

MAHARASHTRA VACCINATION ACT, 1964

' of

[1st October, 1964]

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MAHARASHTRA VACCINATION ACT, 1964

' of

[1st October, 1964]

An Act to consolidate and amend the law relating to vaccination and to provide for compulsory vaccination and revaccination in the State of Maharashtra. WHEREAS it is expedient to consolidate and amend the law relating to vaccination, and to provide for compulsory vaccination, and in certain circumstances for compulsory revaccination, in the State of Maharashtra; It is hereby enacted in the Fifteenth year of the Republic of India as follows, namely

CHAPTER 1

Preliminary

1. Short title extent and commencement :-

(1) This Act may be called the MAHARASHTRA VACCINATION ACT, 1964

(2) It extends to the whole of the State of Maharashtra.

(3) It shall come into force on such date]2 as the State Government may, by notification in the Official Gazette, appoint.

2. Power to suspend Act :-

The State Government may, by notification in the official Gazette, suspend the operation of all or any of the provisions of this Act in the whole of the State or any part thereof for such period as may be specified in such notification.

3. Definitions :-

In this Act, unless the context requires otherwise, -

(a) "adult person" means a person who is not a child;

(b) "animal lymph" means a vaccine taken from any animal specified in this behalf by the State Government;

(c) "appointed day" means the date on which Act comes into force;

(d) "Chief Superintendent of Vaccination "or" Chief Superintendent" means the Chief Superintendent appointed or deemed to have been appointed under Section 4 ;

(e) "child" means a person who has not completed eighteen years of age;

(f) "guardian" means any person to whom the care, nature or custody of any child falls by law or by natural right or recognized usage, or who has accepted or assumed the care, nature or custody of any child, or to whom the care or custody of any child has been entrusted by any authority lawfully authorised in that behalf;

(g) "parent" means, in the case of a legitimate child, the father or the mother, and, in the case of an illegitimate child, the mother only;

(h) "prescribed" means prescribed by rules;

(i) "public vaccinator" means any vaccinator appointed under Section 6 ;

(j) "registered medical practitioner" means a medical practitioner registered or deemed to be registered under -

(i) the Bombay Medical Act, 1912;

(ii) the Central Provinces and Berar Medical Registration Act, 1916;

(iii) the KARNATAKA MEDICAL REGISTRATION ACT, 1961 ;

(iv) the Medical Council Act, 1956 , or

(v) the Maharashtra Medical Practitioners Act, 1961 and possessing any of the qualifications specified in Part A, Board or D of the Schedule to that Act;

(k) "Registrar of Births" or "Registrar" means any officer or other person or authority whose duty it is, -

(i) under any law for the time being in force; or

(ii) under any bye-law or rule having the force of law, to register births;

(l) "register" and "registration" refer to register and registration in pursuance of any law, bylaw or rule referred to in clause (k);

(m) "revaccination" means vaccination of a person who has been successfully vaccinate previously;

(n) "rules" means rule made under Section 34 ;

(o) "Superintendent of Vaccination " or "Superintendent " means the officer appointed as such under Section 7 :

Provided that, in a vaccination area no superintendent has been appointed, reference to Superintendent in Sections 22 and 24, shall be construed as reference to the Chief Superintendent for such Vaccination area;

(p) "Unprotected child" or "unprotected adult [person "means a child to an adult person, as the case may be -

(i) who has not had small -pox,. Either naturally or by inoculation ;
or

(ii) who has not been successfully vaccinated or

(iii) who has not been certified or deemed to be certified under this Act or any other law for the time being in force to be insusceptible to vaccination.

(q) "vaccination circle" or "circle" means one of the circles into which a vaccination area is divided under Section 5 ;

(r) "vaccination station" or "station" means vaccination station

established under Section 5

(s) "Vaccinator" means -

(i) a public vaccinator appointed under Section 6 by the Chief Superintendent of Vaccination;

(ii) a registered medical practitioner; or

(iii) a medical practitioner to whom a vaccinators licence is issued under Section 9 .

CHAPTER 2

Establishment

4. Appointment of Chief Superintendents of Vaccination and vaccination area under their control :-

(1) With effect from the appointed day, -

(a) in relation to the limits of -

(i) the Municipal Corporation of Greater Bombay, the Municipal Commissioner for Greater Bombay;

(ii) the Municipal Corporation of a City constituted under the Bombay Provincial Municipal Corporations Act, 1949 the Municipal Commissioner for that City;

(iii) the Municipal Corporations of the City of Nagpur, the Municipal Commissioner for the City of Nagpur;

(iv) A Zilla Parishad the Chief Executive officer of for that Zilla Parishad; and

(v) a Municipal Borough, District Municipality, Municipal Committee, Town Committee or Notified Area Committee, the Chief Executive Officer (by whatever name called for the local authority concerned.) shall, for the purpose of this Court, be deemed to be appointed Chief Superintendent of Vaccination; and

(b) in relation to the limits of a Cantonment Board, the State Government shall, by notification in the Official Gazette, appoint such person to be Chief Superintendent of Vaccination for the purposes of this Act as may be specified in the said notification.

(2) The local areas under their respective jurisdiction shall be deemed to be the vaccination areas under the control of the relevant Chief Superintendents.

5. Division of vaccination area and establishment of public vaccination stations :-

- (1) Subject to rules made in this behalf, every Chief Superintendent of Vaccination shall divide the vaccination area under their control into such number of vaccination circles and establish in each circle such number of public vaccination stations and at such places, as he may consider necessary.
- (2) The limits of each circle and the location of each public vaccination station so established, shall, from time to time, be notified in the prescribed manner.

6. Appointment of public vaccinators :-

- (1) The Chief Superintendent shall appoint for each vaccination circle, such number of public vaccinators as he may consider necessary and notify in the prescribed manner the days and hours fixed by him for their attendance at each station.
- (2) No person shall be appointed a public vaccinator unless he possesses such qualification or certificate or satisfies such conditions, as may be prescribed.

7. Appointment of Superintendents of Vaccination and Assistant Superintendents of Vaccination :-

- (1) The Chief Superintendent may, if he consider it necessary, and shall, if so required by the State Government appoint Superintendent of Vaccination and such number of Assistant Superintendent of Vaccination to assist the Superintendent for the purpose of general control over and inspection of all the proceedings of the public vaccinators in such number of circles as the Chief Superintendent may deem fit to keep under the control of the Superintendents.
- (2) Each Superintendent and Assistant Superintendent shall perform such duties as may be prescribed by or under this Act, or as may from time to time be required by the Chief Superintendent

8. Public vaccinator to live within his circle :-

Every public vaccinator, unless especially permitted by the Chief Superintendent to reside elsewhere shall reside within the vaccination circle for which he is appointed, and shall cause his name, with the addition of the words "Public Vaccinator for the circle of..." to be posted in some conspicuous place on or near the

outer door of his dwelling house, and of every public vaccination station in his circle.

9. Issue of vaccinators licence to certain medical practitioners :-

The Chief Superintendent of Vaccination may, subject to the rules made in this behalf, and on application and payment of a prescribed fee issue a vaccinator's licence in the prescribed form to a medical practitioner, other than a registered medical practitioner.

10. Unprotected adults and children to be vaccinated :-

(1) Every unprotected adult person who has not been successfully vaccinated, shall get himself vaccinated by a vaccinator -

(a) If, he is residing, on the appointed day, within the limits of a vaccination area within a period of six months, after that day)or such further period not exceeding twelve months in the aggregate as the State Government may by notification in the official Gazette specify), and

(b) if he enters any such area after the appointed day. Within a period of three months from the date of his entry in that area or the period referred to in clause (a), whichever is later.

(2) It shall be the duty of a parent of an unprotected child who has not been successfully vaccinated, (or in the case of such child in the care of a guardian, of the guardian of the child) and who is born within the limits of a vaccination area, or who is brought within such limits to reside whether temporarily or permanently, To take the child or cause it to be taken to a vaccinator to be vaccinated within the relevant time limits hereinafter specified, that is to say, - in the case of

(a) a child living on the appointed day within the said limits-

(i) if on such day the child is less than three months old within six months after its birth; or

(ii) if on such day the child is three months or more than three months old within three months from such day;

(b) a child brought after the appointed day within the said limits -

(i) if the child is less than three months old - within six months after its birth; or

(ii) if the child is three months or more than three months old within three months of this arrival in the said limits;

(c) a child born after the appointed day within the said limits within six months after its birth.

11. Action to be taken by a vaccinator when an unprotected child is brought for vaccination :-

(1) When a child is brought to a vaccinator for the purpose of vaccination, or a vaccinator attend a child at its residence, he shall first ascertain whether the child has had small-pox, either naturally or by inoculation and, on being satisfied that he has had small-pox, he shall forthwith deliver to the parent or guardian of such child a certificate of insusceptibility, in the prescribed form under his signature; and the parent or guardian of such child shall not henceforth be required to cause the child to be vaccinated.

(2) If the child has not had small-ox already the vaccinator shall examine the child, and if after such examination he is of opinion that

(a) the child is in a fit state of health to be vaccinated, he shall, with all reasonable despatch but subject to the conditions prescribed by or under this Act, vaccinate the child; or

(b) the child is not in a fit state of health to be vaccinated, he shall forthwith, deliver to the parent or guardian of such child a certificate of unfitness for vaccination in the prescribed form under his signature.

(3) The certificate of unfitness for vaccination aforesaid, shall remain in favour for two months only from the date on which it is delivered, but shall be renewable for successive periods of two months, if the child continues to be in an u fit state of health for vaccination. On or before the date of the expiry of the period of the certificate or the renewed certificate, as the case may be, the parent or guardian, shall take the child or cause the child to be taken to a vaccinator, who shall then recommendations-examine the child, and if the child is still not in a fit state of health to be vaccinated, renew the certificate for a further period of two months; otherwise he shall with all reasonable despatch, vaccinate the child.

12. Inspection after vaccination and further action in case

of unsuccessful vaccination :-

(1) When a vaccinator vaccinates a child, he shall deliver to its parent or guardian a memorandum, in the prescribed form, requiring such parent or guardian to bring the child to him at a reasonable hour on the same day in the week following immediately after the day on which the vaccination is performed, for the purpose of inspecting and ascertaining the result of the vaccination.

(2) If on such inspection, the vaccinator is satisfied that the vaccination has been successful, he shall deliver to the parent or guardian a certificate of successful vaccination, in the prescribed form.

(3) If on such inspection, the vaccinator is satisfied that the vaccination is not successful, such parent or guardian shall, if the vaccinator so directs, cause the child to be forthwith again vaccinated; and thereafter, the procedure specified in Sub-Section (1) shall be followed for a second time.

(4) The procedure specified in Sub-Section (3) shall, in the event of the vaccination being unsuccessful on the second occasion, be followed for a third and last time.

(5) If the vaccinator finds that the vaccination of a child is unsuccessful for the third time, and the child is insusceptible of successful vaccination, he shall deliver to the parent or guardian of such child a certificate of insusceptibility to successful vaccination in the prescribed form under his signature, and the parent or guardian of such child shall not henceforth be required to cause the child to be vaccinated.

13. Public vaccinator may be called at residence of child :-

If a child, or its parent or guardian is not in a fit state of health to be taken to, or to go to, a public vaccination station for vaccination or inspection, the parent or guardian may, on payment of such fee as may be prescribed, require a public vaccinator to attend the child at its residence for the purpose of vaccination or, as the case may be, inspection.

14. Sections 11, 12 and 13 apply for purpose of vaccination of unprotected adults also :-

The provisions of Sections 11, 12 and 13 shall mutatis mutandis apply for the purpose of the vaccination of an unprotected adult

person, but the adult person concerned shall himself be liable to comply with those provisions and to be punished for any contravention thereof. Vaccination or revaccination during epidemic

CHAPTER 3

vaccination or revaccination during epidemic

15. Whenever there is danger of outbreak of small-pox epidemic, vaccination or revaccination, as the case may be, to be done within specified period :-

(1) If at any time, the State Government is satisfied that any local area is visited by, or is threatened with, an outbreak of smallpox epidemic, the State Government may, by notification in the official Gazette, declare such area to be an area of compulsory protection from small-pox.

(2) While such declaration is in force, it shall be the duty of every adult person, and, in the case of every child above the age of six months, of its parent or guardian, residing in or entering such area, to get himself or such child (if unprotected) vaccinated or (if not unprotected) revaccinated, as the case may be, in accordance with the provisions of this Act, within such period as may be specified in such notification:

Provided that, if in respect of an adult person or a child, -

(a) a certificate of insusceptibility is issued under Sub-Section (1) of Section 11 or under any other law for the time being in force; or

(b) a certificate of insusceptibility to successful vaccination is issued under Sub-Section (5) of Section 12 or under any other law for the time being in force; or

(c) a certificate of successful vaccination or of revaccination is issued under this Act or any other law for the time being in force, not earlier than six months immediately preceding the date of publication of such notification in the official Gazette; [or

(d) the individual fulfills such conditions as may be prescribed for the prevention of his being a source of infection to other persons, including condition which require steps to be taken for quarantine or isolation during any period, or require that his visit to the area of compulsory protection does not exceed the prescribed period at any time so that he is not likely to be a source of infection, or that he fulfils any other conditions which in the opinion of the State

Government ensures the protection of other persons from infection. Such adult person or child shall not be required to be vaccinated or revaccinated, as the case may be.

(3) When an adult person or child comes to or is brought before a vaccinator, or a vaccinator attends at the residence of such person or child, for the purpose of revaccination, the provisions of Sections 11 and 13 shall mutatis mutandis apply. When a vaccinator revaccinates an adult person or a child, he shall deliver to such person, or to the parent or guardian of such child, as the case may be, a certificate of revaccination in the prescribed form.

16. Special provisions for convicts and others in jails, etc :-

Subject to such rules as the Inspector General of Prisons, with the sanction of the State Government, may make in this behalf, and to such exemptions as the State Government may. From time to time, by either a general or special order authorise, every person confined in any of the cases hereinafter mentioned, whatever the age or This portion was substituted for the words "such adult person or child, as the case may be, shall not be required to be revaccinated" by Mah. 1 of 1969, sec. 2 sex of such person, and whether such person consents or not, shall be vaccinated or revaccinated; that is to say, in the case of every person in respect of whom -

(a) imprisonment for more than one month has been awarded as part of the substantive sentence of a criminal Court; or

(b) a criminal Court has directed imprisonment, in default of payment of fine for a term which,. If the fine be not sooner paid, will exceed one month; or

(c) a Court or magistrate has directed imprisonment for failure to give security for good behaviour for a term which, if security be not sooner given, will exceed one month; or

(d) an order has been made under either S.466 of code of Criminal procedure, 1898 or S.471 of Code of Criminal Procedure, 1973 for the detention of the accused in a lunatic asylum.

17. No fee to be accepted for vaccination or revaccination at a public vaccination station or for certificates :-

No public vaccinator shall accept, or obtain, or agree to accept, or attempt to obtain, for himself or for any other person, any fee or other remuneration for any certificate delivered under this Act, or

the rules made thereunder, to for any vaccination or revaccination done by him in pursuance of this Act at a public vaccination station:

Provided that, it shall be lawful for a public vaccinator to accept, for vaccinating or revaccinating a child or an adult person, by request of the parent or guardian of such child or of such adult person, elsewhere than at a public vaccination station, a fee not exceeding such maximum amount as may be prescribed.

CHAPTER 4

Record of Vaccination

18. Registrar to give notice of requirement of vaccination :-

(1) Whenever in a vaccination area a Registrar of Births registers the birth of any child, he shall forthwith deliver to the person giving information of such birth, a notice in the prescribed form, and shall attach thereto forms of certificates required to be issued by a vaccinator under this Act.

(2) The Registrar shall enter in a book to be kept by him in the prescribed form, minutes of all notices issued by him under Sub-Section (1).

19. Duplicates of all certificates to be forwarded to Registrar :-

(1) Within twenty-one days after the delivery of any certificate under Section 11 or Section 12 or Section 14 read with Section 11 or Section 12 , the vaccinator or other officer who delivered such certificate shall forward a duplicate thereof.

(a) if the place of birth of the person in whose respect such certificate was issued can be ascertained, to the Registrar of Births of such place; or

(b) in any other case, to the Registrar of the place where the person was vaccinated or presented for vaccination.

(2) On receipt of a duplicate of any certificate referred to in Sub-Section (1), the Registrar shall register such duplicate in the book specified in Sub-Section (2) of Section 18 .

20. Registrar to keep duplicate register of births with entries concerning vaccination :-

Every Registrar shall keep a duplicate of the register of births which it is his duty to keep under the provisions of any law for the time

being in force in the State, with such columns added thereto as the State Government may from time to time direct, and record in the register the date of every duplicate certificate of successful vaccination or of insusceptibility, as the case may be, received by him under Section 19 concerning any person and make an entry in the duplicate register to the effect that the person has been vaccinated or revaccinated, or is insusceptible of vaccination, as the case may be.

21. Register of postponed vaccinations to be kept by Registrar :-

Every Registrar shall keep a register of vaccinations postponed under Section 11 or Section 14 , in the prescribed form, and record therein -

(a) the name of every person in whose respect he receives a duplicate of the certificate of unfitness for the purpose of vaccination:

(b) the date of such certificate ;

(c) the date of every renewed certificate of unfitness received, if any; and

(d) the number and year of the entry, if any, in the register of births in which the birth of such person has been registered.

22. Return to be forwarded to Superintendent :-

Every Registrar in a vaccination area shall forward, on the first day of every months, to the Superintendent concerned a return in the prescribed form, of all cases in which duplicate certificates have not been received by him under Section 19 .

CHAPTER 5

Offences, Penalties and Prosecutions

23. Punishment for certain offences :-

(1) Whoever contravenes, or fails to comply with any provisions of, or any requisition made under:-

(a) clause (1) or (2) of Section 10 ;

(b) sub-Section (3) of Section 11 ;

(c) sub-Section (1), (3) or (4) of Section 12 ;

(d) Section 14 read with relevant provisions of Section 11 or

Section 12 ; or

(e) Sub-Section (2) of Section 15 or Sub-Section (3) thereof read with relevant provisions of Section 11, shall, on conviction, be punished with fine which may extend to one hundred rupees; and if such contravention or failure to comply is continued after such conviction, with an additional fine which may extend to five rupees for each day on which such contravention or failure is continued.

(2) Any public vaccinator who contravenes any provisions of-

(a) Section 17 shall, on conviction, be deemed to have committed an offence punishable under S.161 of the Indian Penal Code, 1860;

(b) Sub-Section (1) of Section 19 shall, on conviction, be punished with fine which may extend to one hundred rupee.

24. Action where a child is believed to be unprotected :-

(1) If a Superintendent of Vaccination has reason to believe that in the vaccination area under his control any child above the age of six months is an unprotected child, he shall give in the prescribed manner to the parent or guardian of such child a notice in the prescribed form and shall within such time as may be specified in the notice, require such parent or guardian to get the child vaccinated.

(2) If within the time specified in the notice such child is not vaccinated, the Superintendent shall report the matter to any Executive Magistrate not below the rank of a Taluka Magistrate having jurisdiction. The Magistrate receiving such report may -

(a) summon the parent or guardian of such child to appear with the child before him, or

(b) where he is satisfied that such parent or guardian has no fixed place of abode, issue a warrant for his arrest and production before him.

(3) If at the expiration of the time specified in the order made under Sub-Section (2), the child is not vaccinated or is not shown to be then unfit to be vaccinated, or to be insusceptible of vaccination, the person upon whom such order is made shall, unless he can show to the Magistrate some reasonable ground for his omission to carry the order into effect, on conviction, be punished with fine which may extend to fifty rupees.

(4) If the Magistrate is of opinion that the person is improperly brought before him, and if he refuses to make an order under Sub-Section (2) for the vaccination of the child, he may order the information to pay such person such sum of money as he shall consider a fair compensation for his expenses and loss of time in attending before the Magistrate.

(5) If any parent or guardian intentionally omits to produce a child whom he has been summoned to produce under Sub-Section (2), he shall, on conviction, be punished with simple imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(6) The provisions of Sub-Sections (1) to (5) shall mutatis mutandis apply for the purposes of

(a) vaccination of an unprotected adult person; and

(b) re-vaccination of any person, required to be performed under the provision of this Act.

25. Penalty for not delivering certificate :-

Whenever a vaccinator is required to deliver to any parent, guardian or adult person, as the case may be, any certificate under this Act and such vaccinator neglects so to deliver the certificate, he shall, on conviction, be punished with fine which may extend to fifty rupees.

26. Penalty for making or signing false certificates :-

Whoever willfully signs, or makes or procures the signing or making of, a false certificate or duplicate under this Act, shall, on conviction, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

27. Prohibition of inoculation :-

(1) No person shall produce, or attempt to produce, in any person, by inoculation with various matter or by willful exposure to various matter or to anything impregnated therewith, or willfully by any other means produce the disease of small-pox in any person.

(2) Whoever contravenes the provisions of Sub-Section (1) shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred rupees, or with both.

28. Court competent to try offences under this Act and cognizance of offences :-

(1) No Court other than the Court of a Presidency Magistrate or a Magistrate of the First Class, shall take cognizance of or try any offence under this Act.

(2) No Court shall take cognizance of any offence under this Act, unless the prosecution is instituted by order of or under authority from a Taluka Magistrate, the Chief Superintendent of Vaccination or a Superintendent of Vaccination.

29. Prosecution for neglect :-

In any prosecution for neglect to procure the vaccination of a child it shall not be necessary in support thereof to prove that the defendant had received notice from a Registrar of Births, or any officer, of the requirements of the law in this respect, but, if the defendant produces any certificate under Section 11 or Section 12, or the duplicate of the register of births or the register of postponed vaccinations kept by any Registrar as hereinbefore provided, in which such certificate is duly entered, the same shall be a sufficient defence for him, except in regard to the certificate regarding unfitness for the purpose of vaccination, when the time specified therein for the postponement of the vaccination has expired before the time when this information has been laid.

CHAPTER 6

Miscellaneous

30. Power of inspection of State Government :-

The State Government may, from time to time, direct any of its officers to supervise and inspect, the vaccination and revaccination work organised in any area, and require the Chief Superintendent for that area to follow such directions as the officer may, from time to time, give.

31. Issue of certified copies of certificates lost, etc :-

Where any of the certificates delivered under this Act to any person is lost or defaced, he shall be entitled to have, on payment of the prescribed fee, a certified copy of the certificate from the vaccinator or other officer who delivered it.

32. Supply of copies of forms, books and registers :-

The Chief Superintendent shall from time to time supply on demand -

(a) to every vaccinator copies of forms of certificates or memoranda required to be delivered under this Act and of such books or registers as the Chief Superintendent may from time to time require the vaccinator to keep; and

(b) to every Registrar of Births copies of forms of "notice and book required under Section 18 and of register of postponed vaccinations under Section 21 .

33. Annual return to be made of the number of children vaccinated, etc :-

It shall be the duty of every Registrar of Births in a vaccination area to show in any annual general abstract of births prepared by him the number of children successfully vaccinate, the number whose vaccination has been postponed, and the number certified to be insusceptible of successful vaccination, during the year.

34. Rules :-

(1) The State Government may, by notification in the official Gazette, and subject to the conditions of previous publication, make rules to carry 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 division of a vaccination area into circles, the manner of notifying the limits of vaccination circles and the locations of public vaccinations stations under Section 5 , and of notifying the days and hours of attendance of the public vaccinators at the public vaccination stations under Section 6;

(b) the qualification or certificate to be required of or condition to be satisfied by a person for being appointed as a public vaccinator under Section 6 ;

(c) the duties of Superintendent and Assistant Superintendent under Section 7 ;

(d) the fee and other conditions for the issue of, and the form of, licence under Section 9 ;

(e) the forms of certificates to be delivered and the conditions subject to which a child may be vaccinated under Section 11 ;

(f) the form of memorandum and certificate under Section 12 ;

- (g) the fees to be paid to a public vaccinator under Sections 13 and 17;
- (h) the forms of certificates under Sections 14 and 15 read with other relevant provisions of this Act;
- (i) the form of notice and book under Section 18 ;
- (j) the form of register under Section 21 ;
- (k) the form of return under Section 22 ;
- (l) the form of and the manner of giving notices under Section 24 ;
- (m) the fee for certified copy of any certificate under Section 31 ;
- (n) any other matter which is to be or may be prescribed;
- (o) for the furtherance of any of the objects of this Act.

(3) Every rule made under this Section shall be laid as soon as may be after it is made before each House of the State Legislature while it is session for a total period of thirty days which may be comprised in one session 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, and notify such decision in the official Gazette, the rule shall from the date of publication of such notification 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 or omitted to be done under that rule.

CHAPTER 7

Repeal and saving provisions

35. Repeal and saving :-

On the appointed day, -

- (a) the Bombay Vaccination Act, 1877 ;
- (b) the Vaccination Act, 1880 , in its application to the Vidarbha Region of the State ;
- (c) the Bombay District Vaccination Act, 1892 , in its application to the Bombay area of the State; and
- (d) the Hyderabad Vaccination Act, 1951, in its application to the

Hyderabad area of the State ; shall stand repealed ;

Provided that; such repeal shall not affect -

(i) the previous operation of any enactment so repealed;

(ii) any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed;

(iii) any penalty or punishment incurred in respect of any offence committed against any enactment so repealed

(iv) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty or punishment may be imposed as if this Act had not been passed:

Provided further that, subject to the preceding proviso, anything done or any action taken (including any appointment or delegation made, notice given, certificate issued, book or register maintained, or licence granted), under any enactment so repealed, shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act, and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under this Act:

Provided also that, the rules and forms prescribed by or under the Bombay District Vaccination Act, 1892, and in force on the appointed day, shall in so far as they are not inconsistent with the provisions of this Act, be deemed to be the rules made under Section 16 or Section 34 of this Act, as the case may be, for the whole of the State with effect from that date.