



भारतीय पशु चिकित्सा परिषद्
VETERINARY COUNCIL OF INDIA

(STATUTORY BODY OF THE GOVERNMENT OF INDIA ESTABLISHED UNDER INDIAN VETERINARY COUNCIL ACT, 1984)

A/Wing, 2nd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110 066

Tel. : 26164149, 26164354, 26171232 • Telegram : VETCONIND-110066

Fax : 26162434 • E-Mail : vcinfo@nic.in • Website : www.vci.nic.in

F.No. 9-20/96 - VCI/532-313

Dated: 22/4/13

To,

The Registrars,
Veterinary Council of All States/UTs (except J & K)

Subject – Guidelines for dealing with the complaints of professional negligence/misconduct – regarding.

Sir,

As you are kindly aware, in order to carry out the mandated activities of regulating veterinary practice, the Council has framed VCI – Standards of Professional Conduct, Etiquette and Code of Ethics for Veterinary Practitioners Regulations, 1992. Accordingly, the complaints of professional negligence/misconduct have been dealt under the provisions of the aforesaid Regulations so far.

However, the Disciplinary Committee of the Council in one of its recent meetings has observed that the jurisdiction of the State Veterinary Councils and the Veterinary Council of India in the matters of processing of such complaints need to be examined in legal terms.

In view of the above, legal opinion was sought on the specific jurisdiction of the State Veterinary Councils and the Veterinary Council of India. Having examined the legal opinion, the Council in their meeting on 16.3.2013 has decided to amend the aforesaid Regulations to address all the relevant issues which have cropped up subsequent to their framing. The process is being initiated shortly. The Council has, however, decided that till the Regulations are amended, the State Veterinary Councils may deal with all the complaints against registered veterinary practitioners as provided under Regulation 44 of the said Regulations.

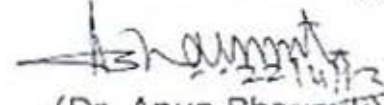
In this direction and in order to streamline disposal of complaints of professional negligence/misconduct against registered veterinary practitioners within the principles of multi-tier disciplinary authorities, the Council has framed certain Guidelines. Copy of the aforesaid Guidelines is enclosed at Annexure – A.

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Further, while deliberating on the matter of giving due publicity to the general public on the procedure to deal with the complaints, the Council has decided to advise the State Veterinary Councils to publicize these measures preferably by way of uploading them in their websites/publication in the Newspaper.

In view of the above, it is requested to kindly follow the aforesaid Guidelines while dealing with the complaints received against veterinary practitioners registered in your State and also give due publicity of the aforesaid procedure for the benefit of the public.

Yours faithfully,


(Dr. Anup Bhaumik)
Secretary ✓

Copy for kind information to the Directors of Animal Husbandry & Veterinary Services, All States/UTs (except J & K).

Secretary



Guidelines for dealing with the complaints of professional negligence/misconduct

These Guidelines have been framed in order to streamline disposal of complaints of professional negligence/misconduct against the registered veterinary practitioners within the principles of multi-tier disciplinary authorities. These Guidelines shall provide that all the cases of professional negligence/misconduct shall be first dealt with by the respective State Veterinary Councils (that is, the State Veterinary Council where the veterinary practitioner concerned is registered or the cause of action has arisen) in terms of the provisions of Clauses 43 and 44 of the VCI- Standard of Professional Conduct, Etiquette and Code of Ethics for Veterinary Practitioners Regulations, 1992. The State Veterinary Council shall dispose of any such complaint within a period of six months of receiving the complaint after giving notice to both the parties and after hearing them. If the complainant/respondent (including the registered veterinary practitioner against whom the complaint has been investigated, heard and decided by the State Veterinary Council concerned) is aggrieved by the decision of the State Veterinary Council, he/she may appeal to the VCI within three months. Any complaint directly made to the VCI may be forwarded to the State Veterinary Council concerned by the VCI with a request to decide the complaint within six months, after following the same procedure as would have been in case of receipt of a direct complaint. The State Veterinary Council shall, while passing final order disposing any complaint/case, indicate in its order that the aggrieved parties (complainant/respondent), if any, may appeal against that order before the VCI within three months. The VCI shall thereafter deal with the case and dispose the matter within a period of six months. If, for some reasons, the State Veterinary Council is unable to dispose of the complaint within the stipulated six months period, they shall inform the same along with the justifiable ground to all concerned and the VCI. In any case, they shall dispose of any complaint within a maximum period of one year from the date of receiving the complaint (either directly or from the VCI) failing which they shall be responsible for all the liabilities arising out of such a situation. No appeal shall be entertained by the VCI if the same is not submitted within the prescribed time frame of three months.