

OFFICIAL GAZETTE

GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Animal Husbandry and Veterinary Services

Notification

14-2-82-AH

In exercise of the powers conferred by section 65 read with sections 36, 38, 40, 41, 42, 44, 45, 46, 47, 48, 50, 51, 52 and 54 of the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984), the Government of Goa hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Goa State Veterinary Council Rules, 1990.

(2) They shall come into force at once.

2. **Definitions.**—(1) In these rules, unless the context otherwise requires:—

(a) "Act" means the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984);

(b) "Election" or "re-election" means election or re-election to the State Council;

(c) "Form" means a Form appended to these Rules;

(d) "Government" means the Government of Goa;

(e) "Nomination" or "re-nomination" means nomination or re-nomination to the State Council;

(f) "Official Gazette" means the Official Gazette of the Government;

(g) "Registrar" means Registrar of the State Council;

(h) "Section" means a section of the Act;

(i) "State Council" means the Goa State Veterinary Council established under section 32 of the Act;

(j) "Tribunal" means Registration Tribunal for Goa State Veterinary Council established under section 45.

(2) Words and expressions used in these rules and not separately defined above shall have the same meaning as in the Act.

ELECTION TO THE STATE COUNCIL

3. **Notification for election.**—For purposes of

Government shall, by a notification published in the Official Gazette, call upon the persons enrolled in the Goa State Veterinary Register maintained under Chapter VII of the Act to elect the said members in accordance with the provisions of these rules.

4. **Preparation of the roll.**—(1) As soon as may be after the notification under rule 3 is issued, the Registrar shall prepare the roll which shall contain the name of every person whose name is entered in the register.

(2) The names of the electors shall be arranged in the order in which they are entered in the register.

5. **Publication of the roll in draft.**—The Registrar shall publish the roll prepared under rule 4 in draft by making a copy thereof, available for inspection by displaying it in the office of the State Council.

6. **Period for lodging claims and objections.**—Every claim for inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of thirty days from the date of publication of the roll in draft under rule 5 in Forms I and II respectively.

7. **Forms of claim and objection and the manner of their disposal.**—(1) Every claim in Form I shall be signed by the person who required his name to be included in the roll.

(2) Every objection in Form II to the inclusion of a name in the roll shall be preferred by a person whose name is already included in the roll and shall be countersigned by another person whose name is also included in the roll.

(3) Every such claim or objection, as the case may be, shall be examined by the Registrar who shall record his remarks thereon, following which he may either allow or reject the claim or objection:

Provided that a claim or objection shall not be rejected unless the person making it is given an opportunity of making representation against such rejection.

(4) The decision of the Registrar allowing or rejecting a claim or objection shall be final.

8. **Final publication of roll.**—(1) The Registrar shall, after disposing of the claims and objections, if any, under rule 7, prepare a list of amendments to carry out his decisions under the said rule and to carry out any clerical or printing error and other

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THE FIRST SCHEDULE

THE SECOND SCHEDULE

The Indian Veterinary Council Act, 1984

AN

ACT

to regulate veterinary practice and to provide, for that purpose, for the establishment of a Veterinary Council of India and State Veterinary Councils and the maintenance of registers of the veterinary practitioners and for matters connected therewith.

Whereas it is expedient to make provision for the regulation of veterinary practice and to provide, for that purpose, for the establishment of a Veterinary Council of India and State Veterinary Councils and the maintenance of registers of persons qualified to engage in veterinary practice for the whole of India and for matters connected therewith or ancillary thereto;

And Whereas Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution;

And Whereas in pursuance of clause (1) of article 252 of the Constitution, resolutions have been passed by all the Houses of the Legislatures of the States of Haryana, Bihar, Orissa, Himachal Pradesh and Rajasthan to the effect that the matters aforesaid should be regulated in those States by Parliament by law;

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

CHAPTER I

Preliminary

1. Short title, extent and commencement. — (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.

2. Definitions. — 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;

16. **The Poll.** — (1) If the number of duly nominated candidates for election does not exceed the number of members to be elected, the Returning Officer shall forthwith declare such candidates to be duly elected.

(2) If the number of such candidates exceeds the number of members to be so elected, the Returning Officer shall, not later than 30 days before the date appointed for the poll, send by Air Mail to every elector residing or practising abroad, and by post to every other elector within the State or outside it but within the country, a letter of intimation in Form IV together with a numbered declaration paper in Form V, a voting paper in Form VI containing the names of the candidates in alphabetical order and bearing the Returning Officer's initials or facsimile signature, a voting paper cover addressed to the Returning Officer and an outer cover also addressed to the said officer:

Provided that the voting paper and other connected papers may also be sent to any elector on his applying to the Returning Officer for the same before the date appointed for the poll, if the Returning Officer is satisfied that the papers have not been sent to him.

(3) A certificate of posting shall be obtained in respect of each such letter of intimation sent to an elector.

(4) An elector who has not received the voting and other connected papers sent to him by post or who has lost them or in whose case the papers before their return to the Returning Officer have been inadvertently spoilt, may transmit a declaration in writing to that effect and request the Returning Officer not later than 15 days before the date appointed for the poll to send him fresh papers, and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt.

(5) In every case in which such fresh papers have been issued, a mark shall be placed against the number relating to the elector's name in the electoral roll to denote that fresh papers have been issued to him.

(6) No election shall be invalid by reason of non-receipt by an elector of his voting paper and other connected papers.

(7) Each elector shall have the right to vote for as many candidates as there are seats to be filled by the election and the vote shall be non transferable.

Every elector desirous of recording his vote, after filling up the declaration paper in Form V and voting paper in Form VI according to the directions given in the letter of intimation (Form IV) enclose the voting paper in the paper cover, stick up and enclose the said cover along with the declaration paper in the outer envelope addressed to the Returning Officer, and send that outer envelope by post at the electors own cost or by hand to the Returning Officer, so as to reach him not later than the appointed time for closure of voting on the day fixed for the poll.

(9) On receipt by post or by hand of the envelope containing the declaration paper and the closed cover

(10) All envelopes received after the said day and hour shall be rejected.

17. **Opening of Cover.** — (1) The Returning Officer shall open the outer envelopes immediately after the appointed time for closure of voting on the date fixed for the poll at the place to which the envelopes are addressed to him.

(2) Any candidate may be present in person or may send a representative duly authorised by him, in writing, to be present, at the time when the outer envelopes are opened.

18. **Rejection of voting paper covers.** — (1) A voting paper shall be rejected by the Returning Officer if: —

(a) the outer envelope contains no declaration paper outside the voting paper cover; or

(b) the declaration paper is not the one sent by the Returning Officer; or

(c) the declaration paper is not signed by the elector; or

(d) the voting paper is placed outside the voting paper cover; or

(e) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope.

(2) In each case of rejection, the word "rejected" shall be endorsed on the voting paper cover and the declaration paper. The reasons for the rejection shall also be recorded in brief on the voting paper cover.

(3) After satisfying himself that the electors have affixed their signatures to the declaration papers, the Returning Officer shall keep all the declaration papers in safe custody pending disposal under rule 21.

19. **Scrutiny and Counting of Votes.** — (1) On the date appointed for the counting of votes, the voting paper covers other than those rejected under rule 18 shall be opened and the voting papers taken out and mixed together.

(2) The voting paper shall then be scrutinised and the valid votes counted.

(3) Any candidate may be present in person or may send a representative duly authorised by him, in writing, to watch the process of counting.

(4) A voting shall be invalid if: —

(a) it does not bear the Returning Officer's initials or facsimile signature; or

(b) a voter signs his name on the voting paper, or writes any word on it, or makes a mark on it by which it becomes recognisable as his voting paper; or

(c) no vote is recorded thereon; or

(d) it is void for uncertainty of the vote recorded; or

(e) the number of votes recorded thereon exceeds

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.

8. Resignation.—(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 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. Meetings of the Council.—(1) The Council shall meet at least twice in a year at such time and place as may be appointed by 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. Vacancies in the Council not to invalidate acts, etc.—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.

11. Appointment of Secretary and other officers or servants.—(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.

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

(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.

45 of 1860.

(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. Executive Committee and other Committees.—

(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.

(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. Fees and allowances.—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.

14. Information to be furnished by the Council and publication thereof.—(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.

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

15. Recognition of veterinary qualifications granted by veterinary institutions in India.—(1) The veterinary qualifications granted by any veterinary institution in India which are included in the First Schedule shall be recognised veterinary qualifications for the purposes of this Act.

(2) Any veterinary institution in India which grants a veterinary qualification not included in the First Schedule may apply to the Central Government to have such qualification recognised and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend the First Schedule so as to include such qualification therein and any such notification may also direct that an entry shall be made in the last column of the First Schedule against such veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted after a specified date.

16. Recognition of veterinary qualifications granted by veterinary institutions in countries with which there is a scheme of reciprocity.—(1) The veterinary qualifications granted by veterinary institutions outside India which are included in the Second Schedule shall be recognised veterinary qualifications for the purposes of this Act.

(2) The Council may enter into negotiations with the authority in any country outside India which by the law of such country is entrusted with the maintenance of a register of veterinary practitioners, for the setting of a scheme of reciprocity for the recognition of veterinary qualifications, and in

tered post to every member of the State Council not later than thirty days after the said meeting.

(6) The items of business on the preliminary agenda of an ordinary quarterly meeting of the State Council shall be intimated to the members by the Registrar, in writing, well in advance of the meeting and in any case not less than thirty days prior to the date fixed for the meeting.

(7) In the case of a special meeting, however, the Registrar shall, not less than seven days before the date fixed for that meeting, issue along with the notice for the said meeting the items of business on the agenda proposed for that meeting.

(8) A member who wishes to move any motion not included on the agenda for an ordinary meeting or to move an amendment to any item of agenda so included, shall give notice thereof to the Registrar, in writing, not less than fifteen days before the date fixed for the meeting. Thereafter the Registrar shall, in consultation with the President of the State Council, accommodate such a request on the final agenda for the meeting.

26. The business session. — (1) Every meeting of the State Council shall be presided over by its President when present or, in his absence, by any other member chosen by the members present from amongst themselves to preside over that meeting.

(2) The quorum necessary for transaction of business at a meeting of the State Council shall be "twenty" that is, not less than one-third of the stipulated strength of that Council.

(3) If at the time appointed for a meeting there is no quorum then the meeting shall not commence until there is a quorum, and if even at the expiry of one hour from the appointed time there is no quorum, the meeting shall stand adjourned to such future date and time in the same quarter as the President of the State Council may appoint.

(4) All questions which come up before any meeting of the State Council shall be decided by a majority of the members present and voting.

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

(6) A copy of the minutes of each meeting of the State Council, whether ordinary or special shall be submitted to its President within two days of the meeting and after being attested by him sent to each member as provided under sub-rule (5) of rule 25.

27. Executive and other Committees. — (1) The State Council may, under section 40, appoint from among its members an Executive Committee and other Committees, on the adoption of a motion to this effect, for such purposes as it may consider necessary and define the purposes and functions of such Committee in the said motion itself.

(2) The State Council may also co-opt any person or persons specially qualified to advise on any matter to any Committee other than the Executive Committee, by adopting a motion to this effect.

(3) The quorum for a meeting of the Executive

at the time of appointment of the concerned Committee and shall not be less than the simple majority of members appointed in this regard.

(4) The Executive Committee and other Committees so appointed shall report to the Registrar of the State Council on the matters referred in the motion appointing the said Committee within the time framed specified for this purpose in the said motion.

(5) Save in exceptional circumstances, no extension of time shall be given to any Committee appointed by the State Council under sub-rule (1) read with section 40.

(6) The Registrar shall place before the State Council the said report of the Committee at the next meeting of that Council.

28. Fees and Allowances to President and other Members of State Council and Members of Committees (other than members of State Council). —

(1) The President and other Members of the State Council other than the State Government officials and ex-officio Members shall, under section 41, be paid travelling allowances as applicable to Class I Officers of the Government for attending the meetings of the said Council and Committee.

(2) The Members of the Committees other than the Members of the State Council, shall also be paid likewise travelling allowances for attending the meetings of the Committees.

(3) The Government officials who are nominated by the Government and ex-officio members shall, however, be entitled for travelling and other allowances as per Government Institutions Rules from their respective offices/organisations.

(4) As regards the daily allowance for non-official members, they shall be paid amounts equivalent to those admissible to Class I officials of the Government.

(5) A fee of Rs. 50/- shall be paid to all members other than the President of the State Council and Government officials who are members for attending each meeting of the State Council or the Executive Committee or other Committees.

(6) For the President of the State Council, if he is not a State Government official, an amount of Rs. 100/- shall be paid for each meeting of the State Council and Rs. 50/- for each other meetings.

(7) Where a member of the State Council other than its President presides over a meeting of the said Council under sub-rule (1) of rule 26, he shall be paid a fee of Rs. 100/- for attending each such meeting.

29. Terms and Conditions of Service of Registrar and Other Officers and Employees. — The terms and conditions of service of the Registrar, and of the other officers and employees appointed by the State Council shall be those applicable to Government officials under their Service Rules.

30. State Veterinary Register. — The Government, or the State Council, as the case may be, shall, as provided for under section 44, maintain the State

veterinary institution, are not in conformity with the regulations made under this Act or fall short of the standards required thereby, or

(b) that the staff, equipment, accommodation, training and other facilities for instruction and training provided in such veterinary institution or in any college or other institution affiliated to it do not conform to the standards prescribed by the Council,

the Council shall make a representation to that effect to the Central Government.

(2) After considering such representation, the Central Government may send it to the State Government of the State in which the veterinary institution is situated and the State Government shall forward it along with such remarks as it may choose to make to the veterinary institution, with an intimation of the period within which that institution may submit its explanation to the State Government.

(3) On receipt of the explanation or, where no explanation is submitted within the period fixed, then on the expiry of that period, the State Government shall make its recommendation to the Central Government.

(4) The Central Government, after making such inquiry, if any, as it may deem fit, may, by notification in the Official Gazette, direct that an entry shall be made in the appropriate Schedule against the said veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted before a specified date or that the said veterinary qualification if granted to students of a specified college or institution affiliated to any veterinary institution shall be a recognised veterinary qualification only when granted before a specified date or, as the case may be, that the said veterinary qualification shall be a recognised veterinary qualification in relation to a specified college or institution affiliated to any veterinary institution only when granted after a specified date:

Provided that before issuing such notification the Central Government may consult the Indian Council of Agricultural Research.

22. Minimum standards of veterinary education. —

(1) The Council may, by regulations, specify the minimum standards of veterinary education required for granting recognised veterinary qualifications by veterinary institutions in those States to which this Act extends.

(2) Copies of the draft regulations and of all subsequent amendments thereof shall be furnished by the Council to the State Government concerned and the Council shall, before submitting such regulations or any amendments thereof, as the case may be, to the Central Government for approval, take into consideration the comments of the State Government received within three months from the furnishing of the copies as aforesaid.

(3) The Central Government may, before approving such regulations or any amendments thereof, consult the Indian Council of Agricultural Research.

(4) The Committee constituted under section 12 shall from time to time report to the Council on the efficacy of the regulations and may recommend to

CHAPTER III

Indian veterinary practitioners register

23. Indian veterinary practitioners register. — (1) The Council shall, as soon as may be after the commencement of this Act, cause to be maintained in such form and in such manner as may be provided by regulations a register of veterinary practitioners to be known as the Indian veterinary practitioners register which shall contain the names of all persons who possess the recognised veterinary qualifications and who are for the time being enrolled on a State veterinary register of the State to which this Act extends.

(2) It shall be the duty of the Secretary of the Council to keep the Indian veterinary practitioners register in accordance with the provisions of this Act and of any orders made by the Council, and from time to time to revise the register and publish it in the Gazette of India or in such other manner as may be provided by regulations.

(3) Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872, and may be proved by a copy published in the Gazette of India.

(4) Each State Veterinary Council shall furnish to the Council six printed copies of the State veterinary register as soon as may be after the 1st day of April of each year and each State Veterinary Council shall inform the Council without delay of all additions to, and other amendments in, the State veterinary register made from time to time.

24. Registration in the Indian veterinary practitioners register. — The Secretary of the Council may, on receipt of the report of registration of a person in a State veterinary register or on an application made in such form and in such manner, as may be provided by regulations, by any such person, enter his name in the Indian veterinary practitioners register:

Provided that the Secretary is satisfied that the person concerned possesses a recognised veterinary qualification.

25. Issue of certificate of registration. — (1) Any person whose name has been entered in the Indian veterinary practitioners register shall, on an application made in this behalf in such form and in such manner and on payment of such fees, not exceeding fifteen rupees, as may be provided by regulations, be entitled to a certificate of registration.

(2) On receipt of an application under sub-section (1), the Council shall grant to the applicant a certificate of registration in such form as may be provided by regulations:

Provided that on the removal of his name from a register, such certificate shall cease to be valid.

(3) Where it is shown to the satisfaction of the Secretary of the Council that a certificate of registration has been lost or destroyed, the Secretary may, on payment of such fees, not exceeding ten rupees, as may be provided by regulations, issue a new certificate.

2. Father's name ...
3. Age and date of birth ...
4. Nature of qualification ...
5. Registered number (in the State Veterinary Register) ...
6. Page no. in the State Veterinary Register or its supplement (mentioning the year) in which the name appears ...
7. Serial No. in the roll ...
8. Address: House No. ...
Block/Street No. ...
Village/Town ...
Post office ...
Pin code ...
9. Name of proposer ...
10. Signature of proposer ...
11. Registered No. of proposer in the State Veterinary Register and the page No. in the said Register or its supplement (mentioning the year) in which the name appears ...
12. Serial No. in the roll ...
13. Name of the seconder ...
14. Signature of the seconder ...
15. Registered No. of seconder in the State Veterinary Register and the page No. in the said Register or its supplement (mentioning the year) in which the name appears ...
16. Serial No. in the roll ...

Declaration by the candidate

I hereby declare that
I agree to this nomination

(Signature of the candidate)

This nomination paper was received by me at (Place) ... on
(date) ... at (time) ...

(Signature of Returning Officer)

INSTRUCTIONS

Nomination papers which are not received by the Returning Officer before (hour) ... on the ... date will be invalid.

FORM - IV

Letter of Intimation

[See rule 16(2)]

Sir/Madam,

The persons whose names are printed on the enclosed voting paper have been duly nominated as candidates for election to the Goa State Veterinary Council under section 32(1) (a) of the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984). Should you desire to vote at the election, I request that you may:—

- (a) fill up and sign the declaration paper (Form V);
- (b) Mark your vote in the column provided for the purpose in the voting paper (Form VI) as directed on the voting paper;
- (c) enclose the voting paper in the smaller cover and stick it up; and

in my office so as to reach me not later than ... on the ... of 19...

2. The voting paper will be rejected if:—

- (a) the outer envelope enclosing the voting paper cover and the declaration paper is not sent by post or not delivered in person in my office or received later than the hour fixed for the closing of the poll; or
- (b) the outer envelope contains no declaration paper outside the smaller cover; or
- (c) the voting paper is placed outside the voting paper cover; or
- (d) the declaration paper is not the one sent by the Returning Officer to the voter; or
- (e) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope; or
- (f) the declaration is not signed by the elector; or
- (g) the voting paper is invalid.

3. A voting paper will be invalid if:

- i) it does not bear the Returning Officer's initials or facsimile signature; or
- ii) a voter signs his name on the voting paper, or writes any word on it or makes any mark by which it becomes recognisable as his voting paper; or
- iii) no vote is recorded thereon; or
- iv) the number of votes recorded thereon exceeds the number to be elected; or
- v) it is void for uncertainty of the vote exercised.

4. If a voter inadvertently spills a voting paper, he can return it, not later than fifteen days before the date appointed for the poll, to the returning officer who will, if satisfied of such inadvertence, issue to him another voting paper.

5. The scrutiny and counting of votes will begin on ... (date) at ... (hour).

6. No person shall be present at the scrutiny and counting except the Returning Officer, such other persons as he may appoint to assist him, the candidates or their duly authorised representatives.

Returning Officer

FORM — V

Declaration Paper

[See rule 16(2)]

Election to the Goa State Veterinary Council under section 32(1)(a) of the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984).

Elector's name

(1)

Number on the State Veterinary Register and page number in that Register or its supplement (mentioning the year) in which the name appears

Elector's declaration

I, ... (Name in full, and designation, if any) declare that I am an elector for the election of members to the Goa State Veterinary Council by the electorate under clause (a) of sub-section (1) of section 32 of the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984), and that I have submitted no other paper at this election.

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.

34. Composition of Joint State Veterinary Councils.

— (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. Incorporation of State Veterinary Councils. — 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.

36. President. — 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.

37. Mode of elections. — 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.

38. Terms of office and casual vacancies. — (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:

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.

39. **Resignation.** — (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.

40. **Executive and other Committees.** — 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 powers 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.

41. **Fees and allowances.** — 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.

42. **Appointment of Registrar and other officers or servants.** — (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 purposes 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.

(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. **Information to be furnished by State Veterinary Council.** — (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.

CHAPTER VII

Registration

44. **Preparation and maintenance of State veterinary practitioners register.** — (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.

(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.

45. **First preparation of register.** — (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 43, 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.