The Tamil Nadu Medical Registration Act, 1914

Act 4 of 1914

Keyword(s):
The British Medical Act, Council, Hospitals, Registered Practitioner, Doctor

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[1][TAMIL NADU] ACT No. IV OF 1914[2].

[THE [1] [TAMIL NADU] MEDICAL REGISTRATION ACT, 1914.]

(Received the assent of the Governor on the 6th April 1914 and that of the Governor-General on the 27th April 1914; the assent of the Governor-General was first published in the Fort. St. George Gazette *of the 12th May 1914.)*

An Act for the Registration of Medical Practitioners.

WHEREAS it is expedient to provide for the registration of medical practitioners in the [3][State of Tamil Nadu]; It is hereby enacted as follows :— **Preamble.**

1. (1) This Act may be called the [1][Tamil Nadu] Medical Registration Act, 1914. **Short title.**

(2) It extends to the whole of the [3][State of Tamil Nadu]. **Extent.**

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[1] These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

[2] For Statement of Object and Reasons, *see Fort St. George Gazette*, 1913, Pt. IV, p. 699; for Report of Select Committee *see ibid*, p. 931, and for Proceedings in Council, *see ibid*, pp. 370 and 786; *ibid*, 1914, Pt. IV., pp 90, 112, 399 and 404.

This Act was extended to the merged State of Pudukkottai by section 3 of, and the First Schedule to, the Tamil Nadu Merged States (Laws) Act, 1949 (Tamil Nadu Act XXXV of 1949).

This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the First Schedule to, the Tamil Nadu (Transferred Territory Extension of Laws Act, 1960 (Tamil Nadu Act 23 of 1960), which came into force on the 1st April 1961, repealing the corresponding law in that territory.

[3] This expression was substituted for the expression "Presidency of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

Commencement of Act.

2. The provisions of section 4 shall come into [1] force on such date as the [2][State Government] may notify in this behalf. The rest of this Act shall come into force at once.

Definitions.

3. In this Act unless there is something repugnant in the subject or context, —

(1) " the British Medical Act " means Statute 21 and 22 Victoria, Chapter 90 (The Medical Act), and any Act amending the same ;

(2) " Council " means the Medical Council established by this Act ;

(3) " hospitals", " asylums", " infirmaries," " dispensaries", " lying-in-hospitals " mean institutions the methods of treatment carried on in which are those which are approved by the Medical Council established by this Act;

(4) " prescribed" means prescribed by rules or by-laws made under this Act;

(5) "registered practitioner" means any person registered under the provisions of this Act.

Privileges of registered practitioners.

4. Notwithstanding anything to the contrary in any enactment, rule, by-law or any other provision of law—

(1) No certificate required by law to be given by a medical practitioner or officer shall be valid unless signed by a registered practitioner.

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1 The provisions of section 4 came into force on the 1st June 1916.

2 The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

[1](2) Except with the special sanction of the [2][State Government] no one other than a registered practitioner shall be competent to hold any appointment as physician, surgeon or other medical officer in any hospital, asylum, infirmary, dispensary or lying-in-hospital not supported entirely by voluntary contributions or as Medical Officer of health.

Constitution of Medical Council.

[3][5. (1) A Medical Council shall be established for the [4][State of Tamil Nadu] ,consisting of the following fifteen members, namely :—

(*a*) one member elected by the [5][Senate] of the University of Madras from among the members of the Faculty of Medicine of that University ;

(*b*) one member elected by the [5][Senate] of the Andhra University from among the members of the Faculty of Medicine of that University ;

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1 Under section 4 (3) of the Tamil Nadu Registration of Practitioners of Integrated Medicine Act, 1956 (Tamil Nadu Act XXVII of 1956), practitioners registered under that Act are also competent to hold any appointment as physician, surgeon or other medical officer in an institution of modern medicine, or as medical officer of health open to registered practitioners under this Act.

2 The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

3 This section was substituted for section 5 by section 2 of the Madras Medical Registration (Amendment) Act, 1938 (Madras Act XVI of 1938).

4 This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

5 This word was substituted for the words "Academic Council" by section 2 of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

(*c*) one member elected from amongst themselves by such members of the staff of the Medical College at Madras, as are registered practitioners ;

(*d*) one member elected from amongst themselves by such members of the staff of the Medical College at Vizagapatam, as are registered practitioners ;

(*e*) one member elected from amongst themselves by such members of the staff of the Stanley Medical College, Madras, as are registered practitioners ;

(*f*) seven members elected by the registered practitioners from amongst themselves ; and

(*g*) three members nominated by the [1][State] Government.

(2) In making nominations under clause (*g*) of sub-section (1) the [1][State] Government shall have due regard to the claims of women, of medical missions and of other groups of practitioners, representatives of whom have not been elected by the electorates referred to in clauses (*a*) to (*f*) of that sub-section.

(3) The president of the Council shall be elected by the members of the Council from amongst themselves in the prescribed manner :

Provided that for a period of four years from the date of the reconstitution of the Council under the Madras Medical Registration (Amendment) Act, 1938, the president shall be a person nominated by the [1][State] Government and holding office during their pleasure, and where he is not already a member, shall *ex officio* be a member of the Council in addition to the members specified in sub-section (1). Madras Act XVI of 1938.

(4) The vice-president shall be elected by the members of the Council from amongst themselves in the prescribed manner.]

[1] This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

Qualifications of members.

6. No person shall be eligible to be a member of the Council unless he is a registered practitioner.

[1][* * * * * * * * *]

Term of office of elected and nominated members.

[2][7. A member of the Council other than a nominated president who is a member *ex officio*, shall hold office for a term of five years from the date of his election or nomination and shall be eligible for re-election or re-nomination.]

Cessation of membership.

8. A member of the Council shall be deemed to have vacated his seat--

(1) on sending his resignation in writing to the president or registrar;

(2) on his absence without excuse sufficient in the opinion of the Council from three consecutive meetings of the Council;

(3) on his absence out of India for six consecutive months;

(4) on removal of his name from the register;

(5) on his being declared an insolvent by any competent court;

(6) on expiry of the term mentioned in section 7; [3][ ].

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[1] This proviso was omitted by section 3 of the Madras Medical Registration (Amendment) Act, 1938 (Madras Act XVI of 1938).

[2] This section was substituted for section 7 by section 4, *ibid.*

[3] The word "and", which was added by section 3 of the Madras Medical Registration (Amendment) Act, 1935 (Madras Act XXI of 1935), was omitted by section 3 (i) of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

[1][(7) in case he was elected under [2][clause (*a*) or clause (*b*)] of sub-section (1) of section 5, also on his ceasing to be a member of the Faculty of Medicine of the University concerned.]

[3][(8) in case he was elected under clause (*c*), clause (*d*) or clause (*e*) of sub-section (1) of section 5 and has ceased to be a member of the staff of the Medical College concerned, also on the expiry of three months from the date of such cessation or on the election of his successor, whichever occurs earlier.]

Filling up of vacancies.

9. When the seat of any member becomes vacant, the vacancy shall be filled up by election or nomination, as the case may be, in accordance with the provisions of section 5.

Executive Committee

[4][**9-A.** (1) There shall be an Executive Committee of the Council, consisting of its president and vice-president, *ex officio*, and three other members of the Council who shall be elected every year in the prescribed manner by the Council at its first meeting held in that year.

(2) (*a*) Every member of the Executive Committee so elected shall hold office as such until the next annual election ; and if any casual vacancy occurs before such election, the Executive Committee shall fill that vacancy by electing a member of the Council :

Provided that if before the vacancy is so filled, a meeting of the Council has been called for, the vacancy shall be filled by the Council by electing one of its members.

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[1] This clause was added by section 3 of the Madras Medical Registration (Amendment) Act, 1935 (Madras Act XXI of 1935).

[2] This expression was substituted for the expression "clause (*b*) or clause (*bb*) " by section 5 of the Madras Medical Registration (Amendment) Act, 1938 (Madras Act XVI of 1938).

[3] This clause was added by section 3 (ii) of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

[4] This section was inserted by section 4, *ibid.*

(*b*) A member of the Committee elected to fill a casual vacancy shall hold office as such only until the next annual election.

(3) The Council may, with the previous sanction of the [1][State] Government, delegate any of its powers and duties to the Executive Committee.

(4) The [1][State] Government shall have power to cancel any delegation made under sub-section (3).

(5) No business shall be transacted at a meeting of the Executive Committee unless at least three members thereof are present.

All questions which may come before the Executive Committee shall be decided in accordance with the votes of the majority of the members present and voting at the meeting. In the case of an equality of votes, the president, vice-president or any councillor presiding at the meeting shall have a casting vote.]

Registrar and other officers.

10. (1) The Council shall appoint a registrar who shall act as secretary of the Council and who shall also act as treasurer, unless the Council shall appoint another person as treasurer. Every person so appointed shall be removable at the pleasure of the Council.

(2) The Council may also employ such other persons as it may deem necessary for the purposes of this Act.

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(3) All persons appointed or employed under this section shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Medical register.

11. It shall be the duty of the registrar to keep a register of medical practitioners and from time to time to revise the register and publish it in the prescribed manner. [2][The names of the medical practitioners shall be arranged in the register in the alphabetical order, an asterisk being placed against the names of those who are entitled to vote at elections to the Medical Council of India under

1 This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

2 This sentence was inserted by section 6 of the Madras Medical Registration (Amendment) Act, 1938 (Madras Act XVI of 1938).

section 3 (1) (*c*) of the Indian Medical Council Act, 1933*.] 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 [1][Official Gazette]. Central Act XXVI of 1933. Central Act I of 1872.

Meetings of Council.

12. Except as otherwise provided in this Act, no business shall be transacted at a meeting of the Council unless at least seven members are present.

All questions which may come before the Council shall be decided in accordance with the votes of the majority of the members present and voting at the meeting. In the case of an equality of votes the member presiding at the meeting shall have a casting vote.

Persons who may be registered.

13. Subject to the provisions of section 14, every person who—

(*a*) is for the time being registered under the British Medical Act; or

(*b*) is possessed of any of the qualifications described in the Schedule

shall be entitled to be registered on furnishing to the registrar proof of such registration or qualification whether or not such person practises or intends to practise the allopathic or any other system of medicine:

Provided that the [2][State Government] may, after consulting the Council, permit the registration of any person who shall furnish to the registrar proof that he is possessed of a medical degree, diploma

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1 These words were substituted for the words "*Fort St. George Gazette*" by the Adaptation Order of 1937.

2 The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

**See* now section 3(1) (c) of the Indian Medical Council Act 1956 (Central Act 102 of 1956).

or certificate of any University, medical college or school approved by the Council, other than those described in the Schedule. [1][Where such person is, at the time of his registration under this proviso, employed in a hospital, asylum, infirmary, dispensary or lying-in-hospital managed by a Mission, the [2][State] Government shall have power to direct that the registration shall be in force only so long as he continues to be employed in any such hospital, asylum, infirmary, dispensary or lying-in-hospital:]

Provided further that the Council may refuse to permit the registration of any person who has been convicted of any such offence as implies in the opinion of the Council a defect of character or who, after an enquiry at which opportunity has been given to the candidate to be heard in person or by pleader, has been held by the Council to have been guilty of infamous conduct in any professional respect.

Registration fee.

[3][14. (1)] Every person who applies to be registered under this Act shall pay a registration fee of [4][twenty rupees].

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1 This sentence was added by section 2 of the Madras Medical Registration (Amendment) Act, 1941 (Madras Act XXI of 1941). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

2 This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

3 The first paragraph of section 14 was renumbered as sub-section (1) and the second paragraph as sub-section (2) of section 14 by section 2 of the Madras Medical Registration (Amendment) Act, 1929 (Madras Act X of 1929).

4 These words were substituted for the words "fifteen rupees" by section 5 (i) of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

[1][Provided that any person whose name has been registered under any Act for the registration of medical practitioners for the time being in force in any other part of [2][ ] India shall be required to pay a registration fee of only five rupees if the Act aforesaid provides for the registration of persons registered under this Act without the payment of any fee or on payment of a fee not exceeding five rupees.]

[3][(2)] Every registered practitioner who applies to the registrar for registration [4][under a new name, or] in respect of any additional qualification obtained subsequent to registration under this Act shall pay a fee of five rupees.

[5][(3) * * * *]

Special provision for amending the medical register.

[6][14-A (1) Notwithstanding anything contained in this Act, the Registrar may, by order in writing, amend the medical register by deleting therefrom the name of any person who, by reason of the alteration of Boundaries under the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959, has ceased to reside or practise in the [7][State of Tamil Nadu]. Central Act 56 of 1959.

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[1] This proviso was added by section 5 (ii) of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

[2] The word "British" was omitted by the Adaptation (Amendment) Order of 1950.

[3] The first paragraph of section 14 was renumbered as sub-section (1) and the second paragraph as sub-section (2) of section 14 by section 2 of the Madras Medical Registration (Amendment) Act, 1929 (Madras Act X of 1929).

[4] These words were inserted by section 5 (iii) of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943) re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No.I) Act, 1948 (Tamil Nadu Act VII of 1948).

[5] Sub-section (3), which was inserted by section 2 of the Madras Medical Registration (Amendment) Act, 1929 (Madras Act X of 1929), was omitted by section 5 (iv), *ibid.*

[6] This section was inserted by paragraph 3 of, and the Schedule to, the Madras Adaptation of Laws Order, 1961.

[7] This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

The Registrar may likewise amend the medical register by adding thereto the name of any person whose residence or place of practice has, by reason of the said alteration of boundaries, become part of the [1][State of Tamil Nadu] :

Provided that the Registrar may, before passing an order, make such inquiry as he deems necessary.

(2) Any person aggrieved by an order under sub-section (1) may appeal to such authority and within such time,as may be specified in this behalf by the State Government and such authority shall pass such order on the appeal as it thinks fit.

(3) An order of the Registrar under sub-section (1), or where an appeal has been preferred against it under sub-section (2), the order of the appellate authority, shall be final.

(4) The provisions of this section shall cease t be in force from such date as the State Government may, by notification in the Official Gazette, appoint.]

Appeal against the decision of registrar.

15. An appeal shall lie to the Council against any order of the registrar under section 13 or section 14. The said appeal shall be preferred within three months from the date of the order appealed against.

Alteration of register by Council.

16. (1) The Council may, if it sees fit and after giving due notice to the person concerned and inquiring into his objections, if any, order that any entry in the register which shall be proved to the satisfaction of the Council to have been fraudulently or incorrectly made or brought about be cancelled or amended.

(2) The Council may direct the removal altogether or for a specified period from the register of the name of any registered practitioner for the same reasons for which registration may be refused by the

[1] This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have some into force on the 14th January 1969.

Council under section 13 and the second proviso thereto shall apply to any inquiry under this section. The Council may also direct that any name so removed shall be restored :

[1][Provided that no medical practitioner shall be removed from the register on the ground of his association in any professional respect, with a qualified practitioner of Indian Medicine such as Ayurvedic, Unani and Siddha or an unregistered practitioner if such unregistered practitioner—

(*a*) is possessed of any of the qualifications described in the Schedule, and

(*b*) is not a person whose name the Council has refused to register under the second proviso to section 13 or whose name the Council has removed from the register under this sub-section.

Explanation.—The expression 'qualified practitioner ' shall, for the purposes of this proviso, mean 'a practitioner qualified under rules made by the [2][State Government] in this behalf'.]

[3][(3) Nothing in sub-section (2) shall relieve a registered practitioner of any obligations or code of ethics which may be imposed upon registered practitioners generally by the Council.]

[3][(4) Any registered practitioner may make an application to the Council for the deletion of his name from the medical register, and the Council may, on such application and subject to such rules as may be made by the [2][State Government], direct such deletion. Any such practitioner may apply for fresh registration under section 13.]

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[1] This proviso was added by section 2 of the Madras Medical Registration (Amendment) Act, 1932 (Madras Act IX of 1932).

[2] The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

[3] Sub-sections (3) and (4) were added by section 2 of the Madras Medical Registration (Amendment) Act, 1932 (Madras Act IX of 1932).

Procedure in inquiries and appeals.

17. (1) An inquiry under section 13 or section 16 may be held by a committee consisting of three members of the Council elected for the purpose by the Council. The Council or the committee, as the case may be, may at its discretion hold such inquiry *in camera*. [1][When the inquiry is held by a committee, it shall make a report to the Council which shall pass orders un section 13 or section 16, as the case may be.]

(2) For the purpose of any such inquiry or of any appeal under section 15, the Council or any committee thereof elected as aforesaid shall be deemed to be a court within the meaning of the Indian Evidence Act, 1872; and shall exercise all the powers of a Commissioner appointed under the Public Servants (Inquiries) Act, 1850; and such inquiries and appeals shall be conducted, as far as may be, in accordance with the provisions of section 5 and sections 8 to 20 of the said Public Servants (Inquiries) Act, 1850.

Central Act I of 1872.

Central Act XXXVII of 1850.

Central Act XXXVII of 1850.

Appeal against the decision of Council.

18. An appeal shall lie to the [2][State Government] against every decision of the Council under section 13 or section 16. Such appeal shall be preferred within three months from the date of the Council's decision.

Limiting of jurisdiction of civil courts.

19. No act done in the exercise of any power conferred [3][by or under this Act] on the [2][State Government] or the Council [3][or the Executive Committee] or the registrar shall be questioned in any civil court.

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[1] This sentence was substituted for the sentence "The decision of the committee shall be deemed to be the decision of the Council" by section 6 of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

[2] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

[3] The words "by or under this Act" were substituted for the words "by this Act" and the words "or the Executive Committee" were inserted by section 7 of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No.I) Act, 1948 (Tamil Nadu Act VII of 1948).

Power of State Government to alter Schedule.

20. It shall be lawful for the [1][State Government] by notification in the [2][Official Gazette] to alter the Schedule :

Provided that no medical degree, diploma or certificate granted in any British Colony or foreign country which does not recognize the medical degrees, diplomas or certificates of [3][any Government or University in India] shall be included in the Schedule.

Power of Council to call for information regarding efficiency of teaching and examinations.

[1]**21.** The Council shall have power to call on the governing body or authorities of any University, medical college or school included in or desirous of being included in the Schedule—

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

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

If the said body or authorities refuse to comply with any such demand, the [1][State Government] may upon report by the Council remove such University, college or school from the Schedule or refuse to include it in the Schedule.

Control by State Government.

22. If at any time it shall appear to the [1][State Government] that the Council has neglected to exercise or has exceeded or abused any power conferred upon it under this Act or has neglected to perform any duty imposed upon it by this Act, the [1][State Government] may notify the particulars of such neglect, excess or

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[1] The words " Provincial Government " were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950 .

[2] These words were substituted for the words "*Fort St. George Gazette*" by the Adaptation Order of 1937.

[3] These words were substituted for the words "a British India Government or University " by the Adaptation (Amendment) Order of 1950.

abuse to the Council; and, if the Council fails to remedy such neglect, excess or abuse within such time as may be fixed by the [1][State Government] in this behalf, the [1][State Government] may, for the purpose of remedying such neglect, excess or abuse, cause any of the powers and duties of the Council to be exercised and performed by such agency and for such period as the [1][State Government] may think fit.

Penalty for falsely pretending to be a registered practitioner.

23. Every person who falsely pretends to be a registered practitioner shall, whether any person is actually deceived by such pretence or not, be liable to be punished on conviction by a *Presidency Magistrate or a *magistrate of the first class with fine that may extend to three hundred rupees.

Power to make rules and by-laws.

24. (1) The [1][State Government] may after previous publication make rules for the purpose of carrying out the provisions of this Act.

In particular and without prejudice to the generality of the foregoing provision, the [1][State Government] may make rules,—

(i) for the election of members to the Council under [2][section 5] ;

(ii) for the [3][election and term of office of the president and vice-president] of the Council ;

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[1] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

[2] This expression was substituted for the expression "sections 5 and 6 " by section 7 (*a*) of the Madras Medical Registration (Amendment) Act, 1938 (Madras Act XVI of 1938).

[3] These words were substituted for the words " election of the vice-president", by section 7 (*b*) ,*ibid.*

* According to clauses (a) and (c) of sub-section (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), which came into force on the 1st day of April 1974, any reference to a Magistrate of the first class and to a Presidency Magisrate shall, unless the context otherwise requires, be construed as a reference, respectively to a Judicial Magistrate of the first class and to a Metropolitan Magistrate

[1][(ii-a) for the election of the members of the Executive Committee];

(iii) to regulate the procedure at an inquiry held under section 13 or section 16;

(iv) for the institution, hearing and disposal of appeals under section 15 or section 18;

(v) for the compilation and publication of the register;

(vi) for the disposal of fees received under this Act.

(2) The Council may, with the previous sanction of the [2][State Government] make by-laws,—

(i) for the convening of meetings of the Council [3][and of the Executive Committee];

(ii) for the conduct of business at such meetings;

(iii) for the appointment, control, pay and allowances of the establishment employed under section 10.

[4][25. * * * *].

THE SCHEDULE.

[5][(1) The degree of Doctor, Bachelor and Licentiate of Medicine and Master, Bachelor and Licentiate of Surgery of the University of Madras, the Andhra

[1] This clause was inserted by section 8 (i) of the Madras Medical Registration (Amendment) Act, 1943 (Madras Act IV of 1943), re-enacted permanently by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. I) Act, 1948 (Tamil Nadu Act VII of 1948).

[2] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

[3] These words were added by section 8 (ii), *ibid.*

[4] Section 25, which was inserted by the Adaptation Order of 1937, was omitted by the Adaptation (Amendment) Order of 1950.

[5] Clause (1) was substituted by the Notification No. 1451, published at page 529 of Part I-A of th *Fort St George Gazette*, dated the 20th November 1934.

University, the Osmania University and the Universities of Allahabad, Bombay, Calcutta, Lahore, Lucknow, Mysore and Rangoon.]

(2) A diploma or certificate granted by [1][any Government in India] [2][the Government of Burma] or the Government of Ceylon to any person trained in a medical college or school declaring him to be qualified to practise medicine, surgery and midwifery.

[3][(3) The diploma of Fellow and Member and the Licentiate certificate granted by the State Medical Faculty of Bengal and the College of Physicians and Surgeons of Bombay.]

[4][(4) A diploma granted by [5][the Government of Hyderabad] [6][or of Andhra Pradesh] to any person trained in the Hyderabad Medical School declaring him to be qualified to practise medicine, surgery and midwifery.]

[7][(5) The diploma of Licensed Medical Practitioner granted by His Highness the Maharaja of Mysore's Medical School [8][or the University of Mysore].]

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[1] These words were substituted for the words "a British Indian Government" by the Adaptation (Amendment) Order of 1950.

[2] These words were inserted by the Adaptation Order of 1937.

[3] Clause (3) was added by Notification No.26, published at page 725 of Part I-A of the *Fort St. George Gazette*, dated the 19th December 1916.

[4] Clause (4) was added by Notification No. 27, published at page 228 of Part I-A of the *Fort St. George Gazette*, dated the 26th March 1918.

[5] These words were substituted for the words "His Exalted Highness the Nizam's Government" by the Adaptation (Amendment) Order of 1950.

[6] These words were inserted by paragraph 3 of, and the Schedule to, the Madras Adaptation of Laws Order, 1961.

[7] Clause (5) was added by Notification No. 15, published at page 9 of Part I of the *Fort St. George Gazette*, dated the 6th January 1925.

[8] These words were inserted by the Health Department Notification No. 297, published at page 584 of Part 1-A of the *Fort St. George Gazette*, dated the 22nd July 1953.

[1][TAMIL NADU] ACT No. VIII OF 1914[2].

[THE [1][TAMIL NADU] DECENTRALIZATION ACT, 1914.]

(Received the assent of the Governor on the 14th December 1914 and that of the Governor-General on the 15th January 1915; the assent of the Governor-General was first published in the Fort St. George Gazette of the 26th January 1915.)

An Act to facilitate the administration of certain enactments.

Preamble.

WHEREAS it is expedient to facilitate the administration of certain enactments; It is hereby enacted as follows :—

Short title.

1. This Act may be called the [1][Tamil Nadu] Decentralization Act, 1914 .

Amendment of certain enactments.

2. The enactments specified in the third column of the Schedule are hereby amended to the extent and in the manner specified in the fourth column thereof.

Saving of orders, etc., issued by previous authorities.

3. Any appointment, notification, order, scheme, rule, form or by-law made or issued by an authority for the making or issuing of which a new authority is substituted by or under this Act shall, unless inconsistent with this Act, be deemed to have been made or issued by such new authority unless and until superseded by an appointment, notification, order, scheme, rule, form or by-law made or issued by such new authority.

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[1] These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

[2] For Statement of Objects and Reasons, *see Fort St. George Gazette*, 1914, Part IV, page 509; and for Proceedings in Council *see ibid*, pp. 807, 1042.

[1][ ]

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1 So much of the Schedule as has not been repealed with the exception of the entries in the Schedule relating to Madras Acts III of 1885 and IV of 1889 was repealed by the First Schedule to the Madras Repealing and Amending Act, 1938 (Madras Act XIII of 1938).

The entry relating to the Madras District Municipalities Act, 1884, was repealed by section 2 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920).

The entry relating to the Madras Local Boards Act, 1884, was repealed by section 2 of the Tamil Nadu District Boards Act, 1920 (Tamil Nadu Act XIV of 1920). So much of the Schedule as related to the Madras Salt Act, 1889 was repealed by section 2 of, and the First Schedule to, the Tamil Nadu Repealing and Amending Act, 1955 (Tamil Nadu Act XXXVI of 1955).

The portion of the Schedule still remaining unrepealed was repealed by section 3 of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957).