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THE UNITED PROVINCES MEDICAL ACT, 1917

United Provinces Act No. III of 1917

*(As modified and amended up to September 31, 1967)*

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## ABBREVIATIONS

A. O.	..	..	..	"	Government of India (Adaptation of Indian Laws) Order, 1937, as modified by the Government of India (Adaptation of Indian Laws) (Supplementary) Order, 1937, and the Government of India (Adaptation of Indian Laws) (Amendment) Order, 1940, Adaptation of Laws Order, 1950.
Ben. Reg.	..	..	..	"	Bengal Regulation.
Ch.	..	..	..	"	Chapter.
Cl.	..	..	..	"	Clause.
d.	..	..	..	"	dated.
D. B. M.	..	..	..	"	District Board Manual, Volume I, Third edition, 1935.
Del.	..	..	..	"	Deleted.
Extra.	..	..	..	"	Extraordinary.
Gaz.	..	..	..	"	<i>Uttar Pradesh Gazette.</i>
Gaz. of I.	..	..	..	"	<i>Gazette of India.</i>
G. in C.	..	..	..	"	Governor in Council.
G. of I.	..	..	..	"	Government of India.
G. G. in C.	..	..	..	"	Governor General in Council.
G. G. of India in C.	..	..	..	"	Governor General of India in Council.
Govt.	..	..	..	"	Government.
Ins.	..	..	..	"	Inserted.
L. A.	..	..	..	"	Legislative Assembly.
L. A. Pro.	..	..	..	"	Proceedings of the Uttar Pradesh Legislative Assembly.
L. C.	..	..	..	"	Legislative Council.
L. C. Pro.	..	..	..	"	Proceedings of the Uttar Pradesh Legislative Council.
L. G.	..	..	..	"	Local Government.
L. R.	..	..	..	"	Local Rules and Orders.
Not. and Nots.	..	..	..	"	Notification and notifications, respectively.
Omit.	..	..	..	"	Omitted.
P. and pp.	..	..	..	"	Page and pages, respectively.
Pt.	..	..	..	"	Part.
R. and O.	..	..	..	"	Rules and Orders.
Re.	..	..	..	"	Regarding.
Reg.	..	..	..	"	Regulation.
Rep.	..	..	..	"	Repealed.
R. S. Com.	..	..	..	"	Report of Select Committee.
S.	..	..	..	"	Section.
Sch.	..	..	..	"	Schedule.
S. O. R.	..	..	..	"	Statement of Object and Reasons.
Subs.	..	..	..	"	Substituted.
U. C. A.	..	..	..	"	Unrepealed Central Acts, 1938 Edition.
U. P.	..	..	..	"	Uttar Pradesh.
Vol.	..	..	..	"	Volume.



THE UNITED PROVINCES MEDICAL ACT, 1917

(UNITED PROVINCES ACT NO. III OF 1917)

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THE SCHEDULE

*Persons who are entitled to have their names entered in the Register of Medical Practitioners*

THE UNITED PROVINCES MEDICAL ACT, 1917<sup>1</sup>  
(UNITED PROVINCES ACT NO. III OF 1917)

Amended by the U. P. Act no. V of 1922<sup>2</sup>

Amended by the U. P. Act no. IV of 1931<sup>3</sup>

Adapted and modified by the Government of India  
(Adaptation of Indian Laws) Order, 1937

Adapted and modified by the Adaptation of Laws  
Order, 1950

(Received the assent of the Lieutenant-Governor on the 21st  
May, 1917, and of the Governor-General on the 19th July,  
1917, and was published<sup>4</sup> under section 81 of the Govern-  
ment of India Act, 1915, on the 4th August, 1917.)

An Act to provide for the Registration of certain Medical  
Practitioners in the United Provinces

WHEREAS it is expedient to provide for the registration of  
certain medical practitioners in the United Provinces. It is  
hereby enacted as follows:

Preamble.

*Preliminary*

1. (1) This Act may be called the United Provinces  
Medical Act, 1917.

Short title,  
extent and  
commence-  
ment.

(2) [It shall extend to the whole of Uttar Pradesh.]<sup>5</sup>

<sup>1</sup>For S. O. R., see Gaz., 1916, Pt. VII, p. 28; for R. S. Com., see *ibid.*,  
1916, Pt. VII, p. 69, and *ibid.* 1917 Pt. VII, p. 5; and for Proceedings  
in Council, see *ibid.*, 1916, Pt. VII, pp. 52 and 709 and *ibid.*, 1917, p. 581.

<sup>2</sup>For S. O. R., see Gaz., 1922, Pt. VIII, p. 213; for discussion see  
L. C. Pro. d. March 21, 1922, in Vol. VIII, pp. 26-27; for publication see  
Gaz., 1922, Pt. VII, p. 99.

<sup>3</sup>For S. O. R., see Gaz., 1931, Pt. VIII, p. 765; for discussion see  
L. C. Pro. d. Dec. 18, 1931 in Vol. LII, pp. 459-463; for publication,  
see Gaz., 1932, Pt. VII, p. 9.

<sup>4</sup>See Gaz., 1917, Pt. VII, p. 875.

<sup>5</sup>Subs. by the A. O. 1950 for sub-section (2).

The Act has been extended to the merged State of Rampur by the  
Rampur (Application of Laws) Act, 1950, w.e.f. December 30, 1949 and  
to the merged State of Banaras and Tehri-Garhwal by the Banaras  
(Application of Laws) Order, 1949 and Tehri-Garhwal (Application of  
Laws) Order, 1949 w.e.f. November 30, 1949.





(ii) are residing in [Uttar Pradesh]<sup>1</sup> and registered under this Act or, in the case of the first election, qualified to be so registered, and

✓ (iii) are in the <sup>2</sup>[service of the <sup>3</sup>(Government)];

(e) two members to be elected by medical practitioners who are not in the <sup>2</sup>[service of the <sup>3</sup>(Government)] but are otherwise qualified in the manner prescribed in clause (d);

(f) one member to be elected by medical practitioners who, not being qualified in the manner prescribed in sub-clause (i) of clause (d)—

(i) are residing in [Uttar Pradesh]<sup>1</sup> and registered under this Act or, in the case of the first election, qualified to be so registered, and

(ii) are in the <sup>2</sup>[service of the <sup>3</sup>(Government)];

(g) [two members]<sup>4</sup> to be elected by medical practitioners who are not in the <sup>2</sup>[service of the <sup>3</sup>(Government)] but are otherwise qualified in the manner prescribed in clause (f);

✓ (h) one member to be elected by the medical graduates of the [Universities of Allahabad and Lucknow]<sup>5</sup>.

(2) Provided that upon the expiry of five years from the commencement of this Act, two members instead of one shall be elected by the medical graduates of the [Universities of Allahabad and Lucknow]<sup>6</sup> and thereafter the said Council shall consist of [fifteen]<sup>7</sup> members instead of [fourteen]<sup>8</sup>.

5. If any electoral body referred to in section 4 does not, in the case of a vacancy referred to in section 10, within three months and in any other case, by such date as may be prescribed by rule made in that behalf under section 34(2)(a), elect a person to be a member of the Council, the [State Government]<sup>9</sup> shall nominate a member in his place, and a person so nominated shall be deemed to be a member as if he had been duly elected by such body.

Nomination  
of members  
in default  
of election.

6. (1) A person shall be disqualified for being elected or nominated a member of the Council if he—

Disqualifica-  
tions for  
membership.

(a) is not registered under this Act;

<sup>1</sup>. Subs. by the A. O. 1950 for (the United Provinces).

<sup>2</sup>. Subs. by the A. O. 1937 for (service of Government).

<sup>3</sup>. Subs. by the A. O. 1950 for (Crown).

<sup>4</sup>. Subs. for "one member" by s. 2(3) of U. P. Act IV of 1931.

<sup>5</sup>. Subs. for "University of Allahabad" by s. 9(2) of U. P. Act V of 1922.

<sup>6</sup>. Subs. for "Allahabad University" by s. 9(3) of *ibid.*

<sup>7</sup>. Subs. for "fourteen" by *ibid.*

<sup>8</sup>. Subs. for "thirteen" by *ibid.*

<sup>9</sup>. Subs. for "L.G." by A.O.

(b) has been sentenced by a criminal court to imprisonment for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having subsequently been reversed or remitted, and such person's disqualification on account of such sentence not having been remitted by an order which the (State Government)<sup>1</sup> is hereby empowered to make, if it thinks fit, in this behalf;

(c) is an undischarged insolvent; or

(d) has been adjudged by a competent court to be of unsound mind.

(2) Provided that, in the case of first elections held and first nominations made under this Act, clause (a) of sub-section (1) shall be read as if it were "is not qualified to be registered under this Act."

7. The name of every person elected or nominated a member of the Council shall be published by the [State Government]<sup>1</sup> in the [Official Gazette]<sup>2</sup>.

8. The Council may permit a member to absent himself from meetings of the Council for a period not exceeding six months.

9. (1) A member<sup>3</sup> of the Council shall be deemed to have vacated his seat who—

(a) fails to accept office within one month of the date of his nomination or election, or

(b) is absent without excuse sufficient in the opinion of the Council from three consecutive meetings of the Council, or

(c) is absent out of India for a period exceeding six consecutive months, or

(d) becomes subject to any of the disabilities set forth in section 6.

(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 [State Government]<sup>1</sup>.

10. If a member of the Council dies or resigns his membership, or ceases to be a member as provided in section 9(1) the vacancy shall be filled within three months by a fresh election or nomination, as the case may be.

<sup>1</sup>. Subs. by A. O. 1950 for (Provl. Govt.) which had been subs. by in the A. O. 1937 for (L. G.).

<sup>2</sup>. Subs. for "Gazette" by the A. O. 1937:

<sup>3</sup>. For appointment of members of the Council. see not. no. 57, March 7, 1918, in Supplement to Gaz., d. March 9, 1918, Pt. I, p. 12.

Publication  
of names of  
members.

Leave of  
absence to  
members.

Occurrence  
of casual  
vacancies.

Filling of  
casual  
vacancies.

11. (1) The term of office of a member of the Council shall be three years from the date of his acceptance of office.

Term of office of members.

(2) A person ceasing to be a member by reason of the expiration of his term of office shall, if not disqualified for any of the reasons mentioned in section 6, be eligible for re-election or re-nomination.

12. (1) No business shall be transacted at a meeting of the Council unless a quorum of six members be present.

Quorum and voting.

(2) Save as otherwise provided in section 26(1)(b), all questions arising at a meeting shall be decided by the votes of the majority of the members present and voting, or, in the case of an equality of votes, by the casting vote of the president, or, in his absence— of the member presiding at the meeting.

(3) No act or proceeding of the Council shall be deemed invalid merely by reason of a vacancy in the Council or of a defect in the election or nomination of a person acting as a member of the Council.

13. (1) Subject to the provisions of this Act and of any rules made by the [State Government]<sup>1</sup> under this Act, the Council may make regulations in respect of—

Regulations as to meetings.

(a) the times and places at which the meetings shall be held;

(b) the issue of notices convening such meetings; and

(c) the conduct of business thereat.

(2) Until such time as the regulations referred to in subsection (1) have come into operation, it shall be lawful for the president to summon a meeting at such time and place as to him shall seem expedient by letter address to each member.

14. There shall be paid to the members of the Council such expenses as may from time to time be prescribed by regulation under section 34(3)(a).

Payment of expenses to members.

15. (1) With the previous sanction of the [State Government]<sup>1</sup>, the Council—

(a) shall appoint a registrar<sup>3</sup>;

Appointment of registrar and other officers.

<sup>1</sup>. Subs. by A. O. 1950 for (Pov. Govt.).

<sup>2</sup>. For regulations, see not. no. 52, d. March 7, 1918, no. 49, d. Jan. 20, 1922 and no. 271, d. April 8, 1926, published in supplement to Gaz., d. March 9, 1918, Pt. I, p. 1, Gaz., 1922, Pt. I, p. 150, and *ibid* 1926, Pt. I, p. 310, respectively.

<sup>3</sup>. For rules with respect to the registrar, clerks and servants, see not. no. 57, d. March 7, 1918, published in supplement in Gaz. d. March 9, 1918, Pt. I, p. 12, and no. 1059/4A-3, d. Feb. 28, 1936, in Gaz., 1936, Pt. I, p. 305.

(b) may grant leave in such registrar and appoint a person to act in his place; and

(c) shall pay to the registrar and to the person (if any) appointed to act in his place such salary and such allowances (if any) as the Council may determine.

(2) The Council may appoint such other officers and such clerks and servants as it may consider necessary for the purposes of this Act; and shall pay them such salary and such allowances (if any) as the Council may determine.

(3) The registrar shall act as secretary to the Council.

(4) Every person appointed under sub-sections (1) and (2) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. Act XL of 1860.

*The Register of Medical Practitioners*

Orders by Council for maintenance of register.

16. (1) The Council shall, as soon as 'conveniently' may be after the commencement of this Act, and from time to time as occasion may require, make orders for regulating the maintenance of a register of medical practitioners.

(2) The said register shall be kept in such form as may be prescribed by rule made under section 34(2)(b).

Registrar's functions in respect of register.

17. (1) The Registrar, shall keep the register of medical practitioners in accordance with the provisions of this Act and of any orders made by the Council, and shall from time to time make all necessary alterations in the registered addresses or appointments, and the registered qualifications or titles, of the practitioners entered there in and erase the names of any practitioners who have died or have permanently ceased to practise in India.

(2) To enable the Registrar to fulfil the duties imposed upon him by sub-section (1) he may send through the post a letter to any registered practitioner addressed to him according to his registered address or appointment, to inquire whether he has ceased to practise or whether his residence or appointment has been changed; and, if no answer to any such letter is received within period of six months from its despatch, the Registrar may erase the name of such registered practitioner from the register :

Provided that any name erased under this sub-section may be re-entered in the register under the direction of the Council.

Persons entitled to be registered

18. (1) Every person referred to in the schedule shall, subject to the provisions hereinafter contained and on payment of such fees as may be prescribed in this behalf by

1. See foot note (3) on the previous page.

regulations made under section 34(3)(b), be entitled to have his name entered in the register of medical practitioners.

(2) Provided that the Registrar shall refer to the Council any application for entry in the register from a person in respect of whom he considers that the Council may wish to proceed under section 26(1):

(3) Provided also that the Registrar, if so directed by the Council, shall refuse to register the name of any person who holds a medical degree, diploma or certificate granted in any foreign country or British colony which does not recognize the medical degrees, diplomas or certificates of the Universities or [State Government]<sup>1</sup> of (India)\*.

Act XL  
of 1860.

19. If the Council is satisfied—

(a) that a title granted or qualification, certified by a University, Medical Corporation, examining body or other institution is a sufficient guarantee that persons holding such title or qualification possess the knowledge and skill requisite for efficient practice of medicine, surgery and midwifery, or

Amendment  
of schedule.

(b) that a title or qualification referred to in article 3 of the schedule is not a sufficient guarantee as aforesaid,

it may make a report to that effect to the [State Government]<sup>1</sup> which may, if it thinks fit, thereupon direct, by notification in the [Official Gazette]<sup>2</sup>,

(1) in case (a), that the possession of such title or qualification shall, subject to the provisions hereinafter contained, and on payment of such fee as may be prescribed in this behalf by regulation made under section 34(3)(b), entitle a person to have his name entered in the register of medical practitioners, or

(2) in case (b), that the possession of such title or qualification shall not entitle a person to have his name entered in the said register;

and the schedule shall thereupon be deemed to be altered accordingly.<sup>3</sup>

20. The Council shall have power to call on the Governing body or authorities of a medical college or school, other

Power of  
Council to  
call for  
information  
from medical  
college or  
school.

1. Subs. by A. O. 1950 for (Provl. Govt.).

2. Subs. for "Gazette" by the A. O. 1937.

3. For recognition of degrees, see notes no. 1398/V—122 d. Dec. 27, 1923, no. 769/V—163, d. April 24, 1920, and no. 2911/V—897, d. Jan. 16, 1935, published in Gaz., 1923, Pt. I, p. 1922, *ibid.*, 1930 Pt. I, p. 339, and *ibid.* 1935, Pt. I, p. 160, respectively and no. 67/V—216, d. Jan. 29, 1920, no. 2486/V—397, d. Jan. 20, 1933, no. 2440/V—621, d. Jan. 28, 1937, and no. 2442/V—621, d. Jan. 28, 1937, in Gaz., 1920, Pt. I, p. 207; \* *ibid.*, 1933, Pt. I, p. 86, *ibid.* 1937, Pt. I, p. 201 and *ibid.* 1937, Pt. I, p. 201, respectively.

\* Subs. by the A. O. 1950 for (British India).

than a college or school affiliated to the University of Allaha-  
bad, [\*\*\*] Calcutta, Bombay, or Madras, included in or  
desirous of being included in the schedule—

(a) to furnish such reports, returns or other informa-  
tion as the Council may require to enable it to judge  
of the efficiency of the instruction given therein in  
medicine, surgery, and midwifery; and

(b) to provide facilities to enable a member of the  
Council deputed by the Council in this behalf to be  
present at the examinations held by such college or  
school.

Information  
required of  
applicant for  
registration.

21. Every person who applies to have his name entered  
in the register of Medical practitioners—

(a) Must satisfy the Registrar that he is possessed  
of some title or qualification referred to in the schedule,  
as altered by notifications (if any) issued under sec-  
tion 19; and

(b) if he is registered under the Medical Acts,—

(i) Must correctly inform the Registrar of the date  
of such registration, and

(ii) must furnish the Registrar with a correct  
statement of the titles or qualifications in respect  
of which he is so registered, and of the dates on  
which he obtained them, or

(c) if he is not registered under the Medical Acts,  
must correctly inform the Registrar of the dates on  
which he obtained the titles or qualifications which  
entitle him to claim registration under this Act, and

(d) give the Registrar any information which he  
reasonably may require for the purpose of discharging  
his duties under this Act.

Entry of  
new titles  
and qualifi-  
cations in  
register.

22. If a person whose name is entered in the register of  
medical practitioners obtains any title or qualification other  
than the title or qualification in respect of which he has been  
registered, he shall, on payment of such fee as may be pres-  
cribed in this behalf by regulation made under section 34(3)  
(b), be entitled to have an entry stating such other title or  
qualification made against his name in the register, either in  
substitution for, or in addition to, any entry previously made.

Disposal of  
fees.

23. All fees received by the Council under this Act shall  
be applied for the purposes of this Act, in accordance with  
such rules as may be made by the [State Government]<sup>2</sup> under  
section 34(2) (c).

1. The word (Lahore) *omitt.* by the A. O. 1950.

2. *Subs.* by the A. O. 1950 for (Provl. Govt.) which had been *subs.* by  
the A. O. 1937 for (L. G.).

24. If a person is dissatisfied with a decision of the Registrar, refusing to enter any title or qualification of such person in the register of medical practitioners, he may, at any time within three months from the date of such decision, appeal to the Council.

Appeal to Council from decision of Registrar.

25. Any entry in the register of medical practitioners, which is proved to the satisfaction of the Council to have been fraudulently or incorrectly made, may be erased under an order in writing of the Council after notice has been given to the person concerned and his objections (if any) have been considered.

Erasure of fraudulent and incorrect entries.

26. (1) The Council may, upon reference from the Registrar or otherwise, prohibit the entry in— or order the removal from, the register of the name of any medical practitioner—

Power of Council to prohibit entry in, or to direct removal from the register, etc.

(a) who has been sentenced by a criminal court to imprisonment for an offence indicating in the opinion of the Council such a defect in character as would render the entry or continuance of his name in the register undesirable, or

(b) whom the Council after inquiry (at which an opportunity has been given to him to be heard in his defence and to appear either in person or by counsel, vakil, pleader or attorney, and which may in the discretion of the Council, be held in camera) has found guilty by a majority of two-thirds of the members present and voting at the meeting of infamous conduct in any professional respect.

(2) Nothing in sub-section (1) shall be deemed to justify the exclusion or removal from the register of the name of any medical practitioner on the ground of his adoption of a theory of medicine and surgery not in accordance with the accepted view for the time being or of his association with a vaid, hakim or homoeopath or an unregistered practitioner so long as that unregistered practitioner—

(a) is possessed of one of the qualifications specified in the schedule, and

(b) is not a person whose name he has reason to believe has been excluded or removed from the register by the Council under sub-section (1) or would be so excluded if application for registration thereof were made.

(3) The Council may direct that the name of any person against whom an order has been made under sub-section (1) shall be entered or re-entered as the case may be.<sup>2</sup>

1. See not. no. 823, d. March 28, 1923, in Gaz. 1923, Pt. I, p. 366

2. For rules restoration of names, see not no. 63, d. March 7, 1918, in supplement to Gaz., d. March 9, 1918, Pt. I, p. 5.

Appeal to State Government from decision of Council.

27. (1) An appeal shall lie to the [State Government]<sup>1</sup> from every decision of the Council under section 24 or 26.

(2) Every appeal under sub-section (1) shall be preferred within three months from the date of such decision.

Bar to suits and other legal proceedings.

28. No suit or other legal proceeding shall lie in respect of an act done in exercise of a power conferred by this Act on the [State Government]<sup>1</sup> or the Council or the Registrar.

Notice of deaths, and erasure of names from register.

29. (1) Every Registrar of deaths who receives notice of the death of a person whose name he knows to be entered in the register of medical practitioners shall forthwith transmit by post to the Registrar of the Council a certificate of such death, signed by him and stating particulars of the time and place of death.

(2) On receipt of such certificate or other reliable information regarding such death, the Registrar of the Council shall erase the name of the deceased person from the register.

Penalty on unregistered person representing that he is registered.

30. If a person whose name is not entered in the register of medical practitioners falsely pretends that it is so entered or uses in connection with his name or title any words or letters representing that his name is so entered he shall, whether any person is actually deceived by such representation or not be punishable, on conviction by a magistrate of the first class, with fine which may extend to three hundred rupees.

Procedure in inquiries and appeals.

31. For the purpose of any inquiry held under section 26, or of any appeal under section 24, the Council shall be deemed a court within the meaning of the Indian Evidence Act, 1872,<sup>2</sup> and shall exercise the powers of a Commissioner appointed under the Public Servants (Inquiries) Act, 1850<sup>3</sup>; and every such inquiry and appeal shall be conducted, as far as may be, in accordance with the provisions of section 5 and sections 8 to 10 of the said Public Servants (Inquiries) Act, 1850<sup>3</sup>.

Reservation of certain appointments registered practitioners.

32. Except with the general or special sanction of the [State Government]<sup>1</sup> or of any officer authorized by it in this behalf, no person other than a registered practitioner shall be competent to hold an appointment as medical officer of health or as physician, surgeon or other medical officer in hospital, asylum, infirmary, dispensary, or laying in hospital.

1. Subs. by A. O. 1960 for (Prov. Govt.) which had been subs. by the A. O. 1937, for (L. G.).

2. U. C. A. Vol. II, p. 1 Act I of 1872.

3. *Ibid.* Vol. I, p. 79 Act XXXVII of 1850.



(b) to prescribe the form of the register of medical practitioners to be maintained under this Act;<sup>1</sup>

(c) to regulate the application of fees;<sup>2</sup>

(d) to regulate the procedure to be followed by the Council in—

(i) conducting any inquiry under section 26;<sup>3</sup> and

(ii) disposing of appeals from the decision of the Registrar preferred under section 24.<sup>4</sup>

(3) In addition to the power conferred by section 13 the Council may, with the previous sanction of the [State Government]<sup>5</sup>, make regulations—

(a) to prescribe the expenses payable to members of the Council;<sup>6</sup>

(b) to prescribe the fees chargeable in respect of any registration under this Act;<sup>7</sup> and

(c) to regulate the keeping of accounts.<sup>8</sup>

(4) All such rules and regulations shall be published in the (Official Gazette).<sup>9</sup>

Control of Council by State Government

35. If at any time it shall appear to the (State Government)<sup>5</sup> that the Council has failed to exercise or has exceeded or abused a power conferred upon it under this Act or has failed to perform a duty imposed upon it by this Act, the [State Government]<sup>5</sup> may, if it considers such failure, excess or abuse to be of a serious character, notify the particulars thereof to the Council, and if the Council fails to remedy such default, excess or abuse within such time as may be fixed by the [State Government]<sup>5</sup> in this behalf the State Government<sup>5</sup> may dissolve the Council and cause all or

1. For rules under this cl., see nots. no. 514-C, d. Aug. 6, 1917; no. 107 V—128, d. Jan. 25, 1923, no. 1519/V—380, d. Oct. 14, 1932 and no. 1492(2)/V—284, d. June 29, 1939, in supplement to Gaz. d. Aug. 11, 1917, Pt. I; p. 9, Gaz. 1928, Pt. I, p. 124, *ibid.* 1932, Pt. I, p. 936, and *ibid.* 1939, Pt. I, pp. 458-459, respectively.

2. For rules under this cl., see not. no. 500C/V—59, d. Aug. 28, 1917, in Gaz., 1917, Pt. I, p. 1464.

3. For rules under this cl., see not. no. 515C, d. Aug. 6, 1917, in supplement to Gaz., d. Aug. 11, 1917, Pt. I, p. 13.

4. For rules under this cl., see not. 516 C, d. Aug. 6, 1917, in supplement to Gaz., d. Aug. 11, 1917, Pt. I, p. 19.

5. Subs. by A. O. 1950 for (Provl. Govt.).

6. For payment of travelling allowance to members, see not. no. 756, d. March 1, 1941, in Gaz., 1941, Pt. IA, p. 68.

7. For rules under this cl. see nots. no. 55, d. March 7, 1918, no. 1172, d. Nov. 29, 1928, and no. 2328/LII, d. Dec. 21, 1938, in supplement Gaz., d. March 9, 1916, Pt. I, p. 9, and Gaz. 1928, Pt. I, p. 1230, and *ibid.* 0. 38, Pt. I, p. 1636, respectively.

8. For rules under this cl. see nots. no. 40, d. March 7, 1918, and no. 67, d. Jan. 21, 1922, in supplement to Gaz. d. March 1918, Pt. I, p. 10 and Gaz. 1922, Pt. I, p. 150, respectively.

9. Subs. for "Gazette" by the A. O. 1937;

not being an institution avowedly maintained for the purpose of medical treatment according to the Homoeopathic, Ayurvedic or Unani system, which is supported partially or entirely by public or local funds.

*Annual Medical List*

33. (1) The Registrar shall, in every year, on or before a date to be fixed in this behalf by the Council, cause to be printed and published a correct list of the names for the time being entered in the register of medical practitioners, and setting forth—

Publication of, and presumption as to entries in, Annual Medical List.

(a) all names entered in the register arranged in alphabetical order according to the surnames;

(b) the registered address or appointment of each person whose name is entered in the register; and

(c) the registered titles and qualifications of each such person, and the date on which each such title was granted or each such qualification was certified.

(2) Every court shall presume that a person whose name is entered in the latest of such lists is duly registered under this Act, and that a person whose name is not so entered is not registered under this Act.

Provided that, in this case of a person whose name does not appear in such list, a certified copy signed by the Registrar of the entry of the name of such person in the register of medical practitioners shall be evidence that such person is registered under this Act.

*Rules and Regulations*

34. (1) The [State Government]<sup>1</sup> may, after previous publication, from time to time make rules consistent with this Act to carry out the purposes of this Act.

Rules and Regulations.

(2) In particular, and without prejudice to the generality of the foregoing power, the [State Government]<sup>1</sup> may make rules—

(a) to regulate the elections under this Act;<sup>2</sup>

1: Subs. by A. O. 1950 for (Provl. Govt.).

2. For rules under this cl., see nots. no. 513C. d. Aug. 6, 1917, no. 261/V—59, d. Oct. 18, 1917, no. 2285/V343, d. Sept. 21, 1935, no. 2873-II/V—549, d. Feb. 11, 1936, and no. 2439/V—343(2), d. April 8, 1937, in Supplement no. Gaz., d. Aug. 11, 1917, Pt. I, p. 1, Gaz., 1917, Pt. I, p. 1666, *ibid.* 1935, Pt. I, pp. 1251-52, *ibid.* 1936, Pt. I, pp. 242-243, and *ibid.* 1937, Pt. I, p. 63, not. no. 4098(1)/V—825-38, d. March 8, 1940, in Gaz. 1940, Pt. I-A, p. 65, not. no. 540(2)/V—696-41, d. April 4, 1942, in Gaz. 1942, Pt. I-A, p. 440, not. no. 571/V—180-40, d. Oct. 3, 1942, in Gaz. 1942, Pt. I-A, p. 337, not. no. 2801/V—180-40, d. Aug. 7, 1943, in Gaz. 1948, Pt. I-A, p. 218.

any of the powers and duties of the Council to be exercised and performed by such agency and for such period as it may think fit :

Provided that it shall take steps as soon as may be convenient to constitute a new Council of the members prescribed in section 4.

36. No provisions of the Act shall affect a Homoeopathic Ayurvedic or Unani practitioner. Saving.

37. [\* \* \*]

### THE SCHEDULE

PERSONS WHO ARE ENTITLED TO HAVE THEIR NAMES ENTERED  
IN THE REGISTER OF MEDICAL PRACTITIONERS  
(See sections 18, 19, 20 and 21)

1. [Every person who holds a degree, diploma or licence in medicine which is included in Schedule to the Indian Medical Council Act, as amended from time to time or granted by the Universities in India established by an Act of the Governor General in Council or the Governor of any Province in India]?

2. Every person who has been trained in a Government Medical College or School in India [or Burma] and hold a diploma or certificate granted by the Government [concerned] declaring him to be qualified :

- (a) to practise medicine, surgery and midwifery; or
- (b) to perform duties of Military Assistant Surgeon, Hospital Assistant, or Sub-Assistant Surgeon.

3. Every person who has been granted a diploma by the State Medical Faculty in (West) Bengal or by the College of Physicians and Surgeons of Bombay or by the (East) Punjab State Medical Faculty, the Central Provinces Medical Examination Board, the U. P. State Board of Medical Examinations, the Bihar and Orissa Medical Examination Board, the Burma Medical Examination Board or the Board of Examiners, Medical College, Madras declaring him to be qualified in like manner.

- 1. S. 37 added by the A. O. 1937 was *omit.* by the A. O. 1950.
- 2. *Subs.*, for articles 1, and 2 by not no. 3394/V—18, d. September 29, 1943 which came into force from the same date. The remaining articles were accordingly renumbered.
- 3. *Ins.* by the A. O. 1937.
- 4. *Ins.* by not. no. 4257-A/V—1700-61, dated June 6, 1961.

