

**ANDHRA PRADESH (ANDHRA AREA) AYURVEDIC AND  
HOMOEOPATHIC MEDICAL PRACTITIONERS REGISTRATION  
ACT, 1956**

**26 of 1956**

**[18th October, 1956]**

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### **ANDHRA PRADESH (ANDHRA AREA) AYURVEDIC AND HOMOEOPATHIC MEDICAL PRACTITIONERS REGISTRATION ACT, 1956**

**26 of 1956**

**[18th October, 1956]**

An Act to regulate the qualifications and to provide for the registration of practitioners of Ayurvedic and Homoeopathic systems of medicines in the Andhra area of the State of Andhra

Pradesh. WHEREAS it is expedient to regulate the qualifications and to provide for the registration of practitioners of Ayurvedic and Homoeopathic systems of medicine in the Andhra area of the State of Andhra Pradesh ; BE it enacted in the Seventh Year of the Republic of India as follows

## CHAPTER 1

### Preliminary

#### **1. Short title, extent and commencement :-**

(1) This Act may be called the Andhra Pradesh (Andhra Area) Ayurvedic and Homoeopathic Medical Practitioners Registration Act, 1956.

(2) It extends to the whole of the Andhra area of the State of Andhra Pradesh.

(3) The provisions of Chapter V shall come into force on such date as the Government may, by notification, appoint ; but the remaining provisions shall come into force at once.

#### **2. Definitions :-**

In this Act, unless the context otherwise requires, -

(i) "Ayurvedic system of medicine" means Ayurvedic system including Siddha, Unani Tibbi and Prakriti systems ;

(ii) "Board" means the Board for Ayurveda or the Board for Homoeopathy, as the case may be, established under section 3 ;

(iii) "Government" means the State Government ;

(iv) "Homoeopathic system of medicine" means the system of medicine founded by Dr. Hahnemann and the expression "homoeopathy" shall be construed accordingly ;

(v) "member" means a member of a Board, and the word "membership" shall be construed accordingly ;

(vi) "notification" means a notification published in the Andhra Pradesh Gazette, and the word "notified" shall be construed accordingly ;

(vii) "practitioner" means a practitioner of the Ayurvedic system of medicine or of the homoeopathic system of medicine ;

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

- (ix) "president" means the president of a Board ;
- (x) "qualifying examination" means an examination specified in section 25 ;
- (xi) "recognized" means recognized by the Government ;
- (xii) "register" means the register of pharmaceutical laboratories, herbaria, firms and vendors of Ayurvedic and homoeopathic medicines maintained under section 32 ;
- (xiii) "registered practitioner" means a practitioner whose name is for the time being entered in the Register of practitioners ;
- (xiv) "Registrar" means the Registrar appointed under section 15;
- (xv) "regulations" means regulations made by a Board under section 23 ;
- (xvi) X X X
- (xvii) "vice-president" means the vice-president of a Board.

## CHAPTER 2

### Establishment of Boards

#### **3. Establishment of the Board for Ayurveda and the Board for Homoeopathy :-**

As soon as may be, after the commencement of this Act, the Government may, by notification, establish two Boards, one to be called "the Board for Ayurveda" and the other to be called "the Board for Homoeopathy" and each Board shall be a body corporate having perpetual succession and a common seal and shall, by its name, sue and be sued.

#### **4. Composition of the Boards :-**

(1) The Board for Ayurveda shall consist of twenty four members as hereunder :-

- (a) one member elected by the Senate of the Andhra University ;
- (b) one member elected by the Senate of Sri Venkateswara University ;
- (c) four members elected by the teaching staff of the institutions giving instruction in the Ayurvedic system of medicine in the Andhra area of the State of Andhra Pradesh, two to represent Ayurvedic system, one to represent Unani Tibbi system and one to

represent Prakriti system ;

(d) five members nominated by the Government from among the registered practitioners of the Ayurvedic system of medicine ;

(e) one member elected by the Members of the Andhra Pradesh Legislative Assembly ;

(f) one member elected by the presidents of the district boards in the Andhra area of the State of Andhra Pradesh ;

(g) one member elected by the chairman of the municipal councils in the Andhra area of the State of Andhra Pradesh ; and

(h) ten members elected by the registered practitioners of the Ayurvedic system of medicine in the Andhra area of the State of Andhra Pradesh as follows :- Ayurvedic practitioners .. .. Unani Tibbi practitioners .. .. Prakriti practitioners .. ..

(2) The Board for Homoeopathy shall consist of eleven members as hereunder :-

(a) one member elected by the State of Andhra University ;

(b) one member elected by the Senate of Sri Venkateswara University ;

(c) one member elected by the teaching staff of the institutions giving instruction in homoeopathy in the Andhra area of the State of Andhra Pradesh ;

(d) two members nominated by the Government from among the registered practitioners of the homoeopathic system of medicine ;

(e) one member elected by the Members of the Andhra Pradesh Legislative Assembly ;

(f) one member elected by the presidents of the district boards and the chairmen of the municipal councils in the Andhra area of the State of Andhra Pradesh ;

(g) four members elected by the registered practitioners of homoeopathy.

## **5. President and vice-president of Board :-**

(1) There shall be a president and a vice-president for each Board.

(2) The president and the vice-president shall be elected from

among themselves by the members of the Board.

**6. Election of members :-**

The election of members to the Board under section 4, shall be held at such time and place and in such manner as may be prescribed.

**7. Nomination of members in default of election :-**

In the event of the requisite number of members not being elected as provided in Section 4, the Government may, notwithstanding anything contained in that section, nominate to the vacant places such persons as they deem fit, and the persons so nominated shall be deemed to have been duly elected under that section.

**8. Establishment of First Boards :-**

(1) Until a Board for Ayurveda or a Board for Homoeopathy is established under section 3, the Government shall, notwithstanding anything contained in section 4, have power to establish a Board for Ayurveda and a Board for Homoeopathy for the purposes of this Act with such members as the Government may, by notification, specify.

(2) The Board so established shall function for a period of not more than three years from the date of its establishment.

**9. Disqualification of persons for election as or for being, members :-**

(1) A person who has been convicted by a criminal court of an offence involving moral turpitude or sentenced by a criminal court to transportation or to imprisonment for a period exceeding six months for an offence not involving moral turpitude (such conviction or sentence not having been reversed or the offence pardoned) shall be disqualified for election as, or for being, a member while undergoing the sentence and for five years from the date of the conviction or the expiration of the sentence : Provided that the Government may direct that such conviction or sentence shall not operate as a disqualification.

(2) A person shall be disqualified for election as, or for being, a member if he is

(a) of unsound mind, a minor, a deaf-mute or a leper ;

(b) an applicant to be adjudicated an insolvent or an undischarged insolvent ;

(c) a person whose name has been removed from the Register of Practitioners maintained under section 28.

**10. Term of office of members :-**

(1) Save as otherwise provided in this Act, the term of office of a member, including the member elected as president or vice-president, shall be for a period of five years from the date of his election or nomination as a member.

(2) An outgoing member shall be eligible for re-election or re-nomination : Provided that no person shall hold office as president consecutively for more than two terms.

**11. Resignation of office :-**

Any member other than the president, and any vice-president may resign his office by giving notice to the president ; the president may resign by giving notice to the Board. Such resignation shall take effect in the case of a member or a vice-president from the date on which it is received by the president and in the case of a president from the date on which it is placed before a meeting of the Board.

**12. Removal from membership :-**

(1) If the president, vice-president or any member nominated or elected, during the period for which he has been nominated or elected,-

(a) fails to attend three ordinary consecutive meetings of the Board ; or

(b) becomes subject to any disqualification mentioned in section 9; or

(c) ceases to be a member of the association, authority or institution which he represents; or

(d) being a legal practitioner appears in any proceeding, civil, criminal or revenue, against the Board; or

(e) obtains any employment under the Board; or

(f) acquires without the previous sanction of the Government, directly or indirectly, by himself or by a partner any share or interest in any contract with, or by or on behalf of, the Board. the Board may, by the votes of not less than one-half of its members

present and voting, remove him from membership:

Provided that the removal of the president under this section shall be by an order of the Government which shall be final.

(2) The vice-president or any member removed by the Board under sub-section(1) may, within ninety days from the date of his removal, appeal to the Government whose decision thereon shall be final.

(3) Any decision of the Board or the Government under this section shall not be questioned in a court of law.

### **13. Filling up of casual vacancies :-**

Any casual vacancy in the Board may be filled up in accordance with the provisions of section 4, and the person nominated or elected to fill up such vacancy shall hold office for the residue of the term of his predecessor.

### **14. Meetings of the Board :-**

(1) Every meeting of the Board shall be convened in such manner and at such time and place as may be provided for in the regulation:

Provided that until such regulations are made, it shall be lawful for the president to convene a meeting of the Board at such time and place as he may deem expedient by circulating a notice to every member:

Provided further that the meeting for electing the president of the Board first established under section 3, shall be convened on such date, at such place and in such manner as the Government may specify in this behalf.

(2) Every meeting of the Board shall be presided over by the president, in his absence by the vice-president and in the absence of both the president and the vice-president, by a member chosen by the meeting.

(3) All questions at any meeting of the Board shall be decided by a majority of the members present and voting at the meeting, and in case of equality of votes, the person presiding shall have and exercise a second or casting vote.

(4) Eight members shall form the quorum for a meeting of the Board for Ayurveda and five members for a meeting of the Board



for Homoeopathy.

**15. Registrar and other employees of Board :-**

(1)

(a) The Government shall have power to appoint a Registrar common for the Board for Ayurveda and the Board for Homoeopathy.

(b) The Registrar so appointed shall be the Secretary of both the Boards and the Executive Committee of the Board for Ayurveda, and shall also act as treasurer of both the Boards.

(c) The Registrar shall receive such salary and allowances and shall be subject to such conditions of service as may be prescribed.

(d) The Registrar shall be a whole-time paid officer under the administrative control and supervision of the Boards and shall exercise such powers and perform such duties as may be prescribed.

(e) During the temporary absence of the Registrar, the Government may appoint another person to act as Registrar.

(f) The Government may, at any time, remove the Registrar from office and shall do so if such removal is recommended by a resolution of each of the Boards passed by not less than one half of the members thereof at a special meeting convened for the purpose.

(2)

(a) The Registrar may, subject to the approval of the Board, appoint Inspectors or such other officers or servants as may be necessary for the purposes of this Act: Provided that the strength, designation, pay and allowances of such staff shall be subject to the previous approval of the Government.

(b) All Inspectors, officers and servants of the Board shall be under the administrative control and supervision of the Registrar who may, subject to such conditions as may be provided for in the regulations, impose on any such Inspector, officer or servant any of the following penalties, namely:-

(i) censure;

(ii) withholding of increments or promotion, including stoppage at

an efficiency bar;

(iii) reduction to a lower post or time scale, or to a lower stage in a time scale;

(iv) fine;

(v) recovery from pay of the whole or part of any pecuniary loss caused to the Board;

(vi) suspension;

(vii) removal from service of the Board, which does not disqualify from future employment; and

(viii) dismissal from the service of the Board, which disqualifies from future employment.

(c) The Inspectors, officers and servants of the Board shall receive such salaries and allowances and shall be subject to such conditions of service as may be prescribed.

(3) The Registrar, inspectors and all other officers and servants appointed under this section shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

#### **16. Powers and functions of the Board :-**

The Board shall exercise all the powers conferred on, and perform all the functions entrusted to it, by or under this Act and such other powers and functions as may be conferred on, and entrusted to it, by the Government, from time to time, for carrying out the purposes of this Act.

#### **17. Control of the Board by Government :-**

If, at any time, it appears to the Government, that the Board has failed to perform its functions or has exceeded or abused any of the powers conferred upon it by or under this Act, the Government may communicate the particulars thereof to the Board, and if the Board fails to remedy such failure, excess or abuse or to give a satisfactory explanation therefor within such time as the Government may fix in this behalf, the Government may suspend, dissolve or supersede the Board and cause any or all of the powers and functions of the Board to be exercised and performed by any person or agency for such periods as they may think fit.

#### **18. Executive Committee of the Board for Ayurveda :-**

(1) There shall be constituted every year an Executive Committee of the Board for Ayurveda in the manner prescribed.

(2) The Executive Committee shall consist of such number of members and shall meet at such time and place as may be provided for in the regulations.

(3)

(a) Every member of the Executive Committee shall be elected by the Board for Ayurveda and shall hold office as such until the Executive Committee for the next year is constituted ; and if any casual vacancy occurs before such constitution, the Executive Committee may fill up that vacancy by electing a member of the said Board in the manner prescribed.

(b) A member of the Executive Committee elected under clause (a) to fill up a casual vacancy shall hold office for the residue of the term of his predecessor.

(4) The Executive Committee shall exercise such of the powers and perform such of the functions of the Board for Ayurveda as may be prescribed or as may be delegated to it by the said Board.

### **19. Special Committees :-**

(1) The Board may, from time to time, appoint Special Committees consisting of any of the following classes of persons as it may think fit, namely :-

(i) members of the Board ;

(ii) persons associated with the Board ;

(iii) other persons whose assistance or advice the Board may desire to have.

(2) The total number of members of every Special Committee so appointed shall not be less than three.

(3) Every Special Committee shall meet at such time and place as may be provided for in the regulations.

(4) The Board may refer to any such Committee, for enquiry and report any matter relating to any of the purposes of this Act or delegate to it by specific resolution subject to such conditions as may be provided for in the regulations, any of its powers or functions. (5) The Board may, at any time, dissolve, or subject to

the provisions of sub-section (1), alter the constitution of any such Committee.

**20. Acts of Board etc., not to be invalidated by informality, vacancy, etc. :-**

No act or proceeding of the Board or of the Executive Committee of the Board for Ayurveda or of any Special Committee constituted under section 19 shall be deemed to be invalid by reason only of a defect in the constitution of such Board or Executive Committee or Special Committee or on the ground that the president, vice-president or any member of the Board, Executive Committee or Special Committee, as the case may be, 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 or proceeding having been done or conducted during the period of any vacancy in the office of the president, vice-president or member of the Board, Executive Committee or Special Committee.

**21. Allowances to members of Board, etc. :-**

There shall be paid to the members of the Board, the Executive Committee of the Board of Ayurveda or any Special Committee, such allowances for attending the meetings of the Board, the Executive Committee or any Special Committee, as the case may be, as may, from time to time, be prescribed.

**22. Income and expenses of the Board :-**

(1) The income of the Board shall consist of -

- (a) fees received under section 27 and section 31 ;
- (b) grants received from the Government ;
- (c) donations and other sums received by the Board ;

(2) The expenses of the Board shall include the salaries and allowances of the Registrar, Inspectors, officers and servants of the Board, the allowances paid under section 21 and such other expenses that are necessary for carrying out the purposes of this Act.

**23. Regulations :-**

(1) The Board may, with the previous approval of the Government, make regulations for all or any of the following matters, namely :-

- (a) the manner of convening the meetings of the Board, the Executive Committee of the Board for Ayurveda and the Special Committees ;
- (b) the time and place at which the meetings of the Board, the Executive Committee of the Board for Ayurveda and the Special Committees shall be convened ;
- (c) the procedure to be followed at the meetings of the Board, the Executive Committee of the Board for Ayurveda and the Special Committees;
- (d) the conditions subject to which the Registrar may impose penalties on Inspectors, officers and servants of the Board ;
- (e) the conditions subject to which the Board may delegate its powers or duties to any Special Committee ;
- (f) the qualifying examinations, the institutions which shall hold such examinations and the time and place at which such examinations shall be held ;
- (g) any other matter which is to be provided for in the regulations, or may be necessary for carrying out the purpose of this Act.

(2) All regulations made under sub-section (1) shall be published in the Andhra Pradesh Gazette.

(3) The Government may, by order, modify or cancel any regulation made under sub-section (1).

### CHAPTER 3

Recognition of institutions for imparting instruction and holding examinations, etc.

## **24. Recognition of institutions :-**

(1) Any institution other than the recognized institutions specified in Schedule I, applying for recognition under this Act shall send an application to the Registrar and shall give full information in respect of the following matters, namely :-

- (a) the institution and the personnel of the governing or managing body ;
- (b) subjects and courses in which it gives or proposes to give instruction ;
- (c) accommodation, equipment and the number of students for whom provision has been made or is proposed to be made ;

(d) the strength of the staff, their salaries and qualifications and the research work done by them ;

(e) fees levied or proposed to be levied and the financial provision made for the capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(2) Any institution applying for recognition to hold qualifying examinations shall send an application to the Registrar and shall give full information in respect of the particulars specified in clauses (a), (b), (c), (d) and (e) of sub-section (1), and such other particulars as the Board may require.

(3) The Registrar shall place the application before the Board concerned and the Board may direct the Registrar to call for any further information which it may deem necessary. The Board may also direct a local enquiry to be made by a person authorized by it in this behalf.

(4) After recording the report of such local enquiry and after making such further enquiry as may be necessary, the Board shall forward the application with its report to the Government stating its opinion whether the recognition asked for should or should not be granted. The Government may either grant or refuse to grant recognition or may grant it subject to such conditions and with effect from the date, whether prospective or retrospective not being earlier than the 1st October, 1953, as they may deem fit and the decision of the Government shall be final.

**25. Power of the Board to prescribe by regulations qualifying examinations for practitioners not possessing recognized qualification :-**

(1) Subject to the provisions of sub-section (2), the Board shall have power to prescribe by regulations a qualifying examination for a person who has been a practitioner for a period of not less than two years before the commencement of this Act and who does not possess any recognized qualification after having undergone a course of training in a recognised institution. The qualifying examination shall be held by such institution and at a such time and place as may be provided for in the regulations.

(2) No such qualifying examination shall be held after a period of

five years from the commencement of this Act.

**26. Removal of recognition of institution :-**

If it appears to the Government on the report of the Board or otherwise, that the instruction given in any recognized institution or the qualifying examination conducted by any of the institutions recognized to hold such examinations, is not of adequate standard of proficiency for practising the Ayurvedic system of medicine, or the homoeopathic system of medicine, as the case may be, the Government may require such institution to take steps to remedy the defect within such time as they may fix in this behalf, and if such institution fails to remedy such defect within the time so fixed, the Government may by notification, withdraw the recognition of any such institution for the purpose of giving instruction or holding a qualifying examination and such institution shall thereafter cease to be a recognized institution.

**CHAPTER 4**

Registration of Practitioners, etc.

**27. Registration of practitioners :-**

(1) Every person

(a) who possesses any degree, diploma, licence or certificate, conferred, granted or issued by a recognized institution specified in Schedule I or by any other institution recognized under section 24 ;  
or

(b) who possesses any recognized qualification specified in Schedule II ; or

(c) who does not possess any recognized qualification, but has put in ten years of practice in the Ayurvedic system of medicine or the homoeopathic system of medicine and who seeks to be registered as such subject to the condition that he passes a written examination to be conducted by the Government within a period of three years from the date of his registration :

Provided that no practitioner who attained the age of forty years on the date of commencement of this Act, shall be required to pass the written examination referred to above ; or

(d) whose name is registered in the register maintained by the Central Board of Indigenous Medicine, Madras ; or

(e) whose name is registered in the Register of Practitioners of

Ayurvedic or the homoeopathic system of medicine maintained in any other part of India ; shall, on payment of such fees and subject to such conditions as may be prescribed in this behalf, be entitled to have his name entered in the Register of Practitioners under section 28.

Explanation :- In the case of an institution recognised under section 24, the Government may notify that a degree, diploma, licence or certificate, conferred, granted or issued by such institution prior to the date of its recognition shall be deemed to be a recognised qualification for the purposes of this section subject to such conditions and restrictions as may be specified in the notification.

(2)

(a) Every person, whose name has been entered in the Register of Practitioners, shall be issued a certificate of registration in the prescribed form under the hand and seal of the Registrar.

(b) Where it is shown to the satisfaction of the Registrar that the certificate of registration issued under clause (a) has been lost or destroyed, the Registrar may, on payment of the prescribed fee, issue a duplicate thereof.

(3) The Board may direct that the name of any practitioner who has been convicted of any offence which involves moral turpitude and which, in the opinion of the Board, renders him unfit to practise his profession shall not be entered in, or shall be removed from, the Register of Practitioners :

Provided that it shall be open to the Board, for sufficient reason, to direct that the name of the practitioner whose name has not been entered shall be entered and whose name has been removed shall be re-entered in the Register of Practitioners.

(4) A person who does not hold any recognized qualification specified in Schedule II but who passes a qualifying examination referred to in section 25, shall also be entitled to have his name entered in class 'B' of the relevant part of the Register of Practitioners on payment of the prescribed fee.

(5) Every person whose name has been entered in the Register of Practitioners under sub-section (1), sub-section (3) or sub-section (4), shall get such entry renewed at such intervals and on payment of such fees as may be provided for in the regulations.



(6) If the renewal fee is not paid before the prescribed date, the Registrar shall remove the name of the practitioner concerned from the Register of Practitioners and on such removal the certificate of registration issued to the practitioner shall be deemed to have been cancelled :

Provided that the name so removed may be re-entered in the said Register on payment of the renewal fee together with such penalty as may be prescribed and a new certificate of registration may be issued.

## **28. Register of Practitioners and its maintenance :-**

(1) There shall be maintained a register to be known as the Register of Practitioners.

(2) The Register of Practitioners shall be in such form and shall contain such particulars as may be prescribed.

(3) The Register of Practitioners shall be divided into four parts as specified hereunder :-

Part I - Practitioners of the Ayurvedic system of medicine ;

Part II - Practitioners of the Unani Tibbi system of medicine ;

Part III - Practitioners of the Prakriti system of treatment ; and

Part IV - Practitioners of the homoeopathic system of medicine.

Each of Parts I, II and III above shall be sub-divided into two classes as specified hereunder :-

Class 'A' :- Practitioners holding any of the following qualifications, namely :-

(1) G.C.I.M. (Graduate of the College of Integrated Medicine) granted by the Board of Examiners of Indigenous Medicine, Madras.

(2) L.I.M. (Licentiate in Indigenous Medicine) granted by the Government School of Indigenous Medicine, Madras.

(3) Degree, diploma, licence or certificate similar to that specified in item (1) or item (2) above recognized in any other part of India.

Class 'B' :- All other practitioners not falling under class 'A' above but who are entitled under section 27 to have their names entered in the Register of Practitioners maintained under this section or have undergone the training prescribed for village vaidyas.

Part IV above shall be sub-divided into two classes as specified hereunder :- Class 'A':- Practitioners possessing the degrees, diplomas, licences or certificates, conferred, granted or issued by recognized institutions. Class 'B' :- All other practitioners not falling under class 'A' above but who are entitled under section 27 to have their names entered in the Register of Practitioner maintained under this section.

(4) It shall be the duty of the Registrar to maintain the Register of Practitioners and to revise the same from time to time.

### **29. Privileges of certain registered practitioners :-**

A registered practitioner whose name is entered in class 'A' of the relevant part of the Register of Practitioners shall have the following privileges, namely :-

(a) to sign or authenticate a birth or death certificate or a medical or physical fitness certificate required by any law or rule in force in the Andhra area of the State of Andhra Pradesh to be signed or authenticated by a duly qualified medical practitioner ;

(b) to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 on any matter relating to medicine, surgery or midwifery.

### **30. Notice of death :-**

(1) Every Registrar of Deaths on receiving notice of the death of a registered practitioner, shall forthwith transmit to the Registrar, a certificate under his own hand and seal of such death giving the time and place thereof.

(2) On receipt of such certificate or other reliable information regarding such death, the Registrar shall remove the name of the deceased practitioner from the Register of Practitioners.

### **31. Registration of pharmaceutical laboratories etc. :-**

(1) Every pharmaceutical laboratory and herbarium of any Ayurvedic or homoeopathic medicine, every firm engaged in storage and sale of Ayurvedic or homoeopathic medicine and every vendor engaged in the sale of Ayurvedic drugs, crude or otherwise shall, on payment of such fee as may be prescribed, be entitled to have its or his name registered in the register maintained under section 32 and to receive a certificate of registration in such form

and subject to such conditions as may be prescribed.

(2) Every pharmaceutical laboratory, herbarium, firm and vendor registered under sub-section (1), shall pay every year a renewal fee of such amount and on such date as may be prescribed, for the continuance of its or his name in the register.

(3) If the renewal fee is not paid on or before the prescribed date, the Registrar shall remove the name of the defaulter from the register : Provided that any name so removed shall be re-entered in the register on payment of the renewal fee together with such penalty as may be prescribed.

(4) The provisions of this section shall not apply to the medical practitioners who prepare and sell medicines to their patients and to persons who sell articles such as ginger, pepper and condiments which are commonly used both in the preparation of drugs and articles of food.

### **32. Register of pharmaceutical laboratories, etc., and its maintenance :-**

There shall be maintained a register of pharmaceutical laboratories, herbaria, firms and vendors of Ayurvedic and homoeopathic medicines which shall be in such form and shall contain such particulars as may be prescribed.

### **33. Appeal to the Board :-**

(1) Any person aggrieved by a decision of the Registrar regarding any entry in the Register of Practitioners maintained under section 28, and in the register maintained under section 32, may appeal to the Board.

(2) Such appeal shall be filed and shall be heard and decided by the Board in the manner prescribed.

### **34. Cancellation or alteration by the Board of entries made in the registers maintained under section 28 and section 32 :-**

The Board may on its own motion or on the application of any person and after due and proper enquiry and after giving the person concerned an opportunity of being heard, cancel or alter any entry in the Register of Practitioners maintained under section 28 or in the register maintained under section 32, if, in the opinion of the Board, such entry was fraudulently or incorrectly made.

### **35. Publication of names entered in the Register of Practitioners :-**

The Register shall, at least three months before the date fixed for the election of the Board, cause to be printed and published a correct list of the names and qualifications of all the practitioners for the time being entered in the Register of Practitioners, and the date when such qualifications were acquired.

#### **CHAPTER 5**

#### **Penalties**

### **36. Penalty for false representation regarding registration :-**

If a person whose name is not entered in the Register of Practitioners falsely represents that it is so entered or uses in connection with his name or title, any words or letters representing that his name is so entered or if a person whose name has been entered in the Register of Practitioners under a particular Part or class, falsely represents that it is entered under a different Part or class, he shall, whether any person is actually deceived by such representation or not, be punishable for the first offence with imprisonment which may extend to one month or with fine which may extend to two hundred rupees or with both, and with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both for every subsequent offence.

### **37. Penalty for false representation or use of degrees, etc. :-**

Whoever wilfully or falsely represents or uses any title or description, or any addition to his name implying that he holds a degree, diploma, licence or certificate, conferred, granted or issued by a recognized institution or by such other authority as may be authorized, from time to time, by the Government to confer, grant or issue such degree, diploma, licence or certificate, shall be punishable with imprisonment which may extend to one month or with fine which may extend to two hundred rupees or both for the first offence, and with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both for every subsequent offence.

### **38. Penalty for the grant or issue of diplomas, degrees etc. by unrecognized persons, etc. :-**

(1) No person, institution or body other than those recognized shall confer, grant or issue or hold himself or itself out as entitled to confer, grant or issue any degree, diploma, licence or certificate.

(2) Whoever contravenes the provisions of sub-section (1), shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both for the first contravention and with imprisonment which may extend to one year or with fine which may extend to two thousand rupees or with both for every subsequent contravention.

(3) If the contravention of the provisions of sub-section (1) is by an association, every member of such association shall, unless he proves that the contravention took place without his knowledge or that he exercised due diligence to prevent such contravention, be deemed to be guilty of such contravention.

### **39. Penalty for practice by unregistered practitioners :-**

(1) After the expiry of five years from the commencement of this Act, no person other than a registered practitioner shall practise the Ayurvedic system of medicine or the homoeopathic system of medicine or hold himself out, whether directly or by implication, as practising, or as being prepared to practise, such system.

(2) Any person who contravenes the provisions of sub-section (1), shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both for the first contravention, and with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both for every subsequent contravention.

## **CHAPTER 6**

### **Miscellaneous**

### **40. Appeal to Government :-**

(1) An appeal shall lie to the Government from every decision of the Board under this Act except a decision made by the Board as an appellate authority.

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

### **41. Bar of suits etc., against Government :-**

No suit, prosecution or other legal proceedings shall lie against the Government in respect of an act done in the exercise of the powers

conferred by or under this Act.

**42. Cognizance of offences :-**

(1) No court other than the Court of a Magistrate of the first class shall take cognizance of, or try, an offence under this Act.

(2) No court shall take cognizance of any offence under this Act except on a complaint in writing of an officer empowered by the Government in this behalf.

**43. Restriction on production of documents :-**

No member, officer or servant of the Board shall, in any legal proceeding to which the Board is not a party, be required to produce any register or document or to appear as a witness to prove the matters recorded therein, unless ordered by the court for special reasons to be recorded in writing.

**44. Protection of acts done in good faith :-**

No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is, in good faith, done or intended to be done under this Act or under the rules or regulations made thereunder.

**45. Power to make rules :-**

(1) The Government may, by notification, make rules for carrying out the purposes of this Act.

(2) The power to make rules conferred by this section shall be subject to the condition of the rules being made after previous publication for a period of not less than one month.

(3) Any rules made by the Government under sub-section (1) shall, as soon as may be, after they are made, be laid on the table of the Legislative Assembly.

**46. Power to remove difficulties :-**

If any difficulty arises in giving effect to the provisions of this Act or as to the constitution or reconstitution of the Board or the Executive Committee of the Board for Ayurveda or the Special Committee or the appointment of the Registrar or any officer or servant of the Board, the Government, as occasion may require, may be order do anything which appears to them to be necessary for the purpose of removing the difficulty

# **SCHEDULE 1**

(See Section 24)

## **Recognized institutions**

(1) Every University  
in the Union of India  
established

under a statute and  
having a teaching  
institution

imparting

instruction in the

Ayurvedic or the

homoeopathic system

of medicine.

(2) Government College  
of Integrated  
Medicine, Madras.

(3) Recognized  
institutions notified  
by the Government.

SCHEDULE 2

Recognized qualifications

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<p style="text-align: center;"><b>SCHEDULE 2</b></p> <p style="text-align: center;">(See Section 27)</p> <p style="text-align: center;">Recognized qualifications.</p> <p>(1) L.I.M. (Licentiate in Indigenous Medicine) granted by the Government School of Indigenous Medicine, Madras.</p> <p>(2) G.C.I.M. (Graduate of the College of Integrated Medicine) granted by the Board of Examiners of Indigenous Medicine, Madras.</p> <p>(3) A.L.I.M. (Associate Licentiate in Indigenous Medicine) granted by the Government Board of Examiners of Indigenous Medicine, Madras.</p> <p>(4) A.I.M. or F.I.M. (Associate or Fellow of Indigenous Medicine) granted by the Board of Examiners of Indigenous Medicine, Madras.</p> <p>(5) Recognized degrees, diplomas, licences, or certificates notified by the Government.</p>