

Indian Medical Degrees Act, 1916

[Act 7 OF 1916]

(16th March 1916)

An Act to regulate the grant of titles implying qualifications in western medical science, and the assumption and use by unqualified persons of such titles.

WHEREAS it is expedient to regulate the grant of titles implying qualifications in western medical science, and the assumption and use by unqualified persons of such titles;

It is hereby enacted as follows:-

- 1. Short title :-** This Act may be called Indian Medical Degrees Act, 1916.
- 2. Definitions :-** In this Act " western medical science " means the western methods of Allopathic medicine, Obstetrics and Surgery, but does not include the Homeopathic or Ayurvedic or Unani system of medicine and " States " means all the territories which immediately before the 1st November, 1956, were comprised within Part A States and Part C States.
- 3. Right to confer degrees :-** The right of conferring, granting, or issuing in the States degrees, diplomas, licences, certificates or other documents stating or implying that the holder, grantee or recipient thereof is qualified to practice western medical science, shall be exercisable only by the authorities specified in the Schedule, and by such other authority as the State Government may, by notification in the Official Gazette, and subject to such conditions and restrictions as it thinks fit to impose, authorise in this behalf.
- 4. Prohibition of unauthorised conferment of degrees, etc :-** Save as provided by section 3, no person in the States shall confer, grant, or issue, or hold himself out as entitled to confer, grant, or issue any degree, diploma, licence, certificate or other document stating or implying that the holder, grantee or recipient is qualified to practice western medical science.
- 5. Contravention of section 4 :-** Whoever contravenes the provisions of section 4 shall be punishable with fine which may extend to one thousand rupees; and, if the person so contravening is an association, every member of such association who knowingly and wilfully authorises or permits the contravention, shall be punishable with fine which may extend to five hundred rupees.
- 6. Penalty for falsely assuming or using medical titles :-** Whoever voluntarily and falsely assumes, or uses any title or description or any addition to his name implying that he holds a degree, diploma, licence or certificate conferred, granted or issued by any authority referred to in section 3, or recognized by the General Council of Medical Education of the United

Kingdom, or that he is qualified to practice western medical science shall be punishable with fine which may extend to two hundred and fifty rupees, or, if he subsequently commits, and is convicted of, an offence punishable under this section, with fine which may extend to five hundred rupees:

Provided that nothing in this section shall apply to the use by any person of any title, description, or addition which, prior to the commencement of this Act, he used in virtue of any degree, diploma, licence or certificate conferred upon, or granted or issued to him.

7. Cognizance of offences :- No Court shall take cognizance of an offence punishable under this Act, except upon complaint made by order of the State Government, or upon complaint made, with the previous sanction of the State Government, by a Council of Medical Registration established by any enactment for the time being in force in the State.

8. Jurisdiction of Magistrates :- No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

SCHEDULE

(See section 3)

1. Every University established by *a Central Act.
2. The State Medical Faculty in Bengal.
3. The College of Physicians and Surgeons of Bombay.
4. The Board of Examiners, Medical College, Madras.

* Subs. by the A.O. 1950, for "an Act of the Central Legislature".

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