names of members

6. The name of every person elected or nominated under section 4 or 5 shall be published by the [State Government]² 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 of the Council shall be deemed to have vacated his seat who—

(a) fails to accept office within one month 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

1. *Subs.* by the "A.O." 1950 for (the United Provinces).

2. *Subs.* by the A.O. 1950 for (Provisional Government).

3. *Subs.* by *ibid* for (Provincial).

4. *Subs.* by Sl. 4 of Sch. to S. 3 of U.P. "Act XXX" of 1956.

	<p>(c) is absent out of India for a period exceeding six consecutive months.</p> <p>(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 [State Government]¹.</p>
Filling of casual vacancies	<p>9. If a member of the Council 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 three months by a fresh election or nomination, as the case may be.</p>
Term of office of members	<p>10. (1) The term of office of a member of the Council shall be three years from the date of his acceptance of office.</p> <p>(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 renomination.</p>
Quorum and voting	<p>11. (1) No business shall be transacted at a meeting of the Council unless a quorum of six members be present.</p> <p>(2) In the absence of the President at a meeting some other member, to be chosen from among the members present, shall act as President.</p> <p>(3) Save as otherwise provided in clause (b) of sub-section (1) of section 26, 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.</p> <p>(4) No act or proceeding 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 of a person acting as a member of the Council.</p>
Regulations to meetings	<p>12. (1) Subject to the provisions of this Act and of any rules made by the [State Government]¹ under this Act, the Council may make regulations in respect of-</p> <p>(a) the time and place at which such meetings shall be held;</p> <p>(b) the issue of notices convening such meetings; and</p> <p>(c) the conduct of business thereat.</p> <p>(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 a meeting at such time and place as to him shall seem expedient, by letter addressed to each member.</p>
Payment of expenses to members	<p>13. There shall be paid to the members of the Council such expenses as may from time to time be prescribed by regulations under clause (a) of sub-section (3) of Section 35.</p>
Appointment of registrar and other official	<p>14. (1) The Council-</p> <p>(a) shall appoint a Registrar;</p> <p>(b) may grant leave to such Registrar and appoint a person to act in his place; and</p>

1. Subs. by the A.O. 1950 for (Provincial Government).

(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 allowance (if any) of the Registrar shall be subject to the previous sanction of the [State Government]¹.

(2) The Council may appoint such other officers and such ministerial staff and servants 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) and (2) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

**Act no. XLV
of 1860**

**Punishment
and dismissal
of officials of
the Council**

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

Provided that-

(a) previous sanction of the [State Government]¹ 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 [State Government]¹ against an order under this section within one month 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 officer.

(3) The power to dismiss, conferred by sub-section (1), shall be deemed to include the power to suspend any person against whom the power of dismissal might be exercised, pending inquiry into his conduct.

The Registrar of Veterinary Practitioners

**Orders by
Council for
maintenance
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 a register of Veterinary Practitioners.

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

**Registrar
functions in
respect of
register**

17. (1) 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 practitioner entered therein and erase the names of any practitioners who have died or have permanently ceased to practice in [Uttar Pradesh]².

1. Subs. by the A.O. 1950 for (Provincial Government).

2. Subs. by *ibid* for the (United Provinces).

(2) The Registrar may send by post, a letter to any registered practitioner, addressed to him according to his registered address or appointment, to inquire whether he has ceased to practice in [Uttar Pradesh]¹ or whether his residence or appointment has been changed, and, if no answer to any such letter is received within a period of six months from its dispatch, the Registrar may erase the name of such registered practitioner from the register:

Provided that any name erased under this sub-section may be re-entered in the register under the direction of the Council.

**Person
entitled to be
registered**

18. Every person 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 province 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 this behalf by regulations made under clause (b) of sub-section (3) of section 35, be entitled to have his name entered in the register of Veterinary 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 26:

Provided also that the Registrar, if so directed by the Council, shall refuse to register the name of any person who holds any veterinary degree, diploma or certificates granted in [* * *]² India.

**Amendment
of Schedule**

19. If the [State Government]¹ on the report of the Council otherwise, is satisfied—

(a) that a title granted or qualification certified by a University, examining body or other institution is a sufficient guarantee that a person holding such title or qualification possesses the knowledge and skill requisite for efficient practice of his profession, or

(b) that a title or qualification referred to in the Schedule is not a sufficient guarantee as aforesaid, it may, if it thinks fit, direct by notification in the official *Gazette*-

(1) in case (a) that the possession of such title or qualification shall, subject to the provisions hereinafter contained and on payment of such fee as may be fixed in this behalf by regulation made under clause (b) of sub-section (3) of section 35, entitle a person to have his name entered in the register of Veterinary Practitioners, or

(2) in case (b) that the possession of such title or qualification shall not entitle a person to have his name entered in the said register.

1. *Subs.* by A.O. 1950 for the (United Provinces).

2. The word (British) *Omit.* by A.O. 1950.

Power of Council to call for information from Veterinary College or School

20. 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 may require to enable it to judge of the efficiency of the instruction given therein in Veterinary medicine and surgery; and

(b) to provide facilities to enable a member of the Council deputed by the Council in this behalf to be present at the examination held by such college or school.

Information required of applicant for registration

21. Every person who applies to have his name entered in the register of Veterinary Practitioners—

(a) must satisfy the Registrar that he is possessed of some title or qualifications referred to in the Schedule as altered by notifications (if any) issued under section 19; and

(b) he must correctly inform the Registrar of the dates on which he obtained the titles 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 purposes of discharging his duties under this Act.

Entry of new titles and qualifications in register

22. If a person whose name is entered in the Register of Veterinary Practitioners 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 fee as may be fixed in this behalf by regulation made under clause (b) of sub-section (3) of section 35, be entitled to have an entry stating such other title or qualification made against his name in the register, either in the substitution for, or in addition to, any entry previously made.

Disposal of fees

23. All fees received by the Council under this Act shall in the manner prescribed, be applied for the purposes of this Act.

Appeal to Council from Decision of Registrar

24. If a person is dissatisfied with a decision of the Registrar, refusing to enter any title or qualification of such person in the register of Veterinary Practitioners, he may, at any time within three months from the date of such decision, appeal to the Council.

Erasure of fraudulent and incorrect entries

25. Any entry in the register of Veterinary Practitioners which is proved to the satisfaction of the Council to have been fraudulently or incorrectly made, may be erased under an order in writing of the Council, after notice has been given to the person concerned and his objections (if any) have been considered.

Power of Council to prohibit entry in or to direct removal from the register etc.

26. (1) The Council may upon reference from the [Registrar]¹ or otherwise 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

1. *Subs. by al. 4 of Sch. to Sec. 3 of U.P. Act XXX of 1956 for the word "register".*

(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, vakil, pleader or attorney, and which may in 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 and 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 of Veterinary medicine or surgery not in accordance with the accepted view for the time being or of his association with an unregistered practitioners, so long as the unregistered practitioner-

(a) is possessed of one of the qualifications specified in the Schedule; and

(b) is not a person whose name it has reason to believe has been excluded or removed from the register by the Council under sub-section (1) 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
State
Government
from decision
of Council**

27. (1) An appeal shall lie to the [State Government]¹ from every decision of the Council under section 24 or 26.

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

**Bar to suit
and other
legal
proceedings**

28. No suit or other legal proceedings shall lie in respect of any act done in the exercise of power conferred by this Act on the [State Government]¹ or the Council or the Registrar.

**Notice of
deaths and
erasure of
names from
register**

29. (i) Every Registrar of deaths who receives notice of the death of a person whose name he knows to be entered in the register of Veterinary Practitioners 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 death, the Registrar shall erase the name of the deceased person from the register.

**Penalty on
unregistered
person
representing
that he is
registered**

30. If a person whose name is not entered in the register of Veterinary Practitioners falsely pretends that it is so entered or uses in connexion with his name or title any words or letters representing that his name is so entered he shall, whether any person is actually received by such representation or not be punishable, on conviction by a Magistrate of the first class, with fine which may extend to three hundred rupees.

1. Subs. by A.O. 1950 for the word "Provincial Government".

**Proceedings in
inquiries and
appeals**

31. For the purpose of any inquiry held under section 26, or of any appeal under section 24, 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 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 said Public Servants, (Inquiries) Act, 1850.

**Reservation
of certain
appointments
to registered
practitioners**

32. No person other than a registered practitioner shall be competent to hold an appointment as a Veterinary Physician, Surgeon or other Veterinary Officer in any veterinary hospital which is supported partially or entirely by public [or]¹ local funds, or in any public establishment, body or institution or as a Veterinary Officer under a local authority unless he is registered under this Act.

**Qualified
practitioners
certificates**

33. No certificate required by any Act from any Veterinary Practitioner or Veterinary Officer shall be valid unless the person signing the same shall have been registered under this Act.

Annual Veterinary List

**Publication
of and
presumption
as to entries
in Annual
Veterinary
list**

34. (1) The Registrar shall, in every year, 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 register of Veterinary Practitioners setting forth-

(a) all names entered in the register arranged in alphabetical order according to the surnames

(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 such qualification was certified.

(2) 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 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 of Veterinary Practitioners shall be evidence that such person is registered under this Act.

Rules and Regulations

**Rules and
Regulations**

35. (1) The [State Government]² may, after previous publication, from time to time make rules consistent with this Act to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Government may make rules-

(a) to regulate elections under this Act;

(b) to prescribe the form of the register of Veterinary Practitioners to be maintained under this Act;

1. [Add by S. 4 of Sch. 3 of U.P. Act XXX of 1956.](#)

2. Subs. by A.O. 1950 for the Provincial Government.

(c) to regulate the application of fees;

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

(i) conducting any inquiry under section 26; and

(ii) disposing of appeals from the decision of the Registrar preferred under section 24.

(3) In addition to the power conferred by section 12, the Council may, with the previous sanction of the [State Government]¹ make regulations--

(a) to prescribe the expenses payable to members of the Council,

(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.

(4) All such rules and regulations shall be published in the official *Gazette*.

**Control of
Council by the
State
Government**

36. If at any time it shall appear to the [State Government]¹ 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 by 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 of the members prescribed in section 4.

THE SCHEDULE

Persons who are entitled to have their names entered in the register of Veterinary Practitioners.

(1) Bachelors, Masters and Doctors of Veterinary Science of the Universities of Madras and the Punjab.

(2) Licensed Veterinary Practitioners (Punjab).

(3) Graduates of the Madras Veterinary College.

(4) Graduates of the Bombay Veterinary College.

(5) Graduates of the Bengal Veterinary College.

(6) Graduates of the Punjab Veterinary College.

(7) Graduates of the Bihar Veterinary College.

(8) Fellows and Members of the Royal College of Veterinary Surgeons, Great Britain and Ireland.

(9) Bachelors, Masters and Doctors of Veterinary Science of any of the Universities in Great Britain and other parts of the British Commonwealth.

1. *Subs.* by the A.O. 1950 for (Provincial Government).

