

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short
title,
extent
and
com-
mence-
ment.

1. (1) This Act may be called the Indian Veterinary Council Act, 1984.

(2) It extends, in the first instance, to the whole of the States of Haryana, Bihar, Orissa, Himachal Pradesh and Rajasthan and to all Union territories; and it shall also extend to such other States as may adopt this Act by resolution passed in that behalf in pursuance of clause (1) of article 252 of the Constitution.

(3) It shall come into force in a State or Union territory to which it extends, or may become extended in future, on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act or for different States or Union territories.

Defini-
tions.

2. In this Act, unless the context otherwise requires,—

(a) "Council" means the Veterinary Council of India established under section 3;

(b) "member" means a member of the Council;

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

(d) "President" means the President of the Council;

(e) "recognised veterinary qualification" means any of the veterinary qualifications included in the First Schedule or the Second Schedule;

(f) "register" means a register maintained under this Act;

(g) "registered veterinary practitioner" means a person whose name is for the time being duly registered in a register;

(h) "regulation" means a regulation made under this Act;

(i) "State Veterinary Council" means a Veterinary Council established under section 32 and includes a Joint State Veterinary Council established in accordance with an agreement under section 33;

(j) "veterinary institution" means any University or other institution within or without India which grants degrees, diplomas or licences in veterinary science and animal husbandry;

(k) "veterinary medicine" means modern scientific veterinary medicine in all its branches and includes veterinary surgery and obstetrics;

(l) "Vice-President" means the Vice-President of the Council.

CHAPTER II

INDIAN VETERINARY COUNCIL

Estab-
lishment
and
compo-
sition of
the
Council

3. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established a Council to be called the Veterinary Council of India.

(2) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue or be sued.

(3) The Council shall consist of the following members, namely :—

(a) five members to be nominated by the Central Government from amongst Directors of Animal Husbandry (by whatever name called) of those States to which this Act extends;

(b) four members to be nominated by the Central Government from amongst the heads of veterinary institutions in the States to which this Act extends;

(c) one member to be nominated by the Indian Council of Agricultural Research;

(d) the Animal Husbandry Commissioner, Government of India, *ex officio*;

(e) one member to be nominated by the Central Government to represent the Ministry of the Central Government dealing with animal husbandry;

(f) one member to be nominated by the Indian Veterinary Association;

(g) eleven members to be elected from amongst themselves by persons enrolled in the Indian veterinary practitioners register;

(h) one member to be nominated by the Central Government from amongst the Presidents of the State Veterinary Councils of those States to which this Act extends;

(i) one member to be nominated by the Central Government from amongst the Presidents of the State Veterinary Associations of those States to which this Act extends;

(j) Secretary, Veterinary Council of India, *ex officio*.

(4) The President and Vice-President shall be elected by the members from amongst themselves in such manner as may be provided by regulations.

(5) Whenever there is a vacancy in the office of the President, the Vice-President shall discharge the functions of the President.

(6) The names of persons nominated or elected as members shall be notified by the Central Government in the Official Gazette.

(7) A person shall not be qualified for nomination or election to the Council unless he holds a recognised veterinary qualification.

4. (1) An election under clause (g) of sub-section (3) of section 3 shall be conducted by the Central Government in accordance with such rules as may be made by it in this behalf and any rule so made may provide that pending the preparation of the Indian veterinary practitioners register in accordance with the provisions of this Act, the members referred to in that clause may be nominated by the Central Government instead of being elected as provided therein.

(2) Where any dispute arises regarding any election to the Council, it shall be referred to the Central Government for its decision which shall be final.

Mode of
election
of
mem-
bers.

Term of
office of
President,
Vice-
President
and
members.

5. (1) The President or Vice-President shall hold office for a term not exceeding three years and not extending beyond the expiry of his term as a member.

(2) Subject to the provisions of this section, a member, other than an *ex officio* member, shall hold office for a term of three years from the date of his election or nomination to the Council or until his successor shall have been duly elected or nominated, whichever is longer.

(3) Members of the Council shall be eligible for re-nomination or re-election.

(4) Where the term of three years is about to expire in respect of any member, a successor may be nominated or elected at any time within three months before the said term expires, but, he shall not assume office until the said term has expired.

Cessation
of
member-
ship.

6. (1) A member shall be deemed to have vacated his office —

(a) if he is absent without excuse, sufficient in the opinion of the Council, from three consecutive meetings of the Council;

(b) if he ceases to hold the post from which he has been nominated;

(c) in the case of a member elected under clause (g) of sub-section (3) of section 3, if he ceases to be a person enrolled in the register;

(d) if he has been convicted of an offence involving moral turpitude and punishable with imprisonment;

(e) if he is an undischarged insolvent;

(f) if he is of unsound mind and stands so declared by a competent court.

(2) On the occurrence of a vacancy referred to in sub-section (1), the President shall forthwith report the fact of such vacancy to the Central Government and thereafter that Government may, subject to the proviso to section 7, take necessary steps to fill such vacancy.

Casual
vacan-
cies.

7. A casual vacancy in the Council shall be filled by nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected :

Provided that no such casual vacancy occurring within three months of the date of expiry of the normal term of office of a nominated or an elected member need be filled under this section.

Resigna-
tion.

8. (1) The President or Vice-President may at any time resign his office by notice in writing addressed to the Council and delivered to the Secretary and the resignation shall take effect from the date on which it is accepted by the Council or on the expiry of ninety days from the date of receipt of the resignation by the Secretary, whichever is earlier.

(2) A member may at any time resign his office by notice in writing addressed to the President and every such resignation shall take effect from the date on which it is accepted by the President or on the expiry of ninety days from the date of receipt of the resignation by the President, whichever is earlier.

9. (1) The Council shall meet at least twice in a year at such time and place as may be appointed by the Council.

Meetings
of the
Council.

(2) The quorum necessary for the transaction of business at a meeting of the Council shall be nine.

(3) The President when present shall preside at every meeting of the Council and in his absence the Vice-President and in the absence of both any other member elected by the members present from amongst themselves shall preside at such meeting.

(4) Save as otherwise provided in this Act, all questions which come up before any meeting of the Council shall be decided by a majority of the members present and voting.

(5) In the case of an equality of votes, the President shall have a casting vote.

(6) Subject to the provisions of sub-sections (1) to (5), the Council shall observe such rules of procedure in regard to transaction of business at its meetings as may be provided by regulations.

10. No act or proceeding of the Council shall be invalid by reason only of the existence of a vacancy in the Council or on account of any defect or irregularity in its constitution.

Vacancies
in the
Council
not to
invalidate
acts, etc.

11. (1) The Council may, with the previous sanction of the Central Government, appoint a Secretary (who shall also act as Treasurer unless the Council appoints any other person as Treasurer) and may appoint such other officers and employees as it may deem necessary to carry out the purposes of this Act.

Appoint-
ment of
Secretary
and
other
officers
or ser-
vants.

(2) The terms and conditions of service of the Secretary, other officers and employees appointed by the Council shall be such as may be provided by regulations.

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(3) The Secretary, officers and other employees of the Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

(4) All orders and decisions and other instruments of the Council shall be authenticated by the signature of the Secretary or any other officer of the Council duly authorised by it in this behalf.

12. (1) The Council shall appoint from among its members an Executive Committee and may constitute other Committees for such general or specific purposes as the Council considers necessary and may co-opt any person or persons specially qualified to advise on any matter to any Committee other than the Executive Committee.

Execu-
tive
Com-
mittee
and
other
Com-
mittees.

(2) A Committee constituted under this section shall meet at such time and at such places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations.

13. The President and other members and the members of the Committees (other than the members of the Council) shall be paid such fees and allowances for attending the meetings of the Council and the Committees as may be provided by regulations.

Fees and
allow-
ances.

14. (1) The Council shall furnish such reports, copies of its minutes, abstract of its accounts and other information to the Central Government as that Government may require.

Informa-
tion to be
furnished
by the