

**Madras Registration Of Practitioners Of Integrated Medicine
Act, 1956**

27 of 1956

[28 November 1956]

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PREAMBLE

An Act to provide for the registration of practitioners of integrated medicine in the State of Madras.

Whereas it is expedient to provide for the registration of practitioners of integrated medicine in the State of Madras;

Be it enacted in the Seventh Year of the Republic of India as follows:--

1. For Statement Of Objects and Reasons, see Fort St. George

Gazette-, Part IV-A, Extraordinary, dated the 1st October 1956, page 207.

1. Short title and extent :-

(1) This Act maybe called the Madras Registration of Practitioners of Integrated Medicine Act, 1956.

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

2. Definitions :-

In this Act, unless the context otherwise requires--

(a) "Board" means the Board of Integrated Medicine, Madras, constituted under this Act;

(b) "Government" means the State Government;

(c) "indigenous medicine" means one or all of the three systems of medicine, that is, Ayurveda, Siddha and Unani systems of medicine;

(d) "integrated medicine" means a conjoint study, training and practice in indigenous medicine and modern medicine;

(e) "modern medicine" means modern scientific medicine including surgery and obstetrics;

(f) " practitioner " means a practitioner of integrated medicine;

(g) "register " means the register of practitioners maintained under this Act;

(h) "registered practitioner" means a practitioner whoso name is for the time being entered in the register.

3. Constitution of Board :-

(1) The Government shall, by notification, constitute a Board to be called " The Board of Integrated Medicine, Madras ".

(2) The Board shall be a body corporate, shall have perpetual succession and a common seal and shall, by the said name, sue and be sued.

(3) The Board shall consist of--

(a) four members elected from among themselves by the registered practitioners holding the diploma of Graduate of the College of Integrated Medicine granted by the Board of Examiners in Integrated Medicine;

(b) four members elected from among themselves by the registered practitioners holding the diploma of Licentiate in Integrated Medicine granted by the Board of Examiners in Integrated

Medicine;

(c) one member elected from among themselves by such members of the staff of the College of Integrated Medicine as are registered practitioners;

(d) six members nominated by the Government:

Provided that pending the preparation of registers, the Government may nominate to the first Board members referred to in clauses (a), (b) and (c) above out of persons who are eligible for registration in the respective registers, and such persons shall hold office for such period as the Government may, by notification, appoint.

(4) In the event of the requisite number of members not being elected under any of the clauses (a), (b) and (c) of sub-section (3), the Government may fill up the vacancies by nominating the required number of registered practitioners. Every practitioner so nominated shall be deemed to be a member duly elected.

(5) Nominations under sub-section (4), or clause (d) of sub-section (3) shall be so made, as to give, as far as possible, proper representation to the different systems of integrated medicine,

(6) The President of the Board shall be elected by the members of the Board from among themselves in the prescribed manner:

Provided that for a period of four years from the date of the constitution of the Board under this Act, the President shall be a person nominated by the Government and if he is not already a member of the Board, shall be *ex-officio* member of the Board in addition to the members specified in sub-section (3):,

Provided further that the President so nominated shall not be removed from office except by or under the orders of the Government.

4. Privileges of Registered Medical Practitioners :-

(1) Notwithstanding anything to the contrary contained in any enactment, rule, by-law or any other provision of law--

(a) a certificate required by law to be given by a medical practitioner shall be valid if it is signed by a registered practitioner; and

(b) the expression "legally qualified medical practitioner" or "duly qualified medical practitioner" or any word or expression importing reference to a person recognized bylaw as a medical practitioner or as a member of the medical profession shall, in all Acts of the Legislature of the State of Madras and in all Central Acts in their application to the State of Madras in so far as such Acts relate to

any of the matters specified in List II or List III in the Seventh Schedule to the Constitution, be deemed to include a registered practitioner.

(2) Except with the sanction of the Government, no one other than a registered practitioner shall be competent to hold any appointment as physician, surgeon or other medical officer in any hospital, dispensary, asylum, infirmary or lying-in-hospital of indigenous or integrated medicine, maintained or aided by the Government or a local authority or both and not supported entirely by voluntary contributions.

(3) Notwithstanding anything contained in sub-section (2) of section 4 of the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), all registered practitioners shall be competent to hold any appointment as physician, surgeon or other medical officer in institutions of modern medicine or as Medical Officer of Health, which are open to registered practitioners as defined in the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), and subject to such conditions as may be prescribed.

5. Acts of Board, etc.. not invalid by reason of defect in constitutor etc :-

(1) No act of the Board or of any person acting as President or member of the Board shall be deemed to be invalid by reason only of any defect in the constitution of the Board or on the ground that the President or member of the Board 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 having been done during the period of any vacancy in the office of president or member of the Board.

(2) Every meeting of the Board the minutes of the proceedings at which have been signed as laid down in the rules and by-laws made under section 15 shall be deemed to have been duly convened and to be free from all defects and irregularity.

6. Registrar and other officers :-

(1) The Board shall appoint a Registrar who shall act as Secretary of the Board and who shall also act as treasurer unless the Board appoints another person as treasurer.

(2) The Board may also appoint such other officers and servants as it may deem necessary for the purposes of this Act.

(3) The Registrar or any other officer or servant appointed under

this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

7. Register :-

(1) It shall be the duty of the Registrar to keep a register of registered practitioners and, from time to time, to revise the register and publish it in the prescribed manner.

(2) The register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (Central Act I of 1872).

(3) The name of any registered practitioner who is dead or whose name is directed to be removed from the register under section 10 shall be removed from the register. For this purpose, information regarding the death of registered practitioners shall be furnished to the Registrar by such officers, in such form and in such manner, as may be prescribed.

8. Registration :-

Every person who possesses the diploma of Licentiate in Integrated Medicine; or the diploma of Graduate of the College of Integrated Medicine, granted by the Board of Examiners in Integrated Medicine, shall, on payment of a fee of fifteen rupees and on furnishing to the Registrar proof of his qualification for registration, be entitled to have his name registered in the register:

Provided that the Board may refuse to permit the registration of any person who has been convicted of any offence which, in the opinion of the Board, implies a defect of character disentitling him to be registered or who, after an inquiry at which opportunity has been given to the candidate to be heard in person or by pleader, has been held by the Board to have been guilty of professional misconduct,.

9. Entry of additional qualifications in the register :-

A registered practitioner shall, on payment of a fee of rupees five, be entitled to have entered in the register any further diplomas or degrees in integrated medicine which he may obtain.

10. Alteration of register by Board :-

(1) The Board may, if it sees fit and after giving due notice to the

person concerned and inquiring into his objections, if any, order that any entry in the register, which shall be proved to the satisfaction of the Board to have been fraudulently or incorrectly made or brought about, be cancelled or amended.

(2) (i) The Board may direct the removal altogether or for a specified period from the register of the name of any registered practitioner for the same reasons for which registration may be refused by the Board under section 8 and the proviso thereto shall apply to any inquiry under this section:

Provided that the name of a registered practitioner shall not be removed from the register on the ground of his association in any professional respect with a qualified practitioner of any other system of medicine or with an unregistered practitioner if such unregistered practitioner--

(a) possesses the qualifications necessary for being registered as a registered practitioner; and

(b) is not a person whose name the Board has refused to register under the proviso to section 8 or whose name the Board has removed from the register under this sub-section.

Explanation.--The expression "qualified practitioner" shall, for the purpose of this proviso, mean a practitioner qualified under rules made by the Government in this behalf.

(ii) The Board may also direct that any name so removed shall be restored.

(3) Nothing in sub-section (2) shall relieve a registered practitioner of any obligations or code of ethics which may be imposed upon registered practitioners generally by the Board.

(4) Any registered practitioner may make an application to the Board for the deletion of his name from the register and the Board may, on such application and subject to such rules as may be made by the Government, direct such deletion. Any such practitioner may apply for fresh registration under section 8.

11. Diploma of Indigenous Medicine deemed to be equivalent to Diploma of Integrated Medicine :-

Any person who possesses the diploma of Licentiate in Indigenous Medicine, or a diploma of Graduate of the College of Indigenous Medicine granted by the Board of Examiners in Indigenous Medicine shall be deemed to possess the diploma of Licentiate in Integrated Medicine or, as the case may be, the diploma of Graduate of the College of Integrated Medicine granted by the Board of-Examiners

in Integrated Medicine for all the purposes of this Act.

12. Jurisdiction of Civil Courts :-

No act done in the exercise of any power conferred by or under this Act on the Government or the Board or the Registrar shall be questioned in any Civil Court.

13. Control by Government :-

If at any time it shall appear to the Government that the Board has neglected to exercise or has exceeded or abused any power conferred upon it under this Act, or has neglected to perform any duty imposed upon it by this Act, the Government may notify the particulars of such neglect, excess or abuse to the Board and, if the Board fails to remedy such neglect, excess or abuse, within such time as may be fixed by the Government in this behalf, the Government may, for the purpose of remedying such neglect, excess or abuse, cause any or all of the powers and duties of the Board to be exercised and performed by such agency and for such period as the Government may think fit.

14. Penalty for falsely pretending to be a registered practitioner. Power to make rules or by-laws :-

Every person who falsely pretends to be a registered practitioner, whether any person is actually deceived by such pretence or not, shall, on conviction, be liable to be punished with fine which may extend to three hundred rupees.

15. Power to remove difficulties :-

- (1) The Government may make rules for the purpose of carrying out the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing provision such rules may provide--
 - (a) for the qualifications of the members of the Board;
 - (b) for the election of members to the Board;
 - (c) for the term of office of the elected and nominated members of the Board;
 - (d) for the circumstances in which a member of the Board shall be deemed to have vacated his seat;
 - (e) for the procedure to be followed for filling up a vacancy when the seat of any member of the Board becomes vacant;

(f) for the election of the President of the Board or of any other person presiding over the Board and the term of office of the President;

(g) for the procedure at meetings of the Board;

(h) for the institution, hearing and disposal of appeals, for the authorities competent to hold inquiries and hear appeals and the procedure to be followed in such inquiries;

(i) for the compilation and publication of the register;

(j) for the disposal of the fees received under this Act;

(k) for all matters expressly required or allowed by this Act to be prescribed.

(3) The Board may, with the previous sanction of the Government, make by-laws--

(a) for the convening of meetings of the Board;

(b) for the conduct of business at such meetings;

(c) for the appointment and control and the fixation of pay and allowances of the officers and servants referred to in section 6.

(4) The power to make rules under this Act shall be subject to the condition of previous publication.

(5) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications whether by way of repeal or amendment as the Legislative Assembly may make within fourteen days on which the Legislative Assembly actually sits either in the same session or in more than one session.