



The Andhra Pradesh Para Veterinary and Allied Council Act, 2023

Act No. 24 of 2023

Keywords:

Diploma Holder, Para Veterinary and Allied Course

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 24] AMARAVATI, THURSDAY, 4th MAY, 2023.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 2nd May, 2023 and the said assent is hereby first published on the 4th May, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 24 of 2023

AN ACT TO PROVIDE FOR THE CONSTITUTION OF THE ANDHRA PRADESH PARA VETERINARY AND ALLIED COUNCIL FOR THE REGISTRATION OF ANIMAL HUSBANDRY / DAIRY / FISHERY DIPLOMA HOLDERS AND OF INSTITUTIONS IMPARTING TRAINING TO SUCH DIPLOMA HOLDERS IN THE STATE OF ANDHRA PRADESH AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy fourth Year of the Republic of India as follows:-

**CHAPTER-I
PRELIMINARY**

1. (1) This Act may be called the Andhra Pradesh Para Veterinary and Allied Council Act, 2023.

Short title,
extent and
commencement

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

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

- (a) "Council" means the Andhra Pradesh Para Veterinary and Allied Council constituted under section 3;
- (b) "Diploma Holder" means a person who has acquired a diploma in Animal Husbandry/dairy/fisheries from a recognized institution or having an equivalent qualification;
- (c) "Equivalent qualification" means a qualification recognized as equivalent by any law for the time being in force in the State or any qualification declared as such and notified by the Government as equivalent qualification;
- (d) "Executive Committee" means the Executive Committee of the Council constituted under section 12;
- (e) "Government" means the State Government of Andhra Pradesh;
- (f) "Notification" means a notification published in the Andhra Pradesh Gazette and the word "Notified" shall be construed accordingly;
- (g) "Para Veterinary and Allied Course" means courses for the award of any diploma or certificate as notified by Government from time to time;
- (h) "Para Veterinary and Allied Technician" means persons as may be specified and notified by the Government as Para Veterinary and Allied Technician from time to time;
- (i) "Prescribed" means prescribed by rules made under this Act;
- (j) "President" means the President of the Council;
- (k) "Recognized institution" means an institution recognized under section 25; and imparting training to any one or more than one para veterinary and allied courses as notified by the Government from time to time under this Act;
- (l) "Recognized qualifications" means in relation to Para Veterinary and allied courses the diplomas awarded by any University in the State or an equivalent qualification;
- (m) "Register" means register maintained under section 15;

- (n) "Regulations" means regulations made by the Council with the approval of Government under this Act;
- (o) "Secretary" means the Secretary of the Council appointed under section 14;
- (p) "State" means the State of Andhra Pradesh;
- (q) "Veterinary Hospital" means any premises having facilities for treatment of the sick animals and used for their reception or stay;
- (r) "Veterinary laboratory" means, an establishment where, - Microbiological, Pathological or Biochemical investigations, examinations, analysis; or the preparation of cultures, vaccines, sera or other biological products are usually carried on in connection with the diagnosis of any disease.

CHAPTER -II

ANDHRA PRADESH PARA VETERINARY AND ALLIED COUNCIL

3. (1) The Government may, by notification constitute a body to be known as Andhra Pradesh Para Veterinary and Allied Council to exercise the powers conferred on and to perform functions assigned to it under the Act.

Constitution of Andhra Pradesh Para Veterinary and Allied Council.

(2) The Council shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Act and rules made there under, to acquire, hold and dispose of property and to enter into contracts and shall in the said name sue and be sued.

(3) The headquarters of the Council shall be Amaravati.

4. The Council shall consist of the following members, namely:-

Composition of the Council.

I. Ex-officio Members:

- (i) The Special Chief Secretary/Principal Secretary/ Secretary to Government of Andhra Pradesh in Animal Husbandry, Dairy Development and Fisheries Department shall be the ex-officio President of the Council;
- (ii) Vice-Chancellor, Sri Venkateswara Veterinary University, Tirupati shall be the Vice-President of the Council;

- (iii) The Principal Secretary to Government of Andhra Pradesh in Finance Department or an officer not below the rank of Deputy Secretary to Government nominated by the Principal Secretary shall be member;
- (iv) The Director of Animal Husbandry, Andhra Pradesh shall be the Member-Convener of the Council;
- (v) The Managing Director, The Andhra Pradesh Dairy Development Co-operative Federation-Member;
- (vi) Commissioner, Fisheries, Government of Andhra Pradesh - Member;
- (vii) The Secretary to the Council -Member.

II. Nominated Members:

Five (5) members to be nominated by the Government as follows-

- i. One member from among the Principals of the Animal Husbandry Polytechnic Colleges.
- ii. One member from among the Principals of the Fisheries Polytechnic Colleges.
- iii. One member from Association of Management of Private Para Veterinary and Allied Institutions.
- iv. Two members from Para Veterinarians/equivalent in Fisheries Department having more than 10 year of service in Animal Husbandry/Fisheries Departments.

Disqualifications
of members.

5. A person shall not be qualified for being nominated as, and for being, a member of the Council if,-

- (i) he is an un-discharged insolvent; or
- (ii) he is of unsound mind and stands so declared by a competent Court; or
- (iii) He has been punished by the Council in any manner for infamous conduct in the profession; or
- (iv) He has been dismissed from service under any Government or any institution; or

- (v) his name has been removed from the register maintained under this Act and has not been reinstated; or
- (vi) he has been convicted of any offence involving moral turpitude.

6. (1) The term of office of the member of the Council, other than the Ex-officio member shall be three years from the date on which he assumes office.

Term of Office
of members.

(2) An outgoing member shall be eligible for re-nomination, if he is otherwise qualified.

7. (1) Any casual vacancy arising in the office of a nominated member of the Council by reason of his death, resignation, removal or disability or otherwise, before the expiry of his term of office, shall be filled up in the manner as may be prescribed within a period not exceeding six months.

Casual
Vacancies.

(2) Any person nominated under sub-section (1) shall hold office for the residue period of the term of the member in whose vacancy he has been nominated.

8. A member other than an ex-officio member of the Council shall be deemed to have vacated his office,-

Cessation of
membership.

- (i) on his resignation;
- (ii) on his absence, from three consecutive meetings of the Council without intimation indicating the reason for such absence to the Council;
- (iii) on his becoming subject to any of the disqualifications under section 5;
- (iv) on his ceasing to be a member of the Association or category from which he has been nominated.

9. A member other than Ex-officio member may at any time resign his office by giving notice in writing to the President and such resignation shall take effect from the date on which it is accepted by the President.

Resignation of
membership.

10. No act or proceedings of the Council shall be invalidated merely on the ground,-

Validity of
proceedings.

- (a) of any vacancy or defect in the constitution of the Council; or
- (b) of any defect or irregularity in such act or proceeding not affecting the merits of the case.

Meeting of the council.

11. The meetings of the council, the proceedings for the conduct of business, and such other matters shall be provided by regulations made by the council in this behalf.

CHAPTER - III CONSTITUTION OF EXECUTIVE COMMITTEE

Constitution of Executive Committee.

12. (1) The Council may constitute an Executive Committee and such other Committees from among its members as may be necessary for performing such functions in the manner as may be provided by regulations.

(2) The Executive Committee shall consist of the President and Vice-President, who shall be members chosen by the Council from among themselves one of whom shall be a representative of the Association of Management of the Private Para Veterinary and Allied Institutions.

(3) The Executive Committee shall exercise and discharge such powers and duties of the Council as may confer or impose upon it by any regulations, which may be made in this behalf.

Payments of fee and allowances.

13. The President, the Vice-President and other members of the council shall be paid such sitting fee and allowances or travelling allowance for their attendance in connection with the meetings of the council or of any committee thereof, as may be prescribed.

Secretary, other officers and servants of the Council.

14. (1) the Government may, by notification in the Andhra Pradesh Gazette, appoint a Secretary who shall act as Secretary to Council and to the Committees appointed under this Act.

(2) Subject to the general superintendence and control by the council, the Secretary shall be responsible for the performance of the day-to-day affairs of the Council and such other functions as may be assigned to him by the Council, from time to time.

(3) The Secretary shall receive such salary and allowances, as may be fixed by Government from time to time, from and out of the funds of the Council.

(4) The method of appointment and other terms and conditions of service of the Secretary shall be such, as may be prescribed:

Provided that government may appoint a serving or retired officer not below the rank of Joint Director of Animal Husbandry / the rank of Deputy Secretary to government as Secretary of the council.

(5) The Council may with the previous approval of the Government, appoint such other officers and employees as it may deem necessary to carry out the purpose of the act.

(6) The method of appointment, salary and allowances, discipline and other terms and conditions of service of officers and other employees appointed by the council shall be provided by regulations.

15. (1) There shall be maintained separate registers for Animal Husbandry, Dairy and Fisheries Diploma Holders and such other Para veterinary/allied Technicians declared as such by the Government.

Maintenance of Registers.

(2) The Register shall be maintained in such manner (manual and electronic) and in such form and shall contain such particulars as may be prescribed.

(3) The Secretary shall keep the registers in accordance with the provision of this Act and the rules and regulations framed there under.

(4) The registers shall be deemed to be public document within the meaning of section 74 of the Indian Evidence Act, 1872.

Central Act 1 of 1872.

16. (1) If at any time it appears to the Government that the Council has failed to exercise or has exceeded or abused of any of the powers conferred on it by or under this Act or has failed to perform any of the duties imposed on it by or under this Act, the government may, if they consider that such failure excessive exercise or abuse of power is of a serious character, notify, the particular thereof to the council and if the Council failed to remedy such defects, excessive exercise or abuse of powers within such time limit as the Government may fix in this behalf, the Government may dissolve the council and cause all or any powers and duties of the Council to be exercised and performed by such persons and for such period as they may think fit and thereupon the funds and property of the Council shall vest in the Government for the purposes of this Act, until a new Council is constituted as provided under section 3.

Dissolution of the Council.

(2) Where the Government have dissolved a council under sub-section (1) they shall take steps for the constitution of a new council under section 3 within six months from the date of such dissolution and on the constitution of such council the property and funds referred to in sub-section (1) shall revert in that Council.

CHAPTER - IV
POWERS AND FUNCTIONS OF THE COUNCIL

Powers and functions of the Council.

17. Subject to the provisions of the Act and such conditions as may be prescribed, the Council shall exercise the following powers and perform the following duties, namely:-

- (a) to fix the criteria for the establishment of Para Veterinary and Allied Institutions;
- (b) to recognize Para Veterinary and Allied Institutions;
- (c) to grant temporary recognition to any institution established before the commencement of this Act;
- (d) withdrawal of recognition granted to Para Veterinary and Allied Institutions;
- (e) maintenance of register under this Act;
- (f) remove the names of persons under section 23;
- (g) restoration of the names removed from the register under section 24;
- (h) recognition of qualification for the purpose of this Act;
- (i) framing of regulations;
- (j) delegation of its powers to the Executive committee;
- (k) conduct inspection of Para Veterinary and Allied Institutions;
- (l) fixing of fees to be levied under this Act:

Provided that the fee leviable for recognition of institutions and registration of individuals shall be such amount to meet the expenses of the Council and it shall not be a source of undue profit to the Council;

- (m) maintenance of the fund of the Council;
- (n) to formulate uniform syllabi, course content, curricula and method of examinations for both theory, practical and internal examinations, maintenance of records, its checkup etc., to all the Para Veterinary and Allied Courses throughout the State.
- (o) To fix the educational qualifications to teaching staff for all Diploma courses;

- (P) to conduct common examinations for both theory and practical for all the Para Veterinary and Allied Courses in the State except those conducted by other statutory authorities;
- (q) to award diplomas, certificates and other Academic distinctions under a common seal;
- (r) to fix and collect the fees for theory and practical examinations;
- (s) to review periodically the Para Veterinary and Allied Courses, the syllabi, educational standards for admissions and to take appropriate follow up measures including recommendations for dispensing of outdated courses, updating of courses or introduction of new course with reference to emerging areas of man power requirements;
- (t) to prescribe such standards, facilities, syllabi, entry criteria etc., as may be deemed necessary to maintain proper standards in the Para Veterinary and Allied Courses;
- (u) to fix the examination centers in the State;
- (v) to take disciplinary action against the staff of the Council indulging in malpractices in the form of leakage of question papers, alternation of marks or any other such irregularities in connection with conduct of examinations;
- (w) to derecognize an institution if the institution found indulging in malpractices with reference to the process of the examination including the internal assessment marks, irregularities in attendance etc.,
- (x) to do other acts and things, as may be notified.

18. (1) The Council shall be competent to make Bye-laws from time to time consistent with the aims and objectives of the council pertaining to examination system.

Power to make
bye- laws.

(2) The bye-laws so made shall provide any person passing the Para Veterinary and Allied examination and holding a certificate granted by the Council shall be eligible for Government and Private sector employment, within the purview of section 30 (b) of the Indian Veterinary Council Act, 1984,-

Central Act
No.52 of 1908.

- (i) To set educational standards of the staff, equipment, accommodation, training and other facilities in any Para veterinary and Allied Institutions.
- (ii) Any other matter which is to be or may be provided under this Act and in respect of which is not provided under this Act and in respect of which no rules have been made.

(3) It shall be competent for the Para Veterinary and Allied Council to cancel the permission or recognition given to institutions if on enquiry found that the Para Veterinary and Allied Institute is not functioning properly and unbecoming of an organization in conduct of that Institute in imparting proper education in Para Veterinary / Allied Courses. Such institution has got right of appeal to the Government within thirty days from the date of communicating the orders derecognizing Institute and the decision of the Government shall be final.

Power to take evidence on oath etc.,
Central Act No.5 of 1908.

19. The Council or the Secretary exercising powers under this Act shall for the purposes of such functioning have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely,-

- (a) Enforcing the attendance of any person and examining him on oath;
- (b) Requiring the discovery and production of documents;
- (c) Receiving evidence on affidavit;
- (d) Issuing notices for the examination of witnesses;
- (e) Such other matters as may be prescribed.

CHAPTER-V

REGISTRATION OF PARA VETERINARY AND ALLIED TECHNICIAN

Eligibility for registration.

20. (1) Every diploma holder holding appointment under the Government on the date of Commencement of this Act, shall be eligible for registration under this Act.

(2) Every person who possess recognized qualification, within the period of one year from the date of commencement of this Act, or within such other longer period, as may be notified by the Government, proves that he had been in regular practice as a Para Veterinary Technician for a period of not

less than two years preceding the date of coming into force of this Act and passes the examination conducted for the purpose by the Council shall be eligible for registration under this Act.

(3) No person shall be eligible for registration under sub-section (1) or sub-section (2), if he is subject to any of the disqualifications under section 5.

21. (1) Every person qualified for registration under sub-section (1) of section 20 shall apply for registration within three months from the date on which he became eligible for registration as provided for in the said sub-section.

Registration.

(2) Every person eligible for registration under sub-section (2) of section 20 shall apply for registration within three months from the date on which he became eligible for registration as provided for in the said sub-section.

(3) An application for registration under this Act shall be in the prescribed form and shall be accompanied by such fee as may be prescribed.

(4) Every Para Veterinary and Allied Technician who applies to the Secretary for registration in respect of any additional recognized qualification shall pay a fee, as may be prescribed.

(5) An application for registration shall be addressed to the Secretary and if the Secretary is satisfied that the applicant is entitled to have his name entered on the register, he shall enter thereon the name of the applicant and issue to him a certificate in such form as may be prescribed.

(6) Any person whose application for registration is rejected by the Secretary, may, within three months from the date of such rejection, file an appeal to the Council and the decision of the Council thereon shall be final.

22. (1) Every registration made under section 21 shall be valid for five years and will have to be renewed before the end of the fifth year.

Renewal of
Registration.

(2) Where the renewal is not made before the due date, the Secretary shall remove the name of the defaulter from the register:

Provided that a name so removed may be restored to the register on payment of the renewal fee, together with such fine, as may be prescribed.

(3) On payment of the renewal fee and the fine, if any, the Secretary shall, in the manner prescribed, issue a Certificate of Registration to the person concerned and where the name of the person has been removed from the register under sub-section (2) he shall re-enter his name in the register.

Removal from
the register.

23. (1) Subject to the provisions of this section, where the Council is satisfied after giving the person concerned a reasonable opportunity of being heard and after making such further enquiry as it may think fit to make, it may order that the name of that person shall be removed from the register if,-

- (a) his name has been entered in the register by error, or on account of misrepresentation or suppression of any material fact, or
- (b) he has been convicted of any offence under this Act or has been guilty of the infamous conduct in the profession which, in the opinion of the Council, render him unfit to be on the rolls of the register; or
- (c) it has been established that the certificate, Diploma has been obtained through a fraudulent method or false certificate.

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

(3) A person aggrieved by an order under sub-section (1) may, within thirty days from the date of order appeal to the Government and the decision of the Government shall be final.

(4) A person whose name has been removed from the register under this section shall forthwith surrender his Certificate of Registration to the Secretary.

Restoration to
the register.

24. The Council may at any time, for reasons to be recorded in writing, order that the name of a person removed from the register under sub-section (1) of section 23 shall be restored on payment of such fee, as may be prescribed.

CHAPTER-VI

RECOGNITION OF PARA VETERINARY AND ALLIED EDUCATIONAL AND TRAINING INSTITUTIONS

Recognition of
institutions.

(25) (1) Subject to the provisions contained in sub-sections (2) to (6), no person shall establish a Para Veterinary and Allied Institution or conduct any Para Veterinary and Allied Course for preparing students to acquire any recognized qualification, without prior recognition by the Council.

(2) A person may apply for the recognition of a Para Veterinary and Allied Institutions to the Secretary of the Council in such forma and shall be accompanied by such fee, as may be prescribed.

(3) On receipt of the application made under sub-section (2), the Secretary to the Council shall conduct such enquiry in such manner as may be prescribed and shall, by order grant recognition or reject the application for recognition in such manner as may be prescribed.

(4) The educational and training institutions conforming to the standards fixed by the Council by regulations made under this Act, alone shall be given recognition in such manner as may be prescribed.

(5) Notwithstanding anything contained in sub-section (1), all institutions conducting Para Veterinary and Allied Courses as on the date of commencement of this Act shall apply for recognition to the Council within three months from the date of commencement of this Act. If the institution applying for recognition does not conform to the standards fixed by the Council in this regard, temporary recognition may be granted to the institution subject to the condition that the facilities in accordance with the standards fixed by the Council shall be provided within a period of one year from the date of grant of temporary recognition.

(6) If the institution does not provide the facilities in accordance with the standards fixed by the Council, within the period specified therein the temporary recognition granted under sub-section (5) shall be withdrawn forthwith.

26. Where, on the basis of a report of a Committee appointed by the Council in this behalf, it is satisfied that an institution recognized under this Act. -

Withdrawal of recognition.

- (a) has failed to comply with conditions of recognition; or
- (b) there exists any of the grounds which would have entitled to refuse the application for recognition, the Council may by order withdraw such recognition; provided that, before such withdrawal of recognition, the Council shall give an opportunity to the person managing that institution for making his representation.

27. (1) The Council on representation or otherwise may recognize any Diploma or Certificate awarded by any University, Council or Institution established under any law for the time being in force to be recognized qualification for the purposes of this Act.

Recognition of qualification.

(2) Where a qualification is recognized under sub-section (1), the Government shall, by notification in the Andhra Pradesh gazette, declare the same as equivalent qualification for the purposes of this Act.

Inspection of institutions.

28. (1) The Council may appoint either on regular or ad-hoc basis such number of officers as it may deem necessary, to inspect any institution for the purposes of granting recognition under this Act.

(2) The officers referred to in sub-section (1) shall also be empowered to conduct periodical inspections of the recognized institutions to ensure that the required standards are being maintained by them.

(3) The Secretary or any officer authorized by the Council may enter into the premises of any recognized institutions to make any inquiry or inspection which is authorized by or provisions of this Act or of any rule or regulation or order made there under.

(4) The Manager and employees of a recognized institution and its employees shall be bound to offer to the officers of the Council such access at all reasonable times, to the premises of such institution and to all documents and materials as may in the opinion of such officers be necessary to enable them to discharge their duties under this section.

CHAPTER-VII FINANCE

Fund of the Council.

29. (1) All fees received, all income such as rent and profits derived from properties and funds vested in the Council, all grants and loans received if any from the Government, all endowments and donations received from any source whatsoever, all other miscellaneous receipts of the Council and all remittances received in connection with the affairs of the Council, shall form the fund of the Council, which shall be utilized for the purposes, laid down in this Act and in the rules, regulations and orders made there under.

Central Act No.2 of 1934.

(2) The Fund of the Council shall be deposited in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934 or in the Government Treasury as may be decided by the Council.

(3) The custody of the Fund, the payment of moneys therein, the withdrawal of moneys there from and all other Ancillary matters shall be regulated by such rules as may be prescribed in that behalf.

Annual accounts and audits.

30. (1) The annual report and accounts of the Council shall be approved by it and shall be got audited before the end of September of the next year:

Provided that the accounts of receipts and expenses of the fee levied and collected shall be duly certified by the Council in the annual report.

(2) The Audit may be done by any Chartered Auditor appointed by the Council from a panel approved by Government and the Council shall bear the cost of the audit.

(3) The accounts of the Council as certified by the auditor together with the audit report thereon shall be forwarded annually to the Government.

(4) The Government shall cause the accounts of Council together with the audit report thereon forwarded to them under sub-section (3) to be laid annually before the Legislature of the State.

CHAPTER -VIII OFFENCES AND PENALTY

31. (1) No person other than a person registered under this Act shall practice as a Para Veterinary and Allied Technician.

Persons not registered under this Act not to practice.

(2) Any person who acts in contravention of this section shall on conviction be punishable.-

(a) In the case of a first offence with imprisonment for a term which may extend to six months and with fine which may extend to one thousand rupees; and

(b) in the case of a second or subsequent offence, with imprisonment for a term which may extend to one year, but which shall not be less than three months and with fine which shall not be less than two thousand rupees, but which may extend to five thousand rupees.

(3) No Para Veterinary and Allied Technician shall violate the provision of section 30 (b) of the Indian Veterinary Council Act, 1984.

Central Act No.52 of 1984.

32. (1) No dispensary, hospital, infirmary, Lying-in-operation theatre, laboratory or other similar institutions etc., shall employ any person as a Para Veterinary Technician unless such person is a Para Veterinary Technician registered under this Act.

Offences by hospitals, institutions etc.,

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to five thousands rupees.

33. (1) Save as provided by the Act or the rules made there under no person shall confer, grant or issue or hold himself out as entitled to confer, grant or issue any diploma certificate or other document stating or implying that the holder, grantee or recipient thereof is qualified to practice as a Para Veterinary Technician.

Prohibition against unauthorized conferment of diploma etc.,

(2) Whoever contravenes the provisions of sub-section (1) shall on conviction, be punishable with fine which may extend to five thousand rupees and if the person so contravenes in an Association who knowingly or willfully authorizes or permit the contravention shall, on conviction be punishable with fine which may extend to one thousand rupees.

Penalty for unauthorised use of titles.

34. (1) No person shall add to his name any title, letters or abbreviations, which imply that he holds diploma license or certificate as his qualification to practice as a Para Veterinary and Allied Technician, unless, -

- (a) He has actually received such diploma or license or certificate; and,
- (b) Such diploma, license or certificate is recognized by any law for the time being in force in the State, or has been conferred or granted or issued by an authority appointed under this Act.

(2) Whoever contravenes the provisions of sub-section (1) shall on conviction be punishable, in the case of first offence, with fine which may extend to one thousand rupees and in the case of a second or subsequent offences, with fine which may extend to two thousand rupees.

Trial of offences.

35. (1) All offences under this Act are triable by a Judicial Magistrate of First Class.

(2) Notwithstanding anything contained in sub-section (1), no court shall take cognizance of an offence punishable under this Act except with the previous sanction of the Council or of an Officer authorized by the Council in this behalf.

Bar of Jurisdiction of Civil Courts.

36. No act done or action taken, in exercise of any of the powers conferred by or under this Act, by the Government or the Council or the Executive Committee or the Secretary shall be called in question in any Civil Court.

Compounding of offences.

37. The Secretary of the Council may compound any offence punishable under this Act before their cognizance by the Court, on payment of a sum which may not be less than the minimum of the fine stipulated for such offence but may extend to the maximum of the fine stipulated for such offence by way of composition of the offence:

Provided that no such compounding shall be permitted in the case of a second or subsequent offence.

CHAPTER IX MISCELLANEOUS

38. Every member of the Council, the Secretary, all officers and servants appointed under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860.

Members of Council, Officers etc., to be public servants.

Central Act No.45 of 1860.

39. No suit, prosecution or other legal proceeding shall lie against the Government or the Council or its member or officer or other person in respect of anything which is in good faith done or intended to be done under this Act or the rules issued there under.

Protection of actions taken in good faith.

40. 1) The Government may, give to the Council general directions to be followed by the Council.

Directions by Government.

(2) In the exercise of its powers and performance of its duties under this Act, the Council shall not depart from any general directions issued under sub-section (1), except with the previous permission of the Government.

41. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, do anything not in consistent with such provisions, which appear to them to be necessary or expedient for the purpose of removing the difficulty.

Power to remove difficulties.

(2) No order under sub-section (1) shall be made after the expiration of a period of two years from the commencement of this Act.

42. (1) The Council may, with the previous approval of the Government, make regulations, not inconsistent with this Act or the rules made there under, for all or any of the following matter namely: -

Power to make regulations.

- (i) The time and place at executive committee shall hold its meeting and the manner in which such meeting shall be convened and held;
- (ii) The courses and period of study and of practical training to be undertaken, the subjects of examination and standards of recognized qualification;
- (iii) The recognition of any Institution for the purpose of such training and the granting of Diplomas to candidates passing the examinations;

- (iv) Minimum criteria to be fulfilled for admission to these courses and the procedure to be followed in the selection of candidates;
- (v) The standards of staff, equipment, accommodation, training and other facilities for education in the Institution;
- (vi) The conduct of professional examinations, qualification of examiners and the conditions of admission to such examination;
- (vii) the standards of professional conduct and etiquette and code of ethics to be observed by Para Veterinary and Allied Technician;
- (viii) the procedure and conditions for recognition of qualifications.

(2) All regulations made under this section shall be published in the Andhra Pradesh Gazette.

(3) The Council may, with the previous approval of the Government by notification in the Gazette, at any time, modify, amend or cancel any such Regulations.

Power to
make rules.

43. (1) The Government may by notification in the Andhra Pradesh Gazette, make rules to carry out all or any of the purposes of this Act, not inconsistent with any of the provisions contained therein.

(2) In particular and without prejudice to the generality of the foregoing power, Government may make rules providing for;-

- (a) the fees and other allowances payable to the President, Vice-President and other members of the Council under section 13;
- (b) the method of appointment, qualifications, salary allowances and other conditions of services of the Secretary;
- (c) the form of the registers and the particulars to be entered therein under section 21;
- (d) the forms of applications and the fees to be paid under section 21;
- (e) the form of the certificate to be issued under sub-section (5) of section 21 and the particulars which it shall contain;
- (f) the payment of renewal fee and fine under section 22;
- (g) the fee to be levied under section 24;

- (h) the custody of the fund of the Council and the ancillary matters under section 29;
- (i) any other matter which has to be or may be prescribed by rules made under this Act;
- (3) Every rule made under this Act shall immediately after it is made, be laid before the State Legislature if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislature agree in making any modifications in the rule or in the annulment of the rule, the rule shall, with effect from the date of notification of such modification or annulment in the Andhra Pradesh Gazette is notified have effect only in such modified form or shall stand annulled, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.