

(b) the heads of veterinary institutions, if any, in the State, *ex officio*;

(c) three members nominated by the State Government;

(d) the Director of Veterinary Services of the State (by whatever name called), *ex officio*;

(e) one member to be nominated by the State Veterinary Association, if any;

(f) Registrar of the State Veterinary Council, *ex officio*.

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

(3) A person shall not be qualified for nomination or election as a member of the State Veterinary Council unless he holds a recognised veterinary qualification.

Inter-
State
agree-
ments.

33. (1) Two or more State Governments may enter into an agreement to be in force for such period and to be subject to renewal for further periods, if any, as may be specified in the agreement to provide —

(a) for the establishment of a Joint State Veterinary Council for all participating States; or

(b) for the State Veterinary Council of one State to serve the needs of the other participating States.

(2) In addition to such matters as are in this Act specified, an agreement under this section may—

(a) provide for the apportionment between the participating States of the expenditure in connection with the State Veterinary Council or Joint State Veterinary Council;

(b) determine which of the participating State Governments shall exercise the several functions of the State Government under this Act and the references in this Act to the State Government shall be construed accordingly;

(c) provide for consultation between the participating State Governments either generally or with reference to particular matters arising under this Act;

(d) make such incidental and ancillary provisions not inconsistent with this Act as may be deemed necessary or expedient for giving effect to the agreement.

(3) An agreement under this section shall be published in the Official Gazettes of the participating States.

Composi-
tion of
Joint
State
Veteri-
nary
Coun-
cils.

34. (1) A Joint State Veterinary Council shall consist of the following members, namely :—

(a) two members elected from among themselves by veterinary practitioners registered in the register of each of the participating States;

(b) the heads of veterinary institutions, if any, in the participating States, *ex officio*;

(c) two members nominated by each participating State Government;

(d) the Director of Veterinary Services of each of the participating States, by whatever name called, *ex officio*;

(e) one nominee of the State Veterinary Associations, if any, of each of the participating States;

(f) Registrar of the Joint State Veterinary Council, *ex officio*.

(2) The names of the persons nominated or elected as members shall be notified by the State Governments in the Official Gazettes of the States.

(3) A person shall not be qualified for nomination or election as a member of the Joint State Veterinary Council unless he holds a recognised veterinary qualification.

35. Every State Veterinary Council shall be a body corporate by such name as may be notified by the State Government in the Official Gazette or, in the case of a Joint State Veterinary Council, as may be determined in the agreement, having perpetual succession and a common seal with power to acquire and hold property, both movable and immovable, and shall by the said name sue or be sued.

Incorporation of State Veterinary Councils.

36. The President of the State Veterinary Council shall be elected by the members of that Council from amongst themselves in such manner as may be prescribed.

President.

37. The election under this Chapter shall be conducted in the prescribed manner and where any dispute arises regarding any such election, it shall be referred to the State Government for its decision.

Mode of elections.

38. (1) Subject to the provisions of this section, a member of the State Veterinary Council, 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 State Veterinary Council or until his successor has been duly elected or nominated, whichever is longer:

Terms of office and of casual vacancies.

Provided that a member of the State Veterinary Council nominated under clause (c) of sub-section (1) of section 32 or clause (c) of sub-section (1) of section 34, shall hold office during the pleasure of the authority nominating him.

(2) Members of the State Veterinary Council shall be eligible for re-election or re-nomination, as the case may be.

(3) An elected or nominated member of the State Veterinary Council shall be deemed to have vacated his office—

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

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

(c) in the case of a member whose name is required to be included in any State veterinary register, if his name is removed from 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.

(4) No act done by the State Veterinary Council shall be called in question on the ground merely of the existence of any vacancy, or defect, in the establishment of, the State Veterinary Council.

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

(6) The State Veterinary Council shall observe such rules of procedure in regard to transaction of business at its meetings as may be prescribed.

Resigna-
tion.

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

(2) A member of the State Veterinary Council may at any time resign his office by notice in writing addressed to the President of the State Veterinary Council 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.

Executive
and other
Com-
mittees.

40. Subject to such conditions and restrictions as may be prescribed the State Veterinary Council may constitute an Executive Committee and other Committees for exercising any power or discharging any duty of the State Veterinary Council or for inquiring into, reporting with respect to, or advising on, any matter which the State Veterinary Council may refer to them.

Fees and
allow-
ances.

41. The President and other members of the State Veterinary Council and the members of the Committees (other than the members of the State Veterinary Council) shall be paid such fees and allowances for attending the meetings of the State Veterinary Council and the Committees as may be prescribed.

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

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

(2) The terms and conditions of service of the Registrar, and of the other officers and employees appointed by the State Veterinary Council shall be such as may be prescribed.

45 of 1860 (3) The Registrar and other officers and employees of the State Veterinary 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 State Veterinary Council shall be authenticated by the signature of the Registrar or any other officer of the State Veterinary Council duly authorised by it in this behalf.

(5) Notwithstanding anything contained in sub-section (1), for the first two years from the first constitution of the State Veterinary Council the Registrar of the State Veterinary Council shall be a person appointed by the State Government, who shall hold office during the pleasure of the State Government.

43. (1) The State Veterinary Council shall furnish such reports, copies of its minutes and of the minutes of the Executive Committee and abstract of its accounts to the State Government as the State Government may from time to time require and shall forward to the Council copies of all material so furnished to the State Government.

(2) The State Government may publish in such manner as it thinks fit any report, copy or abstract furnished to it under this section.

Information to be furnished by State Veterinary Council.

CHAPTER VII

REGISTRATION

44. (1) The State Government shall as soon as may be cause to be prepared in the manner hereinafter provided a register of veterinary practitioners to be known as the State veterinary register for the State.

Preparation and maintenance of State veterinary practitioners register.

(2) The State Veterinary Council shall on its establishment assume the duty of maintaining the State veterinary register in accordance with the provisions of this Act.

(3) The State veterinary register shall contain the names of the persons possessing the recognised veterinary qualifications.

(4) The State veterinary register shall include the following particulars, namely:—

(a) the full name, nationality and residential address of the registered person;

(b) the date of his admission in the State veterinary register;

(c) his qualification for registration and the date on which he obtained such qualification and authority which conferred it;

(d) his professional address; and

(e) such further particulars as may be prescribed.

First
prepara-
tion of
register.

45. (1) For the purpose of first preparing the State veterinary register, the State Government shall, by notification in the Official Gazette, constitute a Registration Tribunal consisting of three persons holding recognised veterinary qualifications and shall also appoint a Registrar who shall act as Secretary of the Tribunal.

(2) The State Government shall, by the same or a like notification, appoint a date on or before which application for registration, which shall be accompanied by the prescribed fee; not exceeding twenty-five rupees, shall be made to the Registration Tribunal.

(3) The Registration Tribunal shall examine every application received on or before the appointed date, and, if it is satisfied that the applicant is qualified for registration under section 46, shall direct the entry of the name of the applicant on the register.

(4) The register so prepared shall thereafter be published in such manner as the State Government may direct, and any person aggrieved by a decision of the Registration Tribunal expressed or implied in the register as so published may, within sixty days from the date of such publication, appeal to an authority appointed by the State Government in this behalf by notification in the Official Gazette.

(5) The Registrar shall amend the register in accordance with the decisions of the authority appointed under sub-section (4) and shall thereupon issue to every person whose name is entered in the register a certificate of registration in the prescribed form.

(6) Upon the establishment of the State Veterinary Council, the register shall be given into its custody, and the State Government may direct that all or any specified part of the application fees for registration in the first register shall be paid to the credit of the State Veterinary Council.

Quali-
fications
for entry
on pre-
paration
of register.

46. A person shall be entitled, on payment of the prescribed fee not exceeding twenty-five rupees, to have his name entered on the State veterinary register if he resides in the State and if he holds a recognised veterinary qualification.

Scrutiny
of appli-
cations
for regis-
tration.

47. (1) After the date appointed for the receipt of applications for registration under sub-section (2) of section 45, all applications for registration shall be addressed to the Registrar of the State Veterinary Council and shall be accompanied by the prescribed fee not exceeding twenty-five rupees.

(2) If upon such application the Registrar of the State Veterinary Council is of the opinion that the applicant is entitled to have his name entered on the State veterinary register, he shall enter thereon the name of the applicant:

Provided that no person, whose name has under the provisions of this Act been removed from the State veterinary register of any State, shall be entitled to have his name entered on the State veterinary register of another State except with the approval of the State Veterinary Council from whose register his name was removed.

(3) Any person whose application for registration is rejected by the Registrar of the State Veterinary Council may, within three months from the date of such rejection, appeal to the State Veterinary Council.

(4) A person aggrieved by the decision of the State Veterinary Council under sub-section (3) may, within sixty days from the communication to him of such decision, appeal to the State Government.

(5) Upon entry in the State veterinary register of a name under this section, the Registrar of the State Veterinary Council shall issue a certificate of registration in the prescribed form.

48. (1) The State Government may, by notification in the Official Gazette, direct that for the retention of a name in the State veterinary register, there shall be paid in every five years to the State Veterinary Council, such renewal fee, not exceeding fifteen rupees, as may be prescribed and where such direction has been made, such renewal fee shall be due to be paid before the 1st day of April of the year to which it relates.

Renewal
fees.

(2) Where a renewal fee is not paid within the said period, the Registrar of the State Veterinary Council shall remove the name of the defaulter from the State veterinary register:

Provided that a name so removed may be restored to the said register on payment of renewal fee in such manner as may be prescribed.

(3) On payment of the renewal fee, the Registrar of the State Veterinary Council shall issue a certificate of renewal and such certificate shall be proof of renewal of registration.

49. (1) Subject to the provisions of this section, the State Veterinary Council may order that the name of any person shall be removed from the State veterinary register where it is satisfied after giving that person a reasonable opportunity of being heard and after such further inquiry, if any, as it may think fit to make—

Removal
from the
register.

(a) that his name has been entered in the State veterinary register by error or on account of mis-representation or suppression of a material fact, or

(b) that he has been convicted of an offence involving moral turpitude and punishable with imprisonment or has been guilty of any infamous conduct in any professional respect or has violated the standards of professional conduct and etiquette or the code of ethics which in the opinion of the State Veterinary Council renders him unfit to be kept in said register.

(2) An order under sub-section (1) may direct that any person whose name is ordered to be removed from the State veterinary register shall be ineligible for registration under this Act, either permanently or for such period of years as may be specified.

(3) An order under sub-section (1) shall not take effect until the expiry of three months from the date thereof or until an appeal, if any, on such order is finally disposed of whichever date is later.