

The
Bangladesh  **Gazette**

Extraordinary
Published by Authority

TUESDAY, SEPTEMBER 7, 1982

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW AND LAND REFORMS
(Law and Parliamentary Affairs Division)

NOTIFICATION

Dacca, the 7th September 1982

No. 536-Pub.—The following Ordinance made by the Chief Martial Law Administrator of the People's Republic of Bangladesh on the 3rd September, 1982, is hereby published for general information :—

**THE BANGLADESH VETERINARY PRACTITIONERS
ORDINANCE, 1982**

Ordinance No. XXX of 1982

AN
ORDINANCE

to make provision for the regulation, control and registration of Veterinary practitioners in Bangladesh and for the constitution of a Veterinary Council and for matters connected therewith.

22. **Proceedings in inquiries**—For the purpose of any enquiry under this Ordinance, the Council shall be deemed to be a court within the meaning of Evidence Act, 1872 and shall exercise all the powers of a Commissioner appointed under the Public Servant's (Inquiries) Act, 1850 (XXXVII of 1850).

23. **Indemnity**—No suit, prosecution or other legal proceedings shall be against the Council or any officer or employee thereof for anything which is in good faith done or intended to be done under this Ordinance.

24. **Power to make regulations.**— The Council may, with the previous approval of the Government, make regulations for the purpose of giving effect to the provisions of this Ordinance .

veterinary practitioner, shall be competent to hold any veterinary appointment in a veterinary institution, hospital, dispensary or abattoir maintained or aided by the Government or any local authority.

(2) Notwithstanding anything contained in any other law for the time being in force, no certificate required by any such law to be signed by a veterinary practitioner shall be valid unless it is signed by a registered veterinary practitioner.

(3) No person shall be entitled to recover any fee or charge in any court for any veterinary advice or attendance, or for the performance of any operation, or for any medicine supplied, unless he shall prove upon the trial that he is a duly registered veterinary practitioner.

21. Persons not registered under the Ordinance not to practise—(1) Notwithstanding anything to the contrary contained in any other law for the time being in force, no one, other than a registered veterinary practitioner, shall practise, or hold himself out as practising, the veterinary medicine or surgery.

(2) Whoever, after the date fixed in this behalf by notification in the *official Gazette* by the Council, contravenes the provision of sub-section (1) shall be punishable with fine which may extend to taka five hundred ;

(3) The provisions of sub-section (1) shall not apply to any person who performs any of the following acts, namely :—

- (a) Rendering to any animal first-aid for the purpose of saving life or relieving pain ;
- (b) destruction of any animal by painless method ;
- (c) castration of any animal or caponising of any poultry or bird ;
- (d) docking of the cattle or dog before its eyes are open ;
- (e) amputation of the claws of a dog before its eyes are open ;
- (f) inoculation or vaccination of any animal, poultry or bird.

registered veterinary practitioner, the Registrar shall, after making such enquiry as he deems fit, remove the name of the deceased from the register.

18. Publication of and presumption as to entries in the list of registered veterinary practitioners—(1) The Registrar shall once in every four years, on or before such date as may be determined by the Council, cause to be published in the *official Gazette* a list in alphabetical order the names of all persons who are registered in the register together with their addresses and recognised veterinary qualification and the date on which such qualifications were obtained.

(2) The Registrar shall also cause to be published in the *official Gazette* in the month of January every year an annual supplement to the list published under sub-section (1) showing therein the additions, alternations or corrections made in entries in the register during the preceding year.

(3) The Register shall be deemed to be a public document within the meaning of the Evidence Act, 1872 (I of 1872).

19. Responsibility of Registered Veterinary Practitioner—

(1) Every registered veterinary practitioner shall inform the Council any change of his address within sixty days of such change and, on receipt of the information, the Registrar shall make the necessary corrections in the register.

(2) No registered veterinary practitioner shall use or publish in any way whatsoever any name, title description or symbol indicating or calculated to lead persons to infer that he possesses any recognised veterinary qualification higher than that he or other professional qualification unless the same has been conferred upon him by a legally constituted authority within or outside Bangladesh.

20. Privileges of registered veterinary practitioner—

(1) Notwithstanding anything to the contrary contained in any other law for the time being in force, no one, other than a registered

(6) The Registrar shall by letter sent by registered post inform the veterinary practitioner of his registration any amendment of cancellation of his registration or restoration of his name in the register.

(7) If any person whose name is entered in the register obtains any recognised veterinary qualification other than the qualification in respect of which his name has been registered, he shall, on payment of such fee as may be prescribed, be entitled to have such additional qualification entered against his name in the register either in substitution of or in addition to, any entry previously made.

14. **Appeal**—If any person is dissatisfied with the decision of the Council refusing or cancelling the registration of his name or directing the correction or cancellation of any entry in the register he may, at any time within sixty days from the date of such decision and on payment of such fees as may be prescribed, prefer an appeal to the Government and the decision of the Government shall be final.

15. **Amendment of the Schedule**—The Government, after consultation with the Council, may, if it thinks fit, by notification in the *official Gazette* amend the schedule so as to include therein, or omit therefrom, any veterinary qualification granted by any veterinary institution.

16. **Power to call for information, etc.**—The Council shall have power to call on the authorities of any veterinary institution in Bangladesh to furnish such particulars as the Council may require of any courses of study and examinations to be undergone in order to obtain the degree, diploma or licence granted by that veterinary institution, as to the minimum age at which such courses of study can be undertaken, examinations required to be undergone prior to such degree, diploma or licence being granted, and generally as to the requisites for obtaining such degree, diploma or licence.

17. **Notice of deaths and removal of names from register**—On receipt of any reliable information regarding the death of any

- (b) specify in his application the date on which he acquired the qualification which entitles him to claim registration ; and
- (c) furnish such other information as the Council may require for the purpose of registration.

13. **Registration**—(7) The Council may on being satisfied that a person applying for registration possesses a recognised veterinary qualification and has paid the prescribed fee, allow the application and direct the Registrar to enter his name in the register.

(2) The Registrar shall, on the registration of the person's name, give him a certificate of registration signed by him and countersigned by the President.

(3) The Council may after giving the person concerned an opportunity of being heard, refuse to permit the registration, or cancel the registration of the name of any person,—

- (a) who has been convicted by any court for any offence involving moral turpitude ;
- (b) whom the Council, after due enquiry, finds guilty of infamous conduct in his professional capacity.

(4) The Council may, on its own motion or upon an application made to it by any person, direct, after giving the person concerned an opportunity of being heard—

- (a) for the purpose of rectification of any error, a amendment or any entry in the register ;
- (b) cancellation of any registration which has been fraudulently made or effected.

(5) Where the name of a registered veterinary practitioner is removed for any reason under this Ordinance, the Council may, on its own motion or upon an application made to it by the concerned veterinary practitioner, allow the name of the veterinary practitioner to be registered again in the register.

10. **Register of Veterinary Practitioner**—(1) The Council shall, as soon as may be after its constitution, arrange for the registration of veterinary practitioners and, for that purpose, shall, by notification in the *official Gazette* and publishing notice in at least two daily newspapers of wide circulation, one in the Bengali Language and the other in the English Language, appoint a date on or before which applications for registration of names shall be made by veterinary practitioners possessing recognised veterinary qualification.

(2) The names and addresses, the recognised veterinary qualification together with the dates on which such qualifications were acquired and the dates of registration of all veterinary practitioners registered under this Ordinance shall be entered in a register to be maintained by the Council for the purpose.

11. **Custody and maintenance of register**—(1) The Registrar shall maintain the register in such form and in such manner as may be prescribed and shall make from time to time such entries, corrections, alterations and modifications in the entries therein as may be directed by the Council.

(2) The Registrar may, for the purpose of carrying out his duties imposed under sub-section (1), call for any information he may require from any registered veterinary practitioner or a veterinary practitioner applying for registration.

12. **Persons entitled to be registered**—(1) Every person possessing a recognised veterinary qualification may, subject to the provisions of this Ordinance and on payment of such fees as may be prescribed, apply to the Council to have his name entered in the register.

(2) Every person making an application under sub-section (1) shall—

(a) satisfy the Council that he is in possession of a recognised veterinary qualification ;

8. **Fund of the Council**—(1) There shall be a fund of the Council to which shall be credited—

- (a) grants and loans from the Government ;
- (b) registration fees and other fees ;
- (c) income from investments and properties ;
- (d) aids and grants, if any, received from foreign countries with the prior approval of the Government.

(2) The fund of the Council shall be utilised by the Council to meet the charges in connection with the functions of the Council and payment of salaries and allowances to its officers and employees.

(3) The fund of the Council shall be kept in such bank or banks as may be approved by the Council.

(4) The Council may invest its funds in such securities as may be approved by the Government.

9. **Accounts and audit**—(1) The Council shall maintain regular accounts of all moneys received and expended by it.

(2) The accounts shall be audited every year by the Comptroller and Auditor-General of Bangladesh, hereinafter in this section referred to as the Auditor-General, in such manner as he deems fit.

(3) For the purpose of an audit under sub-section (2), the Auditor-General or any person authorised by him in this behalf shall have access to all records, books, documents, cash, securities and other properties of the Council and may examine the President or any member officer or employee of the Council.

(4) The Auditor-General shall, as soon as possible after the completion of the audit, send to the Council his audit report and the Council shall forward it, with its comments thereon, to the Government.

(5) The Council shall take steps forthwith to remedy any defects or irregularities pointed out in the audit report.

be filled by election or, as the case may be, nomination and the person so elected or nominated shall hold office for the unexpired period of the term of office of his predecessor.

6. Meeting of the Council—(1) The Council shall meet at least twice in a year at such time and place, and shall be summoned in such manner, as may be prescribed :

Provided that until regulations are made, the President may call a meeting of the Council by sending notice to each member.

(2) To constitute a quorum at a meeting of the Council not less than five members shall be present.

(3) All meetings of the Council shall be presided by the President and in his absence, by a member who is a Registered Veterinary Practitioner elected by the members present at the meeting.

(4) All questions at a meeting of the Council shall be divided by a majority of the members present and voting, and in the case of an equality of votes, the person presiding shall have a second or casting vote.

(5) No act done by the council shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Council.

7. Appointment of officers, etc.—(1) The Council shall appoint a Registrar and such other officers and employees as it may consider necessary on such terms and conditions as may be prescribed.

(2) The Registrar shall act as Secretary to the Council and shall until another person is appointed as treasurer, also act as treasurer.

(3) All persons appointed under this section shall be deemed to be public servants within the meaning of 21 of the Penal Code (Act XLV of 1960).

having perpetual succession and common seal with power to acquire and hold property, both movable and immovable and to contract, and shall, be the said name, sue and be sued.

5. **Term of office**—(1) The President shall hold office for a term not exceeding four years and not extending beyond the expiry of his term as member, and shall be eligible for re-election.

(2) The president shall be deemed to have vacated office on the day the Council holds its meeting after its re-constitution.

(3) The President may resign his office by notice in writing addressed to the Government and shall be deemed to have vacated office on such resignation being accepted by the Government.

(4) A member, other than an *ex-officio* member, shall hold office for a term of four years from the date of his nomination or, as the case may be, election, or until his successor has been nominated or elected.

(5) A member shall be eligible for re-election or, as the case may be, re-nomination.

(6) A member, other than an *ex-officio* member shall vacate office if he—

(a) resigns his office by notice in writing addressed to the President and the resignation is accepted by the President ;

(b) fails to attend three consecutive meetings of the Council without leave of absence granted by the Council ;

(c) remains out of Bangladesh for a continuous period exceeding one and a half year ;

(d) cases to represent the particular interest for which he was elected or, as the case may be, nominated.

(7) Any casual vacancy in the office of member, including the President caused by death, resignation, removal or otherwise shall

3. Constitution of the Council—(1) There shall be constituted a council which shall consist of the following members, namely :—

- (a) the Director of Livestock Services, *ex-officio* ;
- (b) one Registered Veterinary Practitioner from each of the Administrative Divisions of Bangladesh, to be elected in the manner prescribed :

Provided that the President shall have power to nominate a registered veterinary practitioner if no such practitioner is elected from any division under this clause ;

- (c) one Registered Veterinary Practitioner, to be nominated by the Bangladesh Agricultural University ;
- (d) the Dean of the Faculty of Veterinary Science of the Bangladesh Agricultural University, *ex-officio* ;
- (e) the President of the Bangladesh Veterinary Association, *ex-officio* ;
- (f) one member, belonging to the legal profession, to be nominated by the Chief Justice of Bangladesh ; and
- (g) one member of the defence services possessing recognised veterinary qualification, to be nominated by the Bangladesh Army ;

Provided that for the constitution of the Council for the first time, all the members, other than the *ex-officio* members, shall be appointed by the Government.

(2) The members shall elect a President from amongst themselves in such manner as may be prescribed :

Provided that for the constitution of the Council for the first time, the President shall be appointed by the Government.

4. Incorporation of the Council—The Council shall be a body corporate by the name of the Bangladesh Veterinary Council,

Whereas it is expedient to make provision for the regulation, control and registration of veterinary practitioners in Bangladesh and for the constitution of a Veterinary Council and for matters connected therewith ;

Now, therefore, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance :—

1. **Short title.**—This Ordinance may be called the Bangladesh Veterinary Practitioners Ordinance, 1982.

2. **Definitions.**—In this Ordinance unless there is anything repugnant in the subject or context,—

- (a) "Council" means the Bangladesh Veterinary Council constituted under this Ordinance ;
- (b) "member" means a member of the Council ;
- (c) "Prescribed" means prescribed by regulations made under this Ordinance ;
- (d) "President" means the President of the Council ;
- (e) "recognised Veterinary qualification" means any of the veterinary qualification included in the schedule ;
- (f) "register" means the register of veterinary practitioners maintained under this Ordinance.
- (g) "registered veterinary practitioners" means a person whose name is for the time being entered in the register ;
- (h) "Registrar" means the person appointed as Registrar by the Council ; and
- (i) "Veterinary Institution" means any Institution which trains for, or grants, or both trains for and grants, degrees, diplomas or licence in Veterinary Science.

THE SCHEDULE

[See Sections 2(e) and 15]

PART A—Degree in Veterinary Science

1. Bachelor of Animal Husbandry of the Dacca University.
2. Bachelor of Veterinary Science and Animal Husbandry of the Dacca University ;
3. Bachelor of Veterinary Science and Animal Husbandry of the Bangladesh Agriculture University.
4. Doctor of Veterinary Medicine of the Bangladesh Agriculture University.
5. Member of the Royal College of Veterinary Surgeon, United Kingdom.

PART B—Diploma in Veterinary Science

1. Graduate in Veterinary Science (G.V.Sc.) of Bengal Veterinary College, Calcutta, India.
2. Diploma in Veterinary Medicine and Surgery (D.V.M.S.) of the Dacca University.
3. Licenciante Veterinary Surgeon (L.V.S.) of the Bangladesh Agricultural University.
4. Licenciante Veterinary Surgeon (L.V.S.) of the Dacca University.

DACCA

The 3rd September, 1982.

H M ERSHAD, ndc, psc

LIEUTENANT GENERAL

Chief Martial Law Administrator.

SHAMSUR RAHMAN

Deputy Secretary.