



The Madhya Pradesh Regulation of Coaching Act, 1944

Act 2 of 1944

Keyword(s):

Coaching, Cataract, Registered Practitioner, Vision to the Eye

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THE MADHYA PRADESH REGULATION OF COUCHING
ACT, 1944

(No. 2 of 1944)

TABLE OF CONTENTS

Preamble

Sections

	<i>Page</i>
1. Short title.	164
2. Meaning of registered practitioner.	164
3. Penalty for unlawful couching.	164
4. Penalty for abetment of offence.	164
5. Offence to be cognizable, bailable and compoundable.	165
6. Jurisdiction of Magistrates.	165
Cognizance of offences.	165

THE MADHYA PRADESH REGULATION OF COUCHING
ACT, 1944

(No. 2 of 1944)¹

(Received the assent of the Governor on the 26th March 1944; assent first published in the "Central Provinces and Berar Gazette" on the 31st March 1944.)

An Act to prevent couching by unqualified persons.

Preamble.

Whereas it is expedient to prevent couching by unqualified persons;

And whereas the Governor of the Central Provinces and Berar has assumed to himself under the Proclamation, dated the 10th November 1939, issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;²

Now, therefore, in exercise of the said powers, the Governor of the Central Provinces and Berar is pleased to make the following Act :—

Short title.

1. (1) This Act may be cited as the [Madhya Pradesh]³ Regulation of Couching Act, 1944.

[(2) It extends to and shall be in force in the whole of Madhya Pradesh.]⁴

Meaning of registered practitioner.

2. In this Act, the expression "registered practitioner" shall have the meaning assigned to it in the Central Provinces and Berar Medical Registration Act, 1916 (1 of 1916).

Penalty for unlawful couching.

3. Whoever, not being a registered practitioner, or not possessing a professional qualification entitling him to be registered under the Central Provinces and Berar Medical Registration Act, 1916 (1 of 1916), couches or attempts to couch or agrees or offers by physical means or interference with the eye to give vision to a person suffering from cataract, with or without that person's consent, shall on conviction, be punishable with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

Penalty for abetment of offence.

4. Whoever abets the commission of an offence under this Act shall, on conviction, be punishable with the punishment provided for the offence in section 3.

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1. For Statement of Objects and Reasons, see Central Provinces and Berar Gazette, dated the 2nd April, 1943, Part II, page 8.
 2. The whole Act has been continued after 26th April, 1948, vide provisions of C. P. and Berar Act 48 of 1947, S. 2 (1).
 3. Subs. by M. P. Act 23 of 1958, S. 3 (4), for "Central Provinces and Berar".
 4. Subs. *ibid*, S.3 (3), Sch, part A, item 43.

5. Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898) an offence punishable under this Act shall be cognizable and bailable and may be compounded with the permission of the Court.

Offence to be cognizable, bailable and compoundable.

6. (1) No Magistrate having powers inferior to that of the second class shall try any offence punishable under this Act.

Jurisdiction of Magistrates.

(2) A Magistrate may take cognizance of an offence under this Act—

Cognizance of offences.

(a) on a report of a police officer ;

(b) on information of any other person;

(c) upon his own knowledge or suspicion that such offence has been committed:

Provided that no cognizance shall be taken where the offence alleged was committed more than six month previously.
