

## **KARNATAKA VETERINARY PRACTITIONERS ACT, 1963**

**18 of 1964**

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**KARNATAKA VETERINARY PRACTITIONERS ACT, 1963**

**18 of 1964**

**[ ]**

An Act to provide for the registration of veterinary practitioners in the State of Karnataka. Whereas, it is expedient to provide for the registration of veterinary practitioners in the State of Karnataka and for certain other purposes; Be it enacted by the Karnataka State Legislature in the Fourteenth Year of the Republic of India as follows

**PART 1**

Preliminary

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

- (1) This Act may be called the Karnataka Veterinary Practitioners Act, 1963.
- (2) It extends to the whole of the State of Karnataka.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

**2. Definitions :-**

In this Act, unless the context otherwise requires-

- (1) "Council" means the Karnataka Veterinary Council established under Section 3;
- (2) "Prescribed" means prescribed by rules;
- (3) "President" means the President of the Council;
- (4) "Register" means the register of veterinary practitioners maintained under Section 11;
- (5) "Registered veterinary practitioner" means a veterinary practitioner whose name is for the time being entered in the register;
- (6) "Registrar" means the Registrar appointed under Section 9;
- (7) "Registration Officer" means the Registration Officer appointed under Section 12;
- (8) "Regulation" means a regulation made under sub-section (2) of Section 33;
- (9) "Rule" means a rule made under sub-section (1) of Section 33;
- (10) "Schedule" means the Schedule appended to this Act.

## PART 2

Karnataka Veterinary Council: Establishment, Constitution, Meetings and Proceedings

### **3. Establishment and constitution of Council :-**

- (1) The State Government shall, as soon as may be after the preparation of the first register, by notification in the official Gazette, establish a Council to be called the Karnataka Veterinary Council.
- (2) The Council shall be a body corporate with the name aforesaid, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may by that name sue and be sued.
- (3) The Council shall consist of the following members, namely:-
  - (a) the Director of Animal Husbandry and Veterinary Services in Karnataka;
  - (b) four members to be elected by the registered veterinary practitioners from amongst themselves;

(c) one member from each University in the State in which provision is made for instruction, teaching or training in veterinary science, to be elected by members of the Faculty of Veterinary Science of the University, from amongst themselves;

(d) one member to be elected from amongst themselves by the members of the staff of the veterinary colleges in the State as are veterinary practitioners who are registered under this Act;

(e) one member representing veterinary education and research to be nominated by the State Government;

(f) one member to be nominated by the State Government from among the registered veterinary practitioners.

(4) The Director of Animal Husbandry and Veterinary Services in Karnataka, shall be the President of the Council.

#### **4. Nomination of member in default of election :-**

If any of the members is not elected under clauses (b), (c) or (d) of sub-section (3) of Section 3, then, the State Government may, notwithstanding anything contained in sub-section (3) of the said section, nominate a member and the member so nominated shall for the purposes of this Act be deemed to have been duly elected under clauses (b), (c) or (d), as the case may be, of sub-section (3) of Section 3.

#### **5. Election of members :-**

(1) The election under clauses (b), (c) and (d) of sub-section (3) of Section 3 shall be held at such time and place and in such manner as the Council may by regulations provide in this behalf:

Provided that the first election of such members shall be held at such time and place and in such manner as the State Government may, by notification in the official Gazette, determine in this behalf.

(2) All elections under this Act shall be held according to the distributive system of voting.

Explanation-Distributive system of voting means the system of voting in which every voter shall be entitled to give as many votes as there are seats to be filled:

Provided that no voter shall give more than one vote to any one candidate:

Provided further that no voting paper shall be deemed to be valid unless the voter has recorded all the votes which he is entitled to give.

#### **6. Tenure of office :-**

(1) The members of the Council, other than the President, shall hold office for a term of five years from the date of their election or nomination or until their successors have been duly elected or nominated, whichever is longer, and shall be eligible for re-election or re-nomination, as the case may be: Provided that a member elected under clause (c) or (d) of sub-section (3) of Section 3 shall hold office only so long as he is a member of the Faculty or member of the staff of the University, as the case may be.

(2) Any elected or nominated member may at any time resign his office by letter addressed to the President.

(3) If any vacancy occurs in the office of a member of the Council through death, resignation or otherwise previous to the expiry of the period of his office, the vacancy shall be filled in accordance with the provisions of sub-section (3) of Section 3 and Section 4 and such person shall hold office for the remainder of the period for which the member in whose place he is appointed was elected or nominated.

(4) (a) Leave of absence may be granted by the Council to any member for a period not exceeding six months. (b) Except in the case provided for in clause (a), if any member of the Council other than the President shall absent himself from three consecutive ordinary meetings of the Council, the Council may forthwith declare his seat vacant.

(5) No act of the Council shall be deemed to be invalid merely by reason of any vacancy in, or defect in the constitution of, the Council or absence of any member on account of leave or otherwise.

#### **7. Time and place of meeting of Council :-**

The Council shall meet at such time and place and every meeting of the Council shall be summoned in such manner, as may be provided by regulations:

Provided that until such regulations are made, it shall be lawful for the President to summon a meeting of the Council at such time and

place as he may deem expedient by letter addressed to each member.

### **8. Procedure at meetings of Council :-**

(1) The President shall preside at every meeting of the Council. In the absence of the President, the members present shall elect one from amongst themselves to preside.

(2) All questions at a meeting of the Council shall be decided by votes of the majority of the members present at the meeting. Five members shall form a quorum.

(3) At every meeting of the Council, the President for the time being shall, in addition to his vote as a member of Council, have a second or casting vote in case of an equality of votes.

### **PART 3**

Registrar and other Officers and Servants

### **9. Registrar and other officers :-**

The Deputy Director of Veterinary Services, Karnataka State, ex officio, or such other officer of the Veterinary Department as the State Government may specify shall be the Registrar and shall be assisted by such officers and servants in his office as the State Government may determine in this behalf.

### **10. Payment of travelling expenses to members :-**

The members of the Council shall be paid travelling expenses at such rates and subject to such conditions as may be approved from time to time by the State Government.

### **PART 4**

Registration and Powers and Duties of the Council

### **11. Register :-**

(1) The State Government shall, as soon as may be, cause to be prepared a register of veterinary practitioners of the State.

(2) The register shall be prepared and thereafter maintained in such form as the State Government may direct. The register shall contain the name, residence and qualification of every person registered under this Act, together with the date on which such qualification was acquired.

### **12. Preparation of first register :-**

(1) For the purposes of the preparation of the first register, the

State Government may, by notification in the Official Gazette, appoint an officer as the Registration Officer.

(2) The State Government by the same or like notification shall appoint a date on or before which the application for registration shall be made to the Registration Officer.

(3) The Registration Officer shall examine every application received on or before the appointed date, and after making such enquiry in the prescribed manner, if he is satisfied that the applicant is qualified for registration under Section 14, shall direct the entry of the name of the applicant in the register.

(4) The register so prepared shall thereafter be published in such manner as the State Government may direct.

### **13. Custody and maintenance of register :-**

(1) Upon the constitution of the Council for the first time after the commencement of this Act, the register shall be given into its custody and the State Government shall direct that all or a specified part of the application fee for registration in the first register shall be paid to the credit of the Council. The State Government shall notify in the official Gazette the date on which the register is given into the custody of the Council.

(2) The Registrar shall keep the register correct as far as possible and may from time to time enter therein any material alteration on the address or qualification of the registered practitioners. The names of registered practitioners who die or whose names are directed to be removed from the register under Section 16 shall be removed from the register.

(3) The State Government may direct that any alteration in the entries as respects additional qualifications shall not be made except on payment of such fee as may be prescribed by it in that behalf.

### **14. Persons entitled to be registered :-**

(1) Subject to the provisions of this Act, every person shall, if he holds any of the qualifications included in Schedule I be entitled on application to be registered, on payment of a fee of fifteen rupees and on satisfying the Registration Officer or the Registrar, as the case may be, that he possesses the qualification entitling him for registration.

(2) Every person for the time being registered with the Veterinary Council of any other State in India under any law for the registration of veterinary practitioners in force in such State shall, if reciprocity of registration has been arranged with such Council, be entitled to be registered under this Act, on making an application in that behalf, on payment of a fee of fifteen rupees and on his informing the Registration Officer or the Registrar, as the case may be, of the date of his registration under the said law and on giving a correct description of his qualifications with the dates on which they were granted.

(3) Any person who has been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1898 (Central Act V of 1898) or in any other law for the time being in force and any person who after due enquiry has been held guilty by the Council of infamous conduct in any professional respect may be refused registration under this Act.

#### **15. Appeals and erasure of incorrect entries :-**

(1) Any person aggrieved by the decision of the Registration Officer or Registrar regarding the registration of his name or any entry in the register may appeal-

(a) against the decision of the Registration Officer, to the State Government; and

(b) against the decision of the Registrar, to the Council.

(2) An appeal shall be filed-

(a) to the State Government within thirty days from the date of publication of the first register under sub-section (4) of Section 12 and on payment of a fee of five rupees; and

(b) to the Council within ninety days from the date of communication of the decision of the Registrar and on payment of a fee of five rupees and shall be heard and decided by the Council in such manner as may be provided by regulations.

(3) The State Government in the case of the first register, and in other cases the Council, may on its own motion or on the application of any person, after due inquiry and after giving an opportunity to the person concerned of being heard, cancel or alter any entry in the register if in the opinion of the State Government or the Council, as the case may be, such entry was fraudulently or



incorrectly made.

#### **16. Removal from register :-**

(1) The Council may direct that the name of any registered veterinary practitioner who has been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1898 (Central Act V of 1898) or in any other law for the time being in force or who after due enquiry has been held guilty by the Council of infamous conduct in any professional respect, shall be removed from the register. The Council may, on sufficient cause being shown, and with the approval of the State Government, direct that the name of the practitioner so removed shall be re-entered in the register.

(2) Any person aggrieved by an order of the Council directing the removal of his name from the register under sub-section (1) may, within ninety days from the date of communication of the order appeal to the State Government.

#### **17. Renewal fee :-**

(1) Notwithstanding anything contained in Section 14 each registered veterinary practitioner shall pay to the Council on or before 31st day of December every year a renewal fee of two rupees for the continuance of his name on the register.

(2) Where the renewal fee is not paid before the date fixed by the Council in that behalf, the Registrar shall remove the name of the defaulter from the register:

Provided that the name so removed may be re-entered in the register on payment of the fee in such manner and subject to such conditions as the Council may, by regulations, direct.

#### **18. Certificates by veterinary practitioners :-**

No certificate required by or under any law for the time being in force from any veterinary practitioner or veterinary officer shall be valid unless the person signing the same shall have been registered under this Act.

#### **19. Unregistered persons not to hold certain appointments :-**

No person shall, except with the sanction of the State Government, hold any appointment for the performance of veterinary duties in any veterinary dispensary, hospital or infirmary which is not

supported entirely by voluntary contributions, or which belongs to a local authority or in any public establishment, body or institution, unless he is registered under this Act.

**20. Notice of death :-**

Every Registrar of Deaths on receiving notice of the death of a registered veterinary practitioner shall forthwith transmit by post to the Registrar a certificate under his own hand of such death with the particulars of time and place of death and may charge the cost of such certificates and transmission as an expense of his office.

**21. Publication of annual list of practitioners :-**

(1) The Registrar shall, every year, on or before the thirtieth day of June publish in the official Gazette a correct list of the names and the qualifications of all practitioners entered in the register on the first day of January of that year.

(2) A copy of the list published under sub-section (1) shall be evidence in all courts and in all judicial or quasi-judicial proceedings that the persons specified are registered according to the provisions of this Act and the absence of the name of any person from such copy shall be evidence, until the contrary is proved, that such person is not registered according to the provisions of this Act:

Provided that in the case of any person whose name does not appear in such copy a certified copy under the hand of the Registrar of the entry of the name of such person in the register shall be evidence that such person is registered under the provisions of this Act.

**22. Power of Council to call for information regarding efficiency of teaching and examinations :-**

(1) The Council shall have power to call on the governing body or other authority of any institution referred to in Schedule II granting a degree or diploma included in Schedule I or desirous of having a degree or diploma granted by it included in the said Schedule I (a) to furnish such reports, returns or other information as the Council may require to enable it to Judge of the efficiency of the instructions given therein in veterinary science; and (b) to provide all facilities to enable any member of the Council deputed by it in this behalf to inspect the institutions at the time of teaching or at the time of examinations.

(2) If the said body or authority refuses to comply with any such demand, the Government may, upon a reference by the Council and after making such further enquiry, if any, as it may think fit, by notification in the official Gazette, direct that an entry shall be made in Schedule I against the degree or diploma granted by the said body or authority that such degree or diploma shall be a qualification entitling registration only when granted before a specified date, or refuse to include in Schedule I any degree or diploma granted by any such institution.

### **23. Disposal of fees :-**

All moneys received by the Council as fees under this Act shall be applied for the purposes of this Act in accordance with such rules as may be made in this behalf by the State Government.

### **PART 5**

#### **Offences and Penalties**

### **24. Veterinary practitioners not registered under this Act not to sign or authenticate veterinary certificate, etc :-**

Notwithstanding anything contained in any law for the time being in force, no person other than a person registered under Part IV of this Act-

(a) shall sign or authenticate any veterinary or physical fitness certificate required by any law or rule to be signed or authenticated by a duly qualified veterinary practitioner; or

(b) shall be qualified to give evidence as an expert under Section 45 of the Indian Evidence Act, 1872 (Central Act I of 1872) on any matter relating to veterinary science.

### **25. Prohibition against addition of any title, description, etc., to name of any person unless authorised to do so :-**

No person shall add to his name any title, description, letters or abbreviations which imply that he holds a degree, diploma, licence or certificate as his qualification to practise any system of veterinary science unless-

(a) he actually holds such degree, diploma, licence or certificate; and

(b) such degree, diploma, licence or certificate is specified in Schedule I or is recognized by law for the time being in force in India or any part thereof or has been conferred, granted or issued by an authority empowered or recognised as competent by the

State Government to confer, grant or issue such degree, diploma, licence or certificate.

**26. Penalty for contravening provisions of Section 24 or 25**

**:-**

Whoever contravenes the provisions of Section 24 or 25 shall be punished in the case of a first conviction, with fine which may extend, to two hundred and fifty rupees and in the case of subsequent conviction with fine which may extend to five hundred rupees.

**28. Court competent to try offences under this Act :-**

No Court other than the Court of a Magistrate of the First Class shall take cognizance of or try an offence under this Act.

**PART 6**

**Control**

**29. Amendment of Schedules I and II :-**

(1) If it shall appear to the State Government on the report of the Council or otherwise that the course of study and examination prescribed by any institution conferring the degree or diploma specified in Schedule I are not such as to secure the possession by persons obtaining such degree or diploma of the requisite knowledge and skill for the efficient practice of their profession, it shall be lawful for the State Government to direct by notification in the official Gazette, that an entry shall be made in Schedule I against the said degree or diploma declaring that it shall be a qualification entitling registration only when granted before a specified date.

(2) If it shall appear to the State Government, on the report of the Council or otherwise that the course of study and examination prescribed by any institution conferring a degree or diploma not entered in Schedule I are such as to secure the possession by the persons obtaining such degree or diploma of the requisite knowledge and skill in the efficient practice of their profession, it shall be lawful for the State Government by notification in the official Gazette, to amend Schedule I so as to include such degree or diploma and any such notification may also direct that an entry shall be made against such degree or diploma declaring that it shall be a qualification entitling a person to be registered under this Act only when granted after a specified date. Such notification may also direct the amendment of Schedule 11 by the inclusion therein of

the name of the institution granting such degree or diploma.

**30. Directions by the State Government and dissolution of the Council :-**

(1) The State Government may give to the Council such directions as may be necessary for carrying out the purposes of this Act, and it shall be the duty of the Council to comply with such directions. If the Council fails to comply with the directions so given the State Government may direct the carrying out of such directions and the expenditure incurred in carrying out of such directions and the expenditure incurred in carrying them out shall be paid out of the moneys credited to the Council.

(2) If at any time it shall appear to the State Government that the Council or any other authority has not been validly constituted or appointed under this Act, the State Government may direct that the powers to be exercised or duties or functions to be performed by the Council or such authority shall, notwithstanding anything contained in this Act, be exercised or performed by such officer or authority, in such manner and for such period as the State Government deems fit.

(3) If, at any time, it shall appear to the State Government 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 3.

**PART 7**

**Miscellaneous**

**31. Indemnity to persons acting under this Act :-**

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, rules or regulations.

### **32. Jurisdiction of Civil Courts :-**

No act done in the exercise of any power conferred by or under this Act by the State Government or the Council or the Registrar or any other officer shall be questioned in any Civil Court.

### **33. Rules and regulations :-**

(1) The State Government may, after previous publication, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) The Council may, with the previous sanction of the State Government, make regulations not inconsistent with this Act or the rules made under sub-section (1) for all or any of the following matters, namely:-

(a) the time at which and the place and manner in which election of the members of the Council shall be held under Section 5;

(b) the time and place at which the Council shall hold its meeting and the manner in which such meeting shall be summoned under Section 7;

(c) the manner in which appeals against the decisions of the Registrar shall be filed, heard and decided by the Council under Section 15;

(d) the manner in which and the conditions subject to which the name of a veterinary practitioner shall be re-entered in the register on payment of renewal fee under Section 17.

(3) All regulations shall be published in the Official Gazette.

(4) The State Government may, by notification in the Official Gazette, cancel or alter any regulation.

(5) Every rule made under this Act, shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule 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.

### **34. Repeal :-**

The Bombay Veterinary Practitioners Act, 1953 (Bombay Act LXVIII of 1953), as in force in the Bombay Area is hereby repealed.

#### SCHEDULE 1

#### SCHEDULE

<b>SCHEDULE I</b>	
<b>[See sections 14, 22, 25 and 29]</b>	
<b>(QUALIFICATIONS)</b>	
<b>Abbreviations for purposes of Registration</b>	
1. Bachelors of Veterinary Science, University of Madras	... B.V.Sc
2. Graduates of Madras Veterinary College	... G.M.V.C.
3. Bachelors of Veterinary Science, University of Bombay	... B.Sc. (Vet.)
4. Graduates of the Bombay Veterinary College, Bombay	... G.B.V.C.
5. Licensed Veterinary Practitioners, Punjab	... L.V.P.
6. Graduates of the Bengal Veterinary College, Calcutta	... G.V.Sc.
7. Graduates of the Bihar Veterinary College, Patna	... G.B.V.C.
8. Graduates of Veterinary Science, Assam Veterinary College, Gauhati	... G.V.Sc. & A.V.C. (Gauhati)
9. Bachelors of Veterinary Science, University of Karnataka	... B.V.Sc.
10. Bachelors of Veterinary Science, Sri Venkateswara University, Tirupathi	... B.V.Sc.
11. Bachelors of Veterinary Science, University of Kerala	... B.V.Sc.
12. Bachelors of Veterinary Science, Osmania University	... B.V.Sc.
13. Bachelors of Veterinary Science and Animal Husbandry, U.P. College of Veterinary Science and Animal Husbandry, Mathura, Uttar Pradesh	... B.V.Sc. & A.H.
14. Bachelors of Veterinary Science and Animal Husbandry, University of Vikram, Ujjain	... B.V.Sc. & A.H.
15. Bachelors of Veterinary Science and Animal Husbandry, University of Rajasthan	... B.V.Sc. & A.H.
16. Bachelors of Veterinary Science, University of Bengal, Calcutta	B.V.Sc.
17. Bachelors of Veterinary Science, University of	... B.V.Sc.

17. Bachelors of Veterinary Science, University of Punjab, College of Veterinary Science and Animal Husbandry, Hissar, Punjab	
18. Bachelors of Veterinary Science, University of Bihar, Patna	... B.V.S.C.
19. Bachelors of Veterinary Science, Utkal University, Orissa	... B.V.S.C.
20. Bachelors of Veterinary Science, Saugar University	... B.V.S.C.
21. Members of the Royal College of Veterinary Surgeons, London	... M.R.C.V.S.
22. Doctors of Veterinary Medicine or Bachelors of Veterinary Science of Universities in countries of Commonwealth other than United Kingdom	
23. Doctors of Veterinary Medicine of Universities in the United States of America	

## SCHEDULE 2

### SCHEDULE

#### **SCHEDULE II**

**[See Sections 22 and 29]**

#### **(INSTITUTIONS)**

1. Bengal Veterinary College, Calcutta.
2. Bihar Veterinary College, Patna
3. Bombay Veterinary College, Parel, Bombay
4. Uttar Pradesh College of Veterinary Science and Animal Husbandry, Mathura, Uttar Pradesh
5. College of Veterinary Science and Animal Husbandry, Hissar, Punjab
6. Veterinary College, Gauhati, Assam



7. College of Veterinary Science and Animal Husbandry, Hyderabad, Andhra Pradesh

8. Madras Veterinary College, Madras

9. Veterinary College, Jabbalpur, Madhya Pradesh

10. Karnataka Veterinary College, Hebbal, Bangalore-6

11. Andhra Veterinary College, Thirupathi, Andhra Pradesh

12. Kerala Veterinary College, Trichur, Kerala

13. College of Veterinary Science and Animal Husbandry, Mhow, Madhya Pradesh

14. Veterinary College, Bikaner, Rajasthan

15. Veterinary College, Cuttack, Orissa