

PART I
DEPARTMENT OF LEGISLATIVE AFFAIRS
Notification

The 10th March, 1981

No. 12-Leg./81.—The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 6th March, 1981 and is hereby published for general information:—

Punjab Act No. 11 of 1981.

THE PUNJAB VETERINARY COUNCIL ACT, 1981

AN
ACT

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

BE it enacted by the Legislature of the State of Punjab in the Thirty-se cond Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Veterinary Council Act, 1981. Short title and commencement.

(2) 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) "Council" means the Punjab Veterinary Council established under section 3 ;
- (b) "Director" means the Director of Animal Husbandry, Punjab ;
- (c) "member" means a member of the Council ;
- (d) "prescribed" means prescribed by rules made under this Act ;
- (e) "President" means the President of the Council ;
- (f) "Register" means the register of veterinary practitioners prepared and maintained under section 17;
- (g) "registered veterinary practitioner" means a veterinary practitioner registered under this Act ;
- (h) "Registrar" means the Registrar appointed under section 16 ;
- (i) "regulation" means a regulation made under this Act ;
- (j) "Schedule" means the schedule appended to this Act ;
- (k) "State Government" means the Government of the State of Punjab.

3. (1) The State Government shall, as soon as may be, after the commencement of this Act, by notification, establish a Council, to be called the Punjab Veterinary Council and such Council shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, and to contract, and may by the said name sue and be sued. Establishment of Council.

Constitution of Council.

(2) The Council shall also act as an advisory body to the State Government in all policy matters concerning the veterinary profession, veterinary education and development of animal husbandry in the State.

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

- (a) the Director, Animal Husbandry, Punjab, *ex-officio* ;
- (b) the Dean, Punjab Veterinary College, Ludhiana, *ex-officio* ;
- (c) one member to be elected by each faculty which deals with veterinary education in a University in the State of Punjab ;
- (d) four members to be elected from amongst themselves by the veterinary practitioners, residing in the State of Punjab and registered under this Act ; and
- (e) two members to be nominated by the State Government from amongst the veterinary practitioners residing in the State of Punjab and registered under this Act :

Provided that in the case of first Council the members referred to in clauses (d) and (e) shall be nominated by the State Government from amongst veterinary practitioners residing in the State of Punjab and qualified to be registered under this Act, and the term of office of the members of the first Council shall, notwithstanding anything contained in this Act, not exceed two years.

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

Election of members.

5. The election of members under clauses (c) and (d) of sub-section (1) of section 4 shall be held at such time and place, and in such manner as may be prescribed.

Nomination of members in default of election.

6. In the event of the requisite number of members not being elected under clauses (c) and (d) of sub-section (1) of section 4 within the prescribed period, the State Government may fill up the vacancy or vacancies by nominating the requisite number of registered veterinary practitioners residing in the State of Punjab, and a person so nominated shall be deemed to have been duly elected under clause (c) or clause (d), as the case may be.

Publication of names of members.

7. The name of every person elected or nominated under section 4 or section 6 shall be published by the State Government in the Official Gazette.

Leave of absence to members.

8. 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.

9. (1) A member of the Council shall be deemed to have vacated his seat if he —

- (a) fails to accept office within one month of the date of his nomination or election, or
- (b) absents himself without cause, as may in the opinion of the Council be sufficient, 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 under sub-section (1), the President shall forthwith report the same to the State Government.

10. The State Government may, by notification, remove any member who, in its opinion, has been guilty of misconduct in the discharge of his duties : **Removal of members.**

Provided that before the State Government notifies the removal of any member, the reasons for his proposed removal shall be communicated to him and he shall be given an opportunity of tendering an explanation in writing.

11. In the event of occurrence of a vacancy in the membership of the Council as a result of death, resignation, removal or otherwise the same shall be filled within three months by fresh election or nomination, as the case may be. **Filling of casual vacancies.**

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

(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.

13. (1) The President, and in the absence of the President another member to be chosen by the members present from amongst themselves shall preside at a meeting of the Council. **Quorum and voting.**

(2) 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 majority of the members present and voting and in the case of equality of votes the person presiding at the meeting shall have and exercise a second or a casting vote.

(3) Five members shall form a quorum at a meeting of the Council :

Provided that if a meeting is adjourned for want of quorum, no quorum shall be necessary at the next meeting called for transacting the same business.

(4) No act or proceedings of the Council shall be invalid merely on the ground of existence of any vacancy amongst its members, or by reason of defect or irregularity in its constitution or any irregularity of procedure not affecting the merits of the case.

14. (1) Subject to the provision 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 meetings of the Council shall be held,

(b) the issue of notices for convening such meetings, and the conduct of business thereat.

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

Payment of
allowances to
members.

15. There shall be paid to the members of the Council such travelling and daily allowances as may, from time to time, be specified by regulations under clause (a) of sub-section (3) of section 35.

Appointment of
Registrar and
other employees.

16. (1) The Council—

(a) shall, with the previous approval of the State Government, appoint a Registrar ;

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

(2) The Council may appoint such other employees as it may consider necessary for carrying out the purposes of this Act.

(3) The Registrar and other employees shall receive such salaries and allowances as the Council may, subject to the previous approval of the State Government, determine, and their conditions of service shall be such as may be prescribed :

Provided that the Registrar or any other employee of the Council shall not continue in office after the last date of the month in which he attains the age of superannuation fixed from time to time by the State Government for its employees.

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

(5) 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.

Preparation and
maintenance of
register.

17. (1) The Council shall, as soon as may be, cause to be prepared and maintained a register of veterinary practitioners.

(2) The register referred to in sub-section (1) shall be prepared and maintained in such form as may be prescribed.

Registrar's func-
tions in respect
of register.

18. The Registrar shall maintain the register in accordance with the provisions of this Act and any order made by the Council and shall from time to time make all necessary alterations in the registered qualifications addresses or appointments or titles, of the veterinary practitioners entered therein, and erase the names of any veterinary practitioner who has died.

Persons entitled
to be registered.

19. (1) Every person holding any of the veterinary qualifications included 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 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 :

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.

(2) The Registrar, if so directed by the Council, shall refuse to register the name of any person notwithstanding the fact that he is in possession of veterinary qualifications included in the Schedule:

Provided that no such direction shall be given by the Council unless the person concerned has been afforded an opportunity of being heard.

(3) The State Government after consultation with the Council may, by notification in the Official Gazette, amend the Schedule so as to include therein any veterinary qualification or exclude therefrom any qualification, and thereupon such Schedule shall be deemed to have been amended accordingly.

20. (1) The Council shall have power to request the governing body or authority of an Institution which grants veterinary qualifications included in the Schedule— Power of Council to call for information from institutions.

(a) to furnish such reports, returns or other information as the Council may require to enable it to judge the efficiency of the instructions 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 Institution.

(2) If such body or authority does not comply with the request made under sub-section (1), the State Government may, upon report by the Council, exclude from the Schedule the veterinary qualifications granted by such Institution.

(3) No veterinary qualification included in the Schedule shall be excluded therefrom under sub-section (3) of section 19 or under sub-section (2) of this section unless an opportunity of representing its case has been given to the Institution which grants such qualification.

21. Every person who applies to have his name entered in the register shall— Information required of applicant for registration

(a) satisfy the Registrar that he is in possession of a veterinary qualification included in the Schedule ;

(b) inform the Registrar of the date on which he obtained the veterinary qualification which entitles 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.

22. If a person whose name is entered in the register obtains any title or qualifications other than the title or qualification in respect of which he has been registered, he shall, 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 an entry stating such other titles or qualifications made against his name in the register, either in substitution for or in addition to, any entry previously made. Entry of new titles and qualifications in register.

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, 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. An entry in the register 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 affording to the person concerned an opportunity of being heard.

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 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 defect in character as would render the entry or continuance of his name in the register undesirable ; or

(b) whom the Council after inquiry, in which an opportunity has been given to him of being heard, 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 of veterinary medicine or surgery not in accordance with the accepted view for the time being or of his association with an unregistered veterinary practitioner, so long as the unregistered veterinary practitioner—

(a) is in possession of a veterinary qualification included in the Schedule ;

(b) is not a person whose name the Council has reason to believe has been excluded or removed from the register by it 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 from every decision of the Council under section 24 or section 26.

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

Bar to suits 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 or the Council or any of its members or office-bearers.

29. (1) Every Registrar appointed under section 7 of the Registration of Births and Deaths Act, 1969 who receives notice of 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. Notice of death and ensure of names from register.

(2) On receipt of such certificate, or other reliable information regarding death, the Registrar shall erase the name of the deceased from the register.

30. 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 entered, he shall, whether any person is actually deceived 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. Penalty on unregistered person representing that he is registered.

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 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. Proceedings in inquiries and appeals.

32. No person 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 wholly by public or 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. Reservation of certain appointments for registered veterinary practitioners.

33. (1) No certificate required by any law to be issued by any veterinary practitioner or veterinary officer shall be valid unless the person signing the certificate is registered under this Act. Veterinary practitioners' certificates, etc.

(2) No prescription by a veterinary practitioner or veterinary officer shall be dispensed by chemists unless the person prescribing the prescription 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, on any matter relating to veterinary science unless the said person is registered under this Act.

(4) No registered veterinary practitioner shall be required to serve on any inquest unless he desires otherwise.

34. (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 register setting forth— Publication of and presumption as to entries in list.

(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 ;

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

(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 a 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.

Rules and regulations.

35. (1) The State Government may, after previous publication, from time to time, make rules for carrying out the purposes of this Act.

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

(a) the time at which and the place and manner in which election shall be held under section 4 ;

(b) the form of the register of veterinary practitioners to be prepared and maintained under this Act ;

(c) the conditions of service of persons appointed under section 16 ;

(d) utilization of fees realised under this Act ;

(e) the procedure to be followed by the Council for—

(i) conducting any inquiry under section 26, and

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

(3) In addition to the power conferred by section 14, the Council may, with the previous sanction of the State Government, make regulations for—

(a) the allowances payable to members of the Council ;

(b) the fees chargeable in respect of any registration under this Act ; and

(c) the keeping of accounts.

Control of Council
by State
Government.

36. If at any time it shall appear to the State Government that the Council has failed to exercise or has exceeded or abused any power conferred upon it by or under this Act, or has failed to perform any duty imposed upon it by or under this Act, the State Government may, if it considers such failure excess or abuse to be of a serious nature, notify the particulars thereof to the Council, and if the Council fails to remedy such excess or abuse within such time as may be fixed by the State Government, 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.

37. Every rule or regulation made under section 35 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 session aforesaid the House agrees in making any modification in the rule or the regulation or the House agrees that such rule or regulation should not be made, the rule or regulation, as the case may be, 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 or regulation.

Rules and regulations to be laid before State Legislature.

THE SCHEDULE

(See sections 2, 19, 20 and 26)

Veterinary Qualifications

PART-I

Granted by Institutions in India

S. No.	Institution	Qualification	Abbreviation for registration
1	2	3	4
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. (Veterinary)
5.	Calcutta University	Bachelor of Veterinary Science	B.V.Sc.
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.
8.	Madras University	Bachelor of Veterinary Science	B.V.Sc.
9.	Osmania University	Bachelor of Veterinary Science	B.V.Sc.
10.	Rajasthan University	Bachelor of Veterinary Science	B.V.S. & A.H.
11.	Sagar University	Bachelor of Veterinary Science	B.V.Sc.
12.	Utkal University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.

Serial No.	Institution	Qualification	Abbreviation for registration
1	2	3	4
13	Vikram University	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
14	Assam Veterinary College	Graduate in Veterinary Science	G.V.Sc.
15	Bengal Veterinary College	(i) Graduate of Bengal Veterinary College (ii) Graduate in Veterinary Science	G.B.V.C.
16	Bihar Veterinary College	Graduate of Bihar Veterinary College	G.B.V.C.
17	Bombay Veterinary College	Graduate of Bombay Veterinary College	G.B.V.C.
18	Madras Veterinary College	Graduate of Madras Veterinary College	G.M.V.C.
19	Punjab Veterinary College	Bachelor of Veterinary Science and Animal Husbandry	B.V.Sc. & A.H.
20	Haryana Agricultural University	Bachelor of Veterinary Science and Animal Husbandry Bachelor of Veterinary Science and Animal Science	B.V.Sc. & A.H. B.V.Sc. & A.Sc.

PART II
Granted by Institutions outside India

Serial No.	Country or Institution	Qualification	Abbreviation for registration
1	2	3	4
1	United Kingdom	Member of the Royal College of Veterinary Surgeons	M.R.C.V.S.
2	Punjab Veterinary College (Lahore)	(i) Licenciate Veterinary Practitioner, prior to the 15th August, 1947 (ii) Graduate of Punjab Veterinary College, prior to the 15th August, 1947	L.V.P. G.P.V.C.

AFTAB SINGH BAKHSHI,

Secretary to Government of Punjab,
Department of Legislative Affairs.