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Government of India
Ministry of Health and Family Welfare

Nirman Bhawan,
New Delhi - 110108
Dated the 28th January, 2020

PUBLIC NOTICE

General public is hereby informed that the Ministry of Health and Family Welfare proposes to finalise National Dental Commission Bill for setting up a National Dental Commission and repealing the Dentists Act, 1948. Accordingly, a draft National Dental Commission Bill is prepared and attached for comments of the General Public/Stakeholders. Comments may be furnished via e-mail at v.jha1972@gov.in on or before 20.02.2020 .

Encl: As above.


(Vidyadhar Jha)
Under Secretary to the Government of India

Draft National Dental Commission Bill, 2020

	THE NATIONAL DENTAL COMMISSION BILL, 2020	
	A	
	BILL	
	to provide for a dental education system that improves access to quality and affordable dental education, ensures availability of adequate and high quality dental professionals in all parts of the country; that promotes equitable and universal oral healthcare that encourages community health perspective and makes services of dental professionals accessible to all the citizens; that promotes national health goals; that encourages dental professionals to adopt latest dental research in their work and to contribute to research; that has an objective periodic and transparent assessment of dental institutions and facilitates maintenance of a dental register for India and enforces high ethical standards in all aspects of dental services; that is flexible to adapt to changing needs and has an effective grievance redressal mechanism and for matters connected therewith or incidental thereto.	
	CHAPTER I PRELIMINARY	
	1. (1) This Act may be called the National Dental Commission Act, 2020.	Short title, extent and commencement.
	(2) It extends to the whole of India.	
	(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.	
	2. In this Act, unless the context otherwise requires,—	Definitions.
	(a) “Autonomous Board” means any of the Autonomous Boards constituted under section 16;	
	(b) “Chairperson” means the Chairperson of the National Dental Commission appointed under section 5;	
	(c) “Commission” means the National Dental Commission constituted under section 3;	
	(d) “Council” means the Dental Advisory Council constituted under section 11;	
	(e) “Ethics and Dental Registration Board” means the Board constituted under section 16;	
	(f) “Health University” means a University specialised in affiliating institutions engaged in teaching dentistry and health sciences and includes a dental University and University of health	

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	sciences;	
	(g) “licence” means a licence to practice dentistry granted under sub-section (1) of section 33;	
	(h) “Dental Assessment and Rating Board” means the Board constituted under section 16;	
	(i) “dental institution” means any institution within or outside India which, grants degrees, diplomas or licences in dentistry and includes affiliated colleges and deemed to be Universities;	
	(j) “dentist” means a person who practises dentistry;	
	(k) “dentistry” includes— (i) the performance of any operation on, and the treatment on any disease, deficiency or lesion of, human teeth or jaw or orofacial hard and soft tissues and associated structures; and the performance of other diagnostic tools/investigations in connection with human teeth or jaws or the oral cavity; (ii) Measures for prevention of diseases of oral cavity and associated structures and promotion of oral health including tobacco cessation; (iii) the giving of any anesthetic in connection with any such operation or treatment; excluding general anaesthesia; (iv) the performance of any operation on, or the giving of any treatment, advice or attendance to, any person preparatory to, or for the purpose of, or in connection with restoration, reconstruction and rehabilitation of teeth, jaws, orofacial tissue and associated structures, the fitting, inserting, fixing, constructing, repairing or renewing of artificial dentures or restorative dental appliances, and the performance of any such operation and the giving of any such treatment, advice or attendance, as is usually performed or given by dentists; (v) Knowledge related to performance of mastication, phonation and deglutition. ;	
	(l) “Member” means a Member of the Commission appointed under section 5 and includes the Chairperson thereof;	
21 of 1860.	(m) “National Board of Examination” means the body registered as such under the Societies Registration Act, 1860 and performs such tasks as assigned to it by the Central Government;	
	(n) “National Register” means a National Dental Register maintained by the Ethics and Dental Registration Board under section 31;	
	(o) “notification” means notification published in the Official Gazette and the expression “notify” shall be construed accordingly;	

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	(p) "Post Graduate Dental Education Board" means the Board constituted under section 16;	
	(q) "prescribed" means prescribed by rules made under this Act;	
	(r) "President" means the President of an Autonomous Board appointed under section 18;	
	(s) "recognised dental qualification" means a dental qualification recognised under section 35 or section 36 or section 37 or section 40, as the case may be;	
	(t) "regulations" means the regulations made by the Commission under this Act;	
	(u) "Schedule" means the Schedule to this Act;	
	(v) "State Dental Council" means a dental council constituted under any law for the time being in force in any State or Union territory for regulating the practice and registration of practitioners of dentistry in that State or Union territory;	
	(w) "State Register" means a register maintained under any law for the time being in force in any State or Union territory for registration of practitioners of dentistry;	
	(x) "Under Graduate Dental Education Board" means the Board constituted under section 16;	
3 of 1956.	(y) "University" shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956 and includes a health University.	
	CHAPTER II THE NATIONAL DENTAL COMMISSION	
	3. (1) The Central Government shall constitute a Commission, to be known as the National Dental Commission, to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.	Constitution of National Dental Commission.
	(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.	
	(3) The head office of the Commission shall be at New Delhi.	
	4. (1) The Commission shall consist of the following persons to be appointed by the Central Government, namely: — (a) a Chairperson; (b) seven <i>ex-officio</i> Members; and (c) twenty two part-time Members;	Composition of Commission.
	(2) The Chairperson shall be a dental professional of outstanding	

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	ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of dentistry from any University and having experience of not less than twenty years in the field of dentistry, out of which at least ten years shall be as a leader in the area of dental education.	
	<p>(3) The following persons shall be the <i>ex-officio</i> Members of the Commission, namely: —</p> <p>(a) the President of the Under-Graduate Dental Education Board;</p> <p>(b) the President of the Post-Graduate Dental Education Board;</p> <p>(c) the President of the Dental Assessment and Rating Board;</p> <p>(d) the President of the Ethics and Dental Registration Board;</p> <p>(e) the Director General of Health Services, Directorate General of Health Services, New Delhi;</p> <p>(f) Chief of the Centre for Dental Education & Research, All India Institute of Medical Sciences, New Delhi;</p> <p>(g) one person to represent the Ministry of the Central Government dealing with Health and Family Welfare, not below the rank of Additional Secretary to the Government of India, to be nominated by that Ministry.</p>	
	(4) The following persons shall be appointed as part-time Members of the Commission, namely:—	
	(a) three Members to be appointed from amongst persons of ability, integrity and standing, who have special knowledge and professional experience in such areas including management, law, medical ethics, health research, consumer or patient rights advocacy, science and technology and economics for a term of two years;	
	(b) ten Members to be appointed from amongst the nominees of the States and Union territories, under clauses (c) and (d) of sub-section (2) of section 11, in the Dental Advisory Council for a term of two years in such manner as may be prescribed;	
	(c) nine members to be appointed from amongst the nominees of the States and Union territories, under clause (e) of sub-section (2) of section 11, in the Dental Advisory Council for a term of two years in such manner as may be prescribed.	
	<i>Explanation.</i> — For the purposes of this section and section 17, the term “leader” means the Head of a Department or the Head of an organisation.	
	5. (1) The Central Government shall appoint the Chairperson, part-time Members referred to in clause (a) of sub-section (4) of section 4 and the Secretary referred to in section 8 on the recommendation of a Search Committee consisting of —	Search Committee for appointment

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		of Chairperson and Members.
	(a) the Cabinet Secretary– Chairperson;	
	(b) three experts, possessing outstanding qualifications and experience of not less than twenty-five years in the field of dental education, public health education and health research, to be nominated by the Central Government– Members;	
	(c) one expert, from amongst the part-time Members referred to in clause (c) of sub-section (4) of section 4, to be nominated by the Central Government in such manner as may be prescribed – Member;	
	(d) one person, possessing outstanding qualifications and experience of not less than twenty-five years in the field of management or law or economics or science and technology, to be nominated by the Central Government – Member;	
	(e) the Secretary to the Government of India in charge of the Ministry of Health and Family Welfare, to be the Convenor- Member.	
	(2) The Central Government shall, within one month from the date of occurrence of any vacancy, including by reason of death, resignation or removal of the Chairperson or a Member, or within three months before the end of tenure of the Chairperson or Member, make a reference to the Search Committee for filling up of the vacancy.	
	(3) The Search Committee shall recommend a panel of at least three names for every vacancy referred to it.	
	(4) The Search Committee shall, before recommending any person for appointment as the Chairperson or a Member of the Commission, satisfy itself that such person does not have any financial or other interest which is likely to affect prejudicially his functions as such Chairperson or Member.	
	(5) No appointment of the Chairperson or Member shall be invalid merely by reason of any vacancy or absence of a Member in the Search Committee.	
	(6) Subject to the provisions of sub-sections (2) to (5), the Search Committee may regulate its own procedure.	
	6. (1) The Chairperson shall hold office for a term not exceeding four years and shall not be eligible for any extension or reappointment:	Term of office and conditions of service of Chairperson and Members.
	Provided that such person shall cease to hold office after attaining	

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	the age of seventy years.	
	(2) The term of office of an <i>ex officio</i> Member shall continue as long as he holds the office by virtue of which he is such Member.	
	(3) Where a Member 'other than an <i>ex officio</i> Member' is absent from three consecutive ordinary meetings of the Commission and the cause of such absence is not attributable to any valid reason in the opinion of the Commission, such Member shall be deemed to have vacated the seat.	
	(4) The salary and allowances payable to, and other terms and conditions of service of the Chairperson and Member 'other than an <i>ex-officio</i> Member' shall be such as may be prescribed.	
	(5) The Chairperson or a Member may, —	
	(a) relinquish his office by giving in writing to the Central Government a notice of not less than three months; or	
	(b) be removed from his office in accordance with the provisions of section 7:	
	Provided that such person may be relieved from duties earlier than three months or be allowed to continue beyond three months until a successor is appointed, if the Central Government so decides.	
	(6) The Chairperson and every member of the Commission shall make declaration of his assets and his liabilities at the time of entering upon his office and at the time of demitting his office and also declare his professional and commercial engagement or involvement in such form and manner as may be prescribed, and such declaration shall be published on the website of the Commission.	
	(7) The Chairperson or a Member, ceasing to hold office as such, shall not accept, for a period of two years from the date of demitting such office, any employment, in any capacity, including as a consultant or an expert, in any private dental institution, whose matter has been dealt with by such Chairperson or Member, directly or indirectly:	
	Provided that nothing herein shall be construed as preventing such person from accepting an employment in a body or institution, including dental institution, controlled or maintained by the Central Government or a State Government:	
	Provided further that nothing herein shall prevent the Central Government from permitting the Chairperson or a Member to accept any employment in any capacity, including as a consultant or expert in any private dental institution whose matter has been dealt with by such Chairperson or Member.	
	7. (1) The Central Government may, by order, remove from office the Chairperson or any other Member, who—	Removal of Chairperson and Member of

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		Commission.
	(a) has been adjudged an insolvent; or	
	(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or	
	(c) has become physically or mentally incapable of acting as a Member; or	
	(d) is of unsound mind and stands so declared by a competent court; or	
	(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member; or	
	(f) has so abused his position as to render his continuance in office prejudicial to public interest.	
	(2) No Member shall be removed under clauses (e) and (f) of subsection (1) unless he has been given a reasonable opportunity of being heard in the matter.	
	8. (1) There shall be a Secretariat for the Commission to be headed by a Secretary, to be appointed by the Central Government in accordance with the provisions of section 5.	Appointment of Secretary, experts, professionals, officers and other employees of Commission.
	(2) The Secretary of the Commission shall be a person of proven administrative capacity and integrity, possessing such qualifications and experience as may be prescribed.	
	(3) The Secretary shall be appointed by the Central Government for a term of four years and shall not be eligible for any extension or re-appointment.	
	(4) The Secretary shall discharge such functions of the Commission as are assigned to him by the Commission and as may be specified by regulations made under this Act.	
	(5) The Commission may, for the efficient discharge of its functions under this Act, appoint such officers and other employees, as it considers necessary, against the posts created by the Central Government.	
	(6) The salaries and allowances payable to, and other terms and conditions of service of the Secretary, officers and other employees of the Commission shall be such as may be prescribed.	
	(7) The Commission may engage, in accordance with the procedure specified by regulations, such number of experts and professionals of integrity and outstanding ability, who have special knowledge of, and experience in such fields, including dental education, public health,	

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	management, health economics, quality assurance, patient advocacy, health research, science and technology, administration, finance, accounts and law, as it deems necessary, to assist the Commission in the discharge of its functions under this Act.	
	9. (1) The Commission shall meet at least once every quarter at such time and place as may be appointed by the Chairperson.	Meetings, etc., of Commission.
	(2) The Chairperson shall preside at the meeting of the Commission and if for any reason the Chairperson is unable to attend a meeting of the Commission, any other Member, being the President of an Autonomous Board, nominated by the Chairperson, shall preside at the meeting.	
	(3) Unless the procedure to be followed at the meetings of the Commission is otherwise provided by regulations, one-half of the total number of Members of the Commission including the Chairperson shall constitute the quorum and all the acts of the Commission shall be decided by a majority of the members, present and voting and in the event of equality of votes, the Chairperson, or in his absence, the President of the Autonomous Board nominated under sub-section (2), shall have the casting vote.	
	(4) The general superintendence, direction and control of the administration of the Commission shall vest in the Chairperson.	
	(5) No act done by the Commission shall be questioned on the ground of the existence of a vacancy in, or a defect in the constitution of, the Commission.	
	(6) A person who is aggrieved by any decision of the Commission except the decision rendered under sub section (4) of section 30 may prefer an appeal to the Central Government against such decision within thirty days of the communication of such decision.	
	10. (1) The Commission shall perform the following functions, namely:—	Powers and functions of Commission.
	(a) lay down policies for maintaining a high quality and high standards in dental education and make necessary regulations in this behalf;	
	(b) lay down policies for regulating dental institutions, dental researches and dental professionals and make necessary regulations in this behalf;	
	(c) assess the requirements in dental health care, including human resources for dental health and health care infrastructure and develop a road map for meeting such requirements;	
	(d) promote, co-ordinate and frame guidelines and lay down policies by making necessary regulations for the proper functioning of the Commission, the Autonomous Boards and the State Dental	

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	Councils;	
	(e) ensure coordination among the Autonomous Boards;	
	(f) take such measures, as may be necessary, to ensure compliance by the State Dental Councils of the guidelines framed and regulations made under this Act for their effective functioning under this Act;	
	(g) exercise appellate jurisdiction with respect to the decisions of the Autonomous Boards;	
	(h) lay down policies and codes to ensure observance of professional ethics in dental profession and to promote ethical conduct during the provision of care by dentists;	
	(i) frame guidelines for determination of fees and all other charges in respect of fifty per cent of seats in private dental institutions and deemed to be universities which are governed under the provisions of this Act;	
	(j) exercise such other powers and perform such other functions as may be prescribed.	
	(2) All orders and decisions of the Commission shall be authenticated by the signature of the Secretary.	
	(3) The Commission may delegate such of its powers of administrative and financial matters, as it deems fit, to the Secretary.	
	(4) The Commission may constitute sub-committees and delegate such of its powers to such sub-committees as may be necessary to enable them to accomplish specific tasks.	
	CHAPTER III THE DENTAL ADVISORY COUNCIL	
	11. (1) The Central Government shall constitute an advisory body to be known as the Dental Advisory Council.	Constitution and composition of Dental Advisory Council.
	(2) The Council shall consist of a Chairperson and the following members, namely :—	
	(a) the Chairperson of the Commission shall be the <i>ex officio</i> Chairperson of the Council;	
	(b) seven <i>ex-officio</i> members of the Commission appointed under sub-section 3 of section 4 and three part-time members of the Commission appointed under sub-section 4 of section 4, shall be the <i>ex officio</i> members of the Council;	
	(c) one member to represent each State, who is the Vice-Chancellor of a health University in that State, to be nominated by	

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	that State Government;	
	(d) one member to represent each Union territory, who is the Vice-Chancellor of a health University in that Union territory, to be nominated by the Ministry of Home Affairs in the Government of India;	
	(e) one member to represent each State and each Union territory from amongst elected members of the State Dental Council, to be nominated by that State Dental Council;	
	(f) the Chairman, University Grants Commission;	
	(g) the Director, National Assessment and Accreditation Council;	
	(h) four members to be nominated by the Central Government from amongst persons holding the post of Director in the Indian Institutes of Technology, Indian Institutes of Management and the Indian Institute of Science:	
	Provided that if there is no health University in any State or Union territory, the Vice-Chancellor of a University within that State or Union territory having the largest number of dental colleges affiliated to it shall be nominated by the State Government or by the Ministry of Home Affairs in the Government of India:	
	Provided further that if there is no University in any Union territory, the Ministry of Home Affairs shall nominate a member who possesses such dental qualification and experience as may be prescribed.	
	12. (1) The Council shall be the primary platform through which the States and Union territories may put forth their views and concerns before the Commission and help in shaping the overall agenda, policy and action relating to dental education and training.	Functions of Dental Advisory Council.
	(2) The Council shall advise the Commission on measures to determine and maintain, and to coordinate maintenance of, the minimum standards in all matters relating to dental education, training and research.	
	(3) The Council shall advise the Commission on measures to enhance equitable access to dental education.	
	13. (1) The Council shall meet at least twice a year at such time and place as may be decided by the Chairperson.	Meetings of Dental Advisory Council.
	(2) The Chairperson shall preside at the meeting of the Council and if for any reason the Chairperson is unable to attend a meeting of the Council, such other member as nominated by the Chairperson shall preside over the meeting.	
	(3) Unless the procedure is otherwise provided by regulations, fifty percent of the members of the Council including the Chairperson shall form the quorum and all acts of the Council shall be decided by a	

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	majority of the members present and voting.	
	CHAPTER IV NATIONAL EXAMINATION	
	14. (1) There shall be a uniform National Eligibility-cum-Entrance Test for admission to the undergraduate and postgraduate dental education in all Dental institutions which are governed by the provisions of this Act:	National Eligibility-cum-Entrance Test.
	Provided that the uniform National Eligibility-cum-Entrance Test for admission to the postgraduate dental education shall continue till the National Exit Test under sub-section 5 of section 15 comes into force.	
	Provided further that the uniform National Eligibility-cum-Entrance Test for admission to the undergraduate dental education shall also be applicable to all dental institutions governed under any other law for the time being in force.	
	(2) The National Medical Commission shall conduct the National Eligibility-cum-Entrance Test in English and in such other languages, through such designated authority and in such manner, as may be specified by regulations.	
	(3) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to undergraduate and postgraduate seats in all the dental institutions which are governed by the provisions of this Act:	
	Provided that the designated authority of the Central Government shall conduct the common counselling for All India seats and the designated authority of the State Government shall conduct the common counselling for the seats at the State level.	
	15. (1) A common final year undergraduate dental examination, to be known as the National Exit Test (Dental) shall be held for granting licence to practice dentistry as dentists and for enrolment in the State Register or the National Register, as the case may be.	National Exit Test (Dental).
	(2) The Commission shall conduct the National Exit Test (Dental) through such designated authority and in such manner as may be specified by regulations.	
	(3) The National Exit Test (Dental) shall become operational on such date, within three years from the date of commencement of this Act, as may be appointed by the Central Government, by notification.	
	(4) Any person with a foreign dental qualification shall have to qualify National Exit Test (Dental) for the purpose of obtaining licence to practice dentistry as dentist and for enrolment in the State Register or the National Register, as the case may be in such manner as may be specified by regulations.	

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	(5) The National Exit Test (Dental) shall be the basis for admission to the postgraduate dental education in dental institutions which are governed under the provisions of this Act or under any other law for the time being in force and shall be done in such a manner as may be specified by regulations.	
	(6) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to the postgraduate seats in the dental institutions referred to in sub-section (5):	
	Provided that the designated authority of the Central Government shall conduct the common counselling for All India seats and the designated authority of the State Government shall conduct the common counselling for the seats at the State level.	
	CHAPTER V AUTONOMOUS BOARDS	
	16. (1) The Central Government shall, by notification, constitute the following autonomous Boards, under the overall supervision of the Commission, to perform the functions assigned to such Boards under this Act, namely: — (a) the Under- Graduate Dental Education Board (b) the Post-Graduate Dental Education Board (c) the Dental Assessment and Rating Board; and (d) the Ethics and Dental Registration Board.	Constitution of Autonomous Boards.
	(2) Each Board referred to in sub-section (1) shall be an autonomous body which shall carry out its functions under this Act subject to the regulations made by the Commission.	
	17. (1) Each Autonomous Board shall consist of a President and two whole-time Members and two part-time Members.	Composition of Autonomous Boards.
	(2) The President of each Autonomous Board, three Members (including one part-time Member) of the Under-Graduate Dental Education Board and the Post-Graduate Dental Education Board, and two Members (including one part-time Member) each of the Dental Assessment and Rating Board and the Ethics and Dental Registration Board shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of dentistry from any University and having experience of not less than fifteen years in such field, out of which at least seven years shall be as a leader in the area of dental education, public health, or health research.	
	(3) The third Member of the Dental Assessment and Rating Board shall be a person of outstanding ability and integrity, possessing a postgraduate degree in any of the disciplines of management, quality	

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	assurance, law or science and technology from any University, having not less than fifteen years' experience in such field, out of which at least seven years shall be as a leader.	
	(4) The third Member of the Ethics and Dental Registration Board shall be a person of outstanding ability who has demonstrated public record of work on dental ethics or a person of outstanding ability possessing a postgraduate degree in any of the disciplines of quality assurance, public health, law or patient advocacy from any University and having not less than fifteen years' experience in such field, out of which at least seven years shall be as a leader.	
	(5) The fourth Member of each Autonomous Boards, being a part-time Member, shall be chosen from amongst the elected Members of the State Dental Council in such a manner as may be prescribed.	
	18. The Central Government shall appoint the President and Members of the Autonomous Boards, except Members referred to in sub-section (5) of section 17, on the recommendations made by the Search Committee constituted under section 5 in accordance with the procedure specified in that section.	Search Committee for appointment of President and Members.
	19. (1) The President and Members (other than part-time Members) of each Autonomous Board shall hold the office for a term not exceeding four years and shall not be eligible for any extension or re-appointment:	Term of office and conditions of service of President and Members.
	Provided that part-time Members of each Autonomous Board shall hold the office for a term of two years:	
	Provided further that a Member shall cease to hold office after attaining the age of seventy years.	
	(2) The salary and allowances payable to, and other terms and conditions of service of the President and Members (other than part-time Members) of an Autonomous Board shall be such as may be prescribed.	
	Provided that part-time Members of each Autonomous Board shall be entitled for such allowances as may be prescribed.	
	(3) The provisions of sub-sections (3), (5), (6) and (7) of section 6 relating to other terms and conditions of service of, and section 7 relating to removal from the office of, the Chairperson and Members of the Commission shall also be applicable to the President and Members of the Autonomous Boards.	
	20. (1) Each Autonomous Board, except the Ethics and Dental Registration Board, shall be assisted by such advisory committees of experts as may be constituted by the Commission for the efficient discharge of the functions of such Boards under this Act.	Advisory Committees of Experts.

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	(2) The Ethics and Dental Registration Board shall be assisted by such ethics committees of experts as may be constituted by the Commission for the efficient discharge of the functions of that Board under this Act.	
	21. The experts, professionals, officers and other employees appointed under section 8 shall be made available to the Autonomous Boards in such number, and in such manner, as may be specified by regulations by the Commission.	Staff of Autonomous Boards.
	22. (1) Every Autonomous Board shall meet at least once a month at such time and place as it may appoint.	Meetings, etc., of Autonomous Boards.
	(2) All decisions of the Autonomous Boards shall be made by majority of votes of the President and Members.	
	(3) Subject to the provision of section 28, a person who is aggrieved by any decision of an Autonomous Board may prefer an appeal to the Commission against such decision within sixty days of the communication of such decision.	
	23. (1) The President of each Autonomous Board shall have such administrative and financial powers as may be delegated to it by the Commission to enable such Board to function efficiently.	Powers of Autonomous Boards and delegation of powers.
	(2) The President of an Autonomous Board may further delegate any of his powers to a Member or an officer of that Board.	
	24. (1) The Under-Graduate Dental Education Board shall perform the following functions, namely:—	Powers and functions of Under-Graduate Dental Education Board.
	(a) determine standards of dental education at undergraduate level and oversee all aspects relating thereto;	
	(b) develop competency based dynamic curriculum at undergraduate level in accordance with the regulations made under this Act;	
	(c) develop competency based dynamic curriculum for addressing the needs of basic dental care services, community dental care and family dental care to ensure dental care in such areas, in accordance with the provisions of the regulations made under this Act;	
	(d) frame guidelines for setting up of dental institutions for imparting undergraduate courses, having regard to the needs of the country and the global norms, in accordance with the provisions of	

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	the regulations made under this Act;	
	(e) determine the minimum requirements and standards for conducting courses and examinations for undergraduates in dental institutions, having regard to the needs of creativity at local levels, including designing of some courses by individual institutions, in accordance with provisions of the regulations made under this Act;	
	(f) determine standards and norms for infrastructure, faculty and quality of education in dental institutions providing undergraduate dental education in accordance with provisions of the regulations made under this Act;	
	(g) facilitate development and training of faculty members teaching undergraduate courses.	
	(h) facilitate research and the international student and faculty exchange programmes relating to undergraduate dental education;	
	(i) specify norms for compulsory annual disclosures, electronically or otherwise, by dental institutions, in respect of their functions which have a bearing on the interest of all stakeholders including students, faculty, the Commission and the Central Government;	
	(j) grant recognition to a dental qualification at the undergraduate level.	
	(2) The Under-Graduate Dental Education Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.	
	25. (1) The Post-Graduate Dental Education Board shall perform the following functions, namely:—	Powers and functions of Post-Graduate Dental Education Board.
	(a) determine the standards of dental education at the postgraduate level in accordance with the regulations made under this Act and oversee all aspects relating thereto;	
	(b) develop competency based dynamic curriculum at postgraduate level in accordance with the regulations made under this Act, with a view to develop appropriate skill, knowledge, attitude, values and ethics among postgraduates to provide health care, impart dental education and conduct dental research;	
	(c) frame guidelines for setting up of dental institutions for imparting postgraduate courses, having regard to the needs of the country and global norms, in accordance with the regulations made under this Act;	
	(d) determine the minimum requirements and standards for	

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	conducting postgraduate courses and examinations in dental institution, in accordance with the regulations made under this Act;	
	(e) determine standards and norms for infrastructure, faculty and quality of education in dental institutions conducting postgraduate dental education, in accordance with the regulations made under this Act;	
	(f) facilitate development and training of the faculty members teaching postgraduate courses;	
	(g) facilitate research and the international student and faculty exchange programmes relating to postgraduate dental education;	
	(h) specify norms for compulsory annual disclosure, electronically or otherwise, by dental institutions in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, the Commission and the Central Government;	
	(i) grant recognition to the dental qualifications at the postgraduate level;	
	(2) The Post-Graduate Dental Education Board may, in the discharge of its functions, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.	
	26. (1) The Dental Assessment and Rating Board shall perform the following functions, namely:—	Powers and functions of Dental Assessment and Rating Board.
	(a) determine the procedure for assessing and rating the dental institutions for their compliance with the standards laid down by the Under-Graduate Dental Education Board or the Post-Graduate Dental Education Board, as the case may be, in accordance with the regulations made under this Act;	
	(b) grant permission for establishment of a new dental institution, or to start any postgraduate course or to increase number of seats, in accordance with the provisions of section 28;	
	(c) carry out inspections of dental institutions for assessing and rating such institutions in accordance with the regulations made under this Act:	
	Provided that the Dental Assessment and Rating Board may, if it deems necessary, hire and authorise any other third party agency or persons for carrying out inspections of dental institutions for assessing and rating such institutions:	
	Provided further that where inspection of dental institutions is carried out by such third party agency or persons authorised by the Dental Assessment and Rating Board, it shall be obligatory on such	

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	institutions to provide access to such agency or person;	
	(d) conduct, or where it deems necessary, empanel independent rating agencies to conduct, assess and rate all dental institutions, within such period of their opening, and every year thereafter, at such time, and in such manner, as may be specified by regulations;	
	(e) make available on its website or in public domain the assessment and ratings of dental institutions at regular intervals in accordance with the regulations made under this Act;	
	(f) take such measures, including issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the Commission for withdrawal of recognition, against a dental institution for failure to maintain the minimum essential standards specified by the Under-Graduate Dental Education Board or the Post-Graduate Dental Education Board, as the case may be, in accordance with the regulations made under this Act.	
	(2) The Dental Assessment and Rating Board may, in the discharge of its functions, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.	
	27. (1) The Ethics and Dental Registration Board shall perform the following functions, namely:–	Powers and functions of Ethics and Dental Registration Board.
	(a) maintain National Registers of all licensed dentists in accordance with the provisions of section 31;	
	(b) regulate professional conduct and promote dental ethics in accordance with the regulations made under this Act:	
	Provided that the Ethics and Dental Registration Board shall ensure compliance of the code of professional and ethical conduct through the State Dental Council in a case where such State Dental Council has been conferred power to take disciplinary actions in respect of professional or ethical misconduct by dentists under respective State Acts;	
	(c) develop mechanisms to have continuous interaction with State Dental Councils to effectively promote and regulate the conduct of dentists and professionals;	
	(d) exercise appellate jurisdiction with respect to the actions taken by a State Dental Council under section 30.	
	(2) The Ethics and Dental Registration Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.	
	28. (1) No person shall establish a new dental college or start any	Permission

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	postgraduate course or increase number of seats without obtaining prior permission of the Dental Assessment and Rating Board.	for establishment of new dental college.
	(2) For the purposes of obtaining permission under sub-section (1), a person may submit a scheme to the Dental Assessment and Rating Board in such form, containing such particulars, accompanied by such fee, and in such manner, as may be specified by regulations.	
	(3) The Dental Assessment and Rating Board shall, having due regard to the criteria specified in section 29, consider the scheme received under sub-section (2) and either approve or disapprove such scheme within a period of six months from the date of such receipt:	
	Provided that before disapproving such scheme, an opportunity to rectify the defects, if any, shall be given to the person concerned.	
	(4) Where a scheme is approved under sub-section (3), such approval shall be the permission under sub-section (1) to establish new dental college.	
	(5) Where a scheme is disapproved under sub-section (3), or where no decision is taken within six months of submitting a scheme under sub-section (1), the person concerned may prefer an appeal to the Commission for approval of the scheme within fifteen days of such disapproval or, as the case may be, lapse of six months, in such manner as may be specified by regulations.	
	(6) The Commission shall decide the appeal received under sub-section (5) within a period of forty-five days from the date of receipt of the appeal and in case the Commission approves the scheme, such approval shall be the permission under sub-section (1) to establish a new dental college and in case the Commission disapproves the Scheme, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within thirty days of communication of such disapproval or, as the case may be, lapse of specified period.	
	(7) The Dental Assessment and Rating Board may conduct evaluation and assessment of any dental institution at any time, either directly or through any other expert having integrity and experience of dental profession and without any prior notice and assess and evaluate the performance, standards and benchmarks of such dental institution.	
	<i>Explanation.</i> — For the purposes of this section, the term “person” includes a University, trust or any other association of persons or body of individuals, but does not include the Central Government.	
	29. While approving or disapproving a scheme under section 28, the Dental Assessment and Rating Board, or the Commission, as the case may be, shall take into consideration the following criteria, namely:—	Criteria for approving or disapproving scheme.
	(a) adequacy of financial resources;	

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	(b) whether adequate academic faculty and other necessary facilities have been provided to ensure proper functioning of dental college or would be provided within the time-limit specified in the scheme;	
	(c) whether adequate hospital facilities have been provided or would be provided within the time-limit specified in the scheme:	
	(d) such other factors as may be prescribed:	
	Provided that, subject to the previous approval of the Central Government, the criteria may be relaxed for the dental colleges which are set up in such areas as may be specified by regulations.	
	30. (1) The State Government shall, within three years of the commencement of this Act, take necessary steps to establish a State Dental Council if no such Council exists in that State.	State Dental Councils.
	(2) Where a State Act confers power upon the State Dental Council to take disciplinary actions in respect of any professional or ethical misconduct by a registered dentist or professional, the State Dental Council shall act in accordance with the regulations made, and the guidelines framed, under this Act:	
	Provided that till such time as a State Dental Council is established in a State, the Ethics and Dental Registration Board shall receive the complaints and grievances relating to any professional or ethical misconduct against a registered dentist or professional in that State in accordance with such procedure as may be specified by regulations:	
	Provided further that the Ethics and Dental Registration Board or, as the case may be, the State Dental Council shall give an opportunity of hearing to the dentist or professional concerned before taking any action, including imposition of any monetary penalty against such person.	
	(3) A dentist or professional who is aggrieved by any action taken by a State Dental Council under sub-section (2) may prefer an appeal to the Ethics and Dental Registration Board against such action, and the decision, if any, of the Ethics and Dental Registration Board there upon shall be binding on the State Dental Council, unless a second appeal is preferred under sub-section (4).	
	(4) A dentist or professional who is aggrieved by the decision of the Ethics and Dental Registration Board may prefer an appeal to the Commission within sixty days of communication of such decision.	
	<i>Explanation.</i> —For the purposes of this Act,—	
	(a) “State” includes Union territory and the expressions “State Government” and “State Dental Council”, in relation to a Union territory, shall respectively mean the “Central Government” and “Union Territory Dental Council”;	

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	(b) the expression “professional or ethical misconduct” includes any act of commission or omission as may be specified by regulations.	
	31. (1) The Ethics and Dental Registration Board shall maintain a National Register containing the name, address, all recognised qualifications possessed by a licensed dentist and such other particulars as may be specified by regulations.	National Register and State Register.
	(2) The National Register shall be maintained in such form, including electronic form and in such a manner, as may be specified by regulations.	
	(3) The manner in which a name or qualification may be added to, or removed from, the National Register and the grounds for removal thereof, shall be such as may be specified by the regulations.	
1 of 1872.	(4) The National Register shall be a public document within the meaning of section 74 of the Indian Evidence Act, 1872.	
	(5) The National Register shall be made available to the public by placing it on the website of the Ethics and Dental Registration Board.	
	(6) Every State Dental Council shall maintain and regularly update the State Register in the specified electronic format and supply a physical copy of the same to the Ethics and Dental Registration Board within three months of the commencement of this Act.	
	(7) The Ethics and Dental Registration Board shall ensure electronic synchronization of the National Register and the State Register in such a manner that any change in one register is automatically reflected in the other register.	
16 of 1948.	(8) The Ethics and Dental Registration Board shall also maintain a separate National Register in such form, containing such particulars, including the name and address of all dental professionals not possessing dental qualifications and registered in Part B register as per Dentists Act, 1948.	
	32. (1) Any person who qualifies the National Exit Test held under section 15 shall be granted a licence to practice dentistry and shall have his name and qualifications enrolled in the National Register or a State Register, as the case may be:	Rights of persons to have licence to practice and to be enrolled in National Register or State Register and their obligations thereto.
	Provided that a person who has been registered in the Indian Dental Register maintained under the Dentists Act, 1948 prior to the coming	

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16 of 1948.	into force of this Act and before the National Exit Test becomes operational under sub-section (3) of section 15, shall be deemed to have been registered under this Act and be enrolled in the National Register maintained under this Act.	
	(2) No person who has obtained dental qualification from a dental institution established in any country outside India and is recognised as a dentist in that country, shall, after the commencement of this Act and the National Exit Test becomes operational under sub-section (3) of section 15, be enrolled in the National Register unless he qualifies the National Exit Test.	
	(3) When a person whose name is entered in the State Register or the National Register, as the case may be, obtains any title, diploma or other qualification for proficiency in sciences or public health or dentistry which is a recognised dental qualification under section 34 or section 35, as the case may be, he shall be entitled to have such title, diploma or qualification entered against his name in the State Register or the National Register, as the case may be, in such manner as may be specified by regulations.	
	33. (1) No person other than a person who is enrolled in the State Register or the National Register, as the case may be, shall—	Bar to practice.
	(a) be allowed to practice dentistry as a qualified dentist;	
	(b) hold office as a dentist or any other office, by whatever name called, which is meant to be held by a dentist;	
	(c) be entitled to sign or authenticate a medical or fitness certificate or any other certificate required by any law to be signed or authenticated by a duly qualified dentist;	
1 of 1872.	(d) be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 on any matter relating to dentistry:	
	Provided that the Commission shall submit a list of such dental professionals to the Central Government in such manner as may be prescribed:	
	Provided further that a foreign citizen who is enrolled in his country as a dentist in accordance with the law regulating the registration of dentists in that country may be permitted temporary registration in India for such period and in such manner as may be specified by regulations.	
	(2) Any person who contravenes any of the provisions of this section shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to five lakh rupees or with both.	
	CHAPTER VI RECOGNITION OF DENTAL QUALIFICATIONS	

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	<p>34. (1) The dental qualification granted by any University or dental institution in India shall be listed and maintained by the Under-Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be, in such manner as may be specified by regulations and such dental qualification shall be a recognised dental qualification for the purposes of this Act.</p>	<p>Recognition of dental qualifications granted by universities or dental institutions in India.</p>
	<p>(2) Any University or dental institution in India which grants an undergraduate or postgraduate dental qualification not included in the list maintained by the Under- Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be, may apply to that Board for granting recognition to such qualification.</p>	
	<p>(3) The Under- Graduate Dental Education Board or the Post-Graduate Dental Education Board, as the case may be, shall examine the application for grant of recognition to a dental qualification within a period of six months in such manner as may be specified by regulations.</p>	
	<p>(4) Where the Under- Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be, decides to grant recognition to a dental qualification, it shall include such dental qualification in the list maintained by it and also specify the date of effect of such recognition.</p>	
	<p>(5) Where the Under- Graduate Dental Education Board or Post-Graduate Dental Education Board, as the case may be, decides not to grant recognition to a dental qualification, the University or the dental institution concerned may prefer an appeal to the Commission for grant of recognition within sixty days of the communication of such decision, in such manner as may be specified by regulations.</p>	
	<p>(6) The Commission shall examine the appeal received under sub-section (5) within a period of two months and if it decides that recognition may be granted to such dental qualification, it may direct the Under- Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be, to include such dental qualification in the list maintained by that Board, in such manner as may be specified by regulations.</p>	
	<p>(7) Where the Commission decides not to grant recognition to the dental qualification, or fails to take a decision within the specified period, the University or the dental institution concerned may prefer a second appeal to the Central Government within thirty days of the communication of such decision or lapse of specified period, as the case may be.</p>	
16 of	<p>(8) All dental qualifications which have been recognised before the date of commencement of this Act and are included in the Part-I of the Schedule to the Dentists Act, 1948, shall also be recognised dental qualifications for the purposes of this Act, and shall be listed and maintained by the Under- Graduate Dental Education Board or the</p>	

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1948.	Post- Graduate Dental Education Board, as the case may be, in such manner as may be specified by regulations.	
	35. (1) Where an authority in any country outside India, which by the law of that country is entrusted with the recognition of dental qualifications in that country, makes an application to the Commission for granting recognition to such dental qualification in India, the Commission may, subject to such verification as it may deem necessary, either grant or refuse to grant recognition to that dental qualification:	Recognition of dental qualifications granted by dental institutions outside India.
	Provided that the Commission shall give a reasonable opportunity of being heard to such authority before refusing to grant such recognition.	
	(2) A dental qualification which is granted recognition by the Commission under sub-section (1) shall be a recognised dental qualification for the purposes of this Act, and such qualification shall be listed and maintained by the Commission in such manner as may be specified by regulations.	
	(3) Where the Commission refuses to grant recognition to the dental qualification under sub-section (1), the authority concerned may prefer an appeal to the Central Government against such decision within thirty days of communication thereof.	
16 of 1948.	(4) All dental qualifications which have been recognised before the date of commencement of this Act and are included in Part-II of the Schedule to the Dentists Act, 1948, shall also be recognised dental qualifications for the purposes of this Act, and shall be listed and maintained by the Commission in such manner as may be specified by regulations.	
	36. (1) The dental qualifications granted by any statutory or other body in India which are covered by the categories listed in the Schedule shall be recognised dental qualifications for the purposes of this Act.	Recognition of dental qualifications granted by statutory or other body in India.
	(2) The Central Government may, on the recommendation of the Commission, and having regard to the objects of this Act, by notification, add to, or, as the case may be, omit from, the Schedule any categories of dental qualifications granted by a statutory or other body in India and on such addition, or as the case may be, omission, the dental qualifications granted by such statutory or other body in India shall be, or shall cease to be, recognized dental qualifications for the purposes of this Act.	
	37. (1) Where, upon receiving a report from the Dental Assessment and Rating Board under section 26, or otherwise, if the Commission is of the opinion that— (a) the courses of study and examination to be undergone in, or	Withdrawal of recognition granted to

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	<p>the proficiency required from candidates at any examination held by, a University or dental institution do not conform to the standards specified by the Under- Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be; or</p> <p>(b) the standards and norms for infrastructure, faculty and quality of education in dental institution as determined by the Under- Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be, are not adhered to by any University or dental institution, and such University or dental institution has failed to take necessary corrective action to maintain specified minimum standards, the Commission may initiate action in accordance with the provisions of sub-section (2):</p>	<p>dental qualification granted by dental institutions in India.</p>
	<p>Provided that the Commission shall, before taking any action for <i>suomotu</i> withdrawal of recognition granted to the dental qualification awarded by a University or dental institution, impose penalty in accordance with the provisions of clause (f) of sub-section (1) of section 26.</p>	
	<p>(2) The Commission shall, after making such further inquiry as it deems fit, and after holding consultations with the concerned State Government and the authority of the concerned University or dental institution, comes to the conclusion that the recognition granted to a dental qualification ought to be withdrawn, it may, by order, withdraw recognition granted to such dental qualification and direct the Under- Graduate Dental Education Board or the Post- Graduate Dental Education Board, as the case may be, to amend the entries against the University or dental institution concerned in the list maintained by that Board to the effect that the recognition granted to such dental qualification is withdrawn with effect from the date specified in that order.</p>	
	<p>38. Where, after verification with the authority in any country outside India, the Commission is of the opinion that a recognised dental qualification which is included in the list maintained by it is to be de-recognised, it may, by order, de-recognise such dental qualification and remove it from the list maintained by the Commission with effect from the date of such order.</p>	<p>De- recognition of dental qualifications granted by dental institutions outside India.</p>
	<p>39. Where the Commission deems it necessary, it may, by an order published in the Official Gazette, direct that any dental qualification granted by a dental institution in a country outside India, after such date as may be specified in that notification, shall be a recognised dental qualification for the purposes of this Act:</p> <p>Provided that dental practice by a person possessing such qualification shall be permitted only if such person qualifies National Exit Test.</p>	<p>Special provision in certain cases for recognition of dental qualifications</p>

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CHAPTER VII GRANTS, AUDIT AND ACCOUNTS		
	40. The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Commission grants of such sums of money as the Central Government may think fit.	Grants by Central Government.
	41. (1) There shall be constituted a fund to be called "the National Dental Commission Fund" which shall form part of the public account of India and there shall be credited thereto—	National Dental Commission Fund.
	(a) all Government grants, fees, penalties and charges received by the Commission and the Autonomous Boards;	
	(b) all sums received by the Commission from such other sources as may be decided by it.	
	(2) The Fund shall be applied for making payment towards—	
	(a) the salaries and allowances payable to the Chairperson and Members of the Commission, the Presidents and Members of the Autonomous Boards and the administrative expenses including the salaries and allowances payable to the officers and other employees of the Commission and Autonomous Boards;	
	(b) the expenses incurred in carrying out the provisions of this Act, including in connection with the discharge of the functions of the Commission and the Autonomous Boards.	
	42. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor- General of India.	Audit and Accounts.
	(2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General of India.	
	(3) The Comptroller and Auditor-General of India and any other persons appointed by him in connection with the audit of the accounts of the Commission shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of, and complete access to, records, books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.	
	(4) The accounts of the Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Commission to the Central Government which shall	

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	cause the same to be laid, as soon as may be after it is received, before each House of Parliament.	
	43. (1) The Commission shall furnish to the Central Government, at such time, in such form and in such manner, as may be prescribed or as the Central Government may direct, such reports and statements, containing such particulars in regard to any matter under the jurisdiction of the Commission, as the Central Government may, from time to time, require.	Furnishing of returns and reports to Central Government.
	(2) The Commission shall prepare, once every year, in such form and at such time as may be prescribed, an annual report, giving a summary of its activities during the previous year and copies of the report shall be forwarded to the Central Government.	
	(3) A copy of the report received under sub-section (2) shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.	
	CHAPTER VIII MISCELLANEOUS	
	44. (1) Without prejudice to the foregoing provisions of this Act, the Commission and the Autonomous Boards shall, in exercise of their powers and discharge of their functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to them from time to time: Provided that the Commission and the Autonomous Boards shall, as far as practicable, be given an opportunity to express their views before any direction is given under this sub-section.	Power of Central Government to give directions to Commission and Autonomous Boards.
	(2) The decision of the Central Government whether a question is one of policy or not shall be final.	
	45. The Central Government may give such directions, as it may deem necessary, to a State Government for carrying out all or any of the provisions of this Act and the State Government shall comply with such directions.	Power of Central Government to give directions to State Governments
	46. (1) The Commission shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.	Information to be furnished by commission and publication thereof.
	(2) The Central Government may publish, in such manner as it may think fit, the reports, minutes, abstracts of accounts and other	

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	information furnished to it under sub-section (1).	
	47. Every University and dental institution governed under this Act shall maintain a website at all times and display on its website all such information as may be required by the Commission or an Autonomous Board, as the case may be.	Obligation of universities and dental institutions.
	48. (1) Notwithstanding anything contained in this Act, any student who was studying for a degree, diploma or certificate in any dental institution immediately before the commencement of this Act shall continue to so study and complete his course for such degree, diploma or certificate, and such institution shall continue to provide instructions and examination for such student in accordance with the syllabus and studies as existed before such commencement, and such student shall be deemed to have completed his course of study under this Act and shall be awarded degree, diploma or certificate under this Act.	Completion of courses of studies in dental institutions.
	(2) Notwithstanding anything contained in this Act, where recognition granted to a dental institution has lapsed, whether by efflux of time or by its voluntary surrender or for any other reason whatsoever, such dental institution shall continue to maintain and provide the minimum standards required to be provided under this Act till such time as all candidates who are admitted in that dental institution complete their study.	
	49. Every State Government may, for the purposes of addressing or promoting primary health care in rural area, take necessary measures to enhance the capacity of the healthcare professionals.	State Government to promote primary healthcare in rural areas.
45 of 1860.	50. The Chairperson, Members, officers and other employees of the Commission and the President, Members and officers and other employees of the Autonomous Boards shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.	Chairperson, Members, officers of Commission and of Autonomous Boards to be public servants.
	51. No suit, prosecution or other legal proceeding shall lie against the Government, the Commission or any Autonomous Board or a State Dental Council or any Committee thereof, or any officer or other employee of the Government or of the Commission acting under this Act for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.	Protection of action taken in good faith.
	52. No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made in this behalf by an officer authorised by the Commission or the Ethics and Dental	Cognizance of offences.

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	<p>Registration Board or a State Dental Council, as the case may be.</p>	
	<p>53. (1) If, at any time, the Central Government is of opinion that —</p> <p>(a) the Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or</p> <p>(b) the Commission has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act, the Central Government may, by notification, supersede the Commission for such period, not exceeding six months, as may be specified in the notification:</p> <p>Provided that before issuing a notification under this sub-section, the Central Government shall give a reasonable opportunity to the Commission to show cause as to why it should not be superseded and shall consider the explanations and objections, if any, of the Commission.</p>	<p>Power of Central Government to supersede Commission.</p>
	<p>(2) Upon the publication of a notification under sub-section (1) superseding the Commission,—</p> <p>(a) all the Members shall, as from the date of supersession, vacate their offices as such;</p> <p>(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Commission, shall, until the Commission is re-constituted under sub-section (3), be exercised and discharged by such person or persons as the Central Government may direct;</p> <p>(c) all property owned or controlled by the Commission shall, until the Commission is re-constituted under sub-section (3), vest in the Central Government.</p>	
	<p>(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may,—</p> <p>(a) extend the period of supersession for such further term not exceeding six months, as it may consider necessary; or</p> <p>(b) re-constitute the Commission by fresh appointment and in such case the Members who vacated their offices under clause (a) of sub-section (2) shall not be deemed disqualified for appointment:</p> <p>Provided that the Central Government may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.</p>	
	<p>(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before both</p>	

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	Houses of Parliament at the earliest opportunity.	
	54. (1) The Central Government may, by notification, make rules to carry out the purposes of this Act.	Power to make rules.
	(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-	
	(a) the manner of appointing ten Members of the Commission on rotational basis from amongst the nominees of the States and Union Territories in the Dental Advisory Council under clause (b) of sub-section (4) of section 4;	
	(b) the manner of appointing nine members of the Commission under clause (c) of of sub-section (4) of section 4;	
	(c) the manner of nominating one expert by the Central Government under clause (d) of of sub-section (1) of section 5;	
	(d) the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members under sub-section (4) of section 6;	
	(e) the form and the manner of making declaration under sub-section (5A) of section 6.	
	(f) the qualifications and experience to be possessed by the Secretary of the Commission under sub-section (2) of section 8;	
	(g) the salaries and allowances payable to, and other terms and conditions of service of the Secretary, officers and other employees of the Commission under sub-section (6) of section 8;	
	(h) the other powers and functions of the Commission under clause (j) of sub-section (1) of section 10;	
	(i) the dental qualification and experience to be possessed by a member under the second proviso to section 11;	
	(j) the manner of choosing part-time Members under sub-section (5) of section 17;	
	(k) the salary and allowances payable to, and other terms and conditions of service of the President and Members of an Autonomous Board under sub-section (2), and the allowances payable to part-time Members under the proviso thereunder, of section 19;	
	(l) the other factors under clause (d) of section 29;	
	(m) the manner of submitting a list of medical professionals under the second proviso to sub-section (1) of section 32;	
	(n) the form for preparing annual statement of accounts under sub-section (1) of section 41;	
	(o) the time within which, and the form and the manner in which, the reports and statements shall be furnished by the Commission and	

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	the particulars with regard to any matter as may be required by the Central Government under sub-section (1) of section 42;	
	(p) the form and the time for preparing annual report under sub-section (2) of section 42;	
	(q) any other matter in respect of which provision is to be made by rules.	
	55. (1) The Commission may, after previous publication, by notification, make regulations consistent with this Act and the rules made thereunder to carry out the provisions of this Act.	Power to make regulations.
	(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-	
	(a) the functions to be discharged by the Secretary of the Commission under sub-section (4) of section 8;	
	(b) the procedure in accordance with which experts and professionals may be engaged and the number of such experts and professionals under sub-section (7) of section 8;	
	(c) the procedure to be followed at the meetings of Commission, including the quorum at its meetings under sub-section (3) of section 9;	
	(d) the quality and standards to be maintained in dental education under clause (a) of sub-section (1) of section 10;	
	(e) the manner of regulating dental institutions, dental researches and dental professionals under clause (b) of sub-section (1) of section 10;	
	(f) the manner of functioning of the Commission, the Autonomous Boards and the State Dental Councils under clause (d) of sub-section (1) of section 10;	
	(g) the procedure to be followed at the meetings of the Dental Advisory Council, including the quorum at its meetings under sub-section (3) of section 13;	
	(h) the other languages in which and the manner in which the National Eligibility-cum-Entrance Test shall be conducted under sub-section (2) of section 14;	
	(i) the manner of conducting common counselling by the designated authority for admission to the undergraduate and postgraduate dental education under sub-section (3) of section 14;	
	(j) the designated authority, and the manner for conducting the National Exit Test under sub-section (2) of section 15;	
	(k) the manner in which a person with foreign dental qualification shall qualify National Exit Test under sub-section (4) of section 15;	
	(l) the manner in which admission to the postgraduate dental	

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	education shall be made on the basis of National Exit Test under sub-section (6) of section 15;	
	(m) the manner of conducting common counselling by the designated authority for admission to the postgraduate dental education under sub-section (7) of section 15;	
	(n) the number of, and the manner in which, the experts, professionals, officers and other employees shall be made available by the Commission to the Autonomous Boards under section 21;	
	(o) the curriculum at under-graduate level under clause (b) sub-section (1) of section 24;	
	(p) the curriculum for basic dental care, community dental care and family dental care under clause (c) sub-section (1) of section 24;	
	(q) the manner of imparting undergraduate courses by dental institutions under clause (d) sub-section (1) of section 24;	
	(r) the minimum requirements and standards for conducting courses and examinations for undergraduates in dental institutions under clause (e) sub-section (1) of section 24;	
	(s) the standards and norms for infrastructure, faculty and quality of education at undergraduate level in dental institutions under clause (f) sub-section (1) of section 24;	
	(t) the standards of dental education at the postgraduate level under clause (a) sub-section (1) of section 25;	
	(u) the curriculum at postgraduate level under clause (b) sub-section (1) of section 25;	
	(v) the manner of imparting postgraduate courses by dental institutions under clause (c) sub-section (1) of section 25;	
	(w) the minimum requirements and standards for conducting post-graduate courses and examinations in dental institutions under clause (d) sub-section (1) of section 25;	
	(x) the standards and norms for infrastructure, faculty and quality of education in dental institutions conducting postgraduate dental education under clause (e) sub-section (1) of section 25;	
	(y) the procedure for assessing and rating the dental institutions under clause (a) sub-section (1) of section 26;	
	(z) the manner of carrying out inspections of dental institutions for assessing and rating such clause (c) sub-section (1) of section 26;	
	(za) the manner of conducting, and the manner of empanelling independent rating agencies to conduct, assessment and rating of dental institutions under clause (d) sub-section (1) of section 26;	
	(zb) the manner of making available on website or in public domain the assessment and ratings of dental institutions under clause (e) sub-section (1) of section 26;	

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	(zc) the measures to be taken against a dental failure to maintain the minimum essential standards under clause (f) sub-section (1) of section 26;	
	(zd) the manner of regulating professional conduct and promoting dental ethics under clause (b) sub-section (1) of section 27;	
	(ze) the form of scheme, the particulars thereof, the fee to be accompanied and the manner of submitting scheme for establishing new dental college or for starting any postgraduate course or for increasing number of seats under sub-section (2) of section 28;	
	(zf) the manner of making an application to the Commission for approval of the scheme under sub-section (5) of section 28;	
	(zg) the areas in respect of which criteria may be relaxed under the proviso to section 29;	
	(zh) the manner of taking disciplinary action by a State Dental Council for professional or ethical misconduct of registered dentist or professional and the procedure for receiving complaints and grievances by Ethics and Dental Registration Board, under sub-section (2) of section 30;	
	(zi) the act of commission or omission which amounts to professional or ethical misconduct under clause (b) of the <i>Explanation</i> to section 30;	
	(zj) other particulars to be contained in a National Register under sub-section (1) of section 31;	
	(zk) the form, including the electronic form and the manner of maintaining the National Register under sub-section (2) of section 31;	
	(zl) the manner in which any name or qualification may be added to, or removed from, the National Register and the grounds for removal thereof, under sub-section (3) of section 31;	
	(zm) the manner of listing and maintaining dental qualifications granted by a University or dental institution in India under sub-section (1) of section 34;	
	(zn) the manner of examining the application for grant of recognition under sub-section (3) of section 34;	
	(zo) the manner of preferring an appeal to the Commission for grant of recognition under sub-section (5) of section 34;	
	(zp) the manner of including a dental qualification in the list maintained by the Board under sub-section (6) of section 34;	
	(zq) the manner of listing and maintaining dental qualifications which have been granted recognition before the date of commencement of this Act under sub-section (8) of section 34;	
	56. Every rule and every regulation made, and every notification issued, under this Act shall be laid, as soon as may be after it is made,	Rules and regulations to

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	before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification; both Houses agree that the rule or regulation or notification should not be made, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification.	be laid before Parliament.
	57. (1) If any difficulties arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it be necessary, for the removing the difficulty:	Power to remove difficulties.
	Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.	
	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each house of Parliament.	
16 of 1948.	58. (1) With effect from such date as the Central Government may appoint in this behalf, the Dentists Act, 1948 shall stand repealed and the Dental Council of India constituted under section 3 of the said Act shall stand dissolved.	Repeal and saving.
	(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect,— (a) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or (b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or (c) any penalty incurred in respect of any contravention under the Act so repealed; or (d) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if that Act had not been repealed.	
	(3) On the dissolution of the Dental Council of India, the person acting as the President of the Dental Council of India and every other person acting as the Member and any officer and other employee of that Council and holding office as such immediately before such dissolution shall vacate their respective offices and such President and other Members shall be entitled to claim compensation not exceeding three months' pay and allowances for the premature termination of term of their office or of any contract of service:	

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	<p>Provided that any officer or other employee who has been, immediately before the dissolution of the Dental Council of India appointed on deputation basis to the Dental Council of India, shall, on such dissolution, stand reverted to his parent cadre, Ministry or Department, as the case may be:</p>	
	<p>Provided further that any officer or other employee who has been, immediately before the dissolution of the Dental Council of India, employed on regular or contractual basis by the Dental Council of India, shall, on and from such dissolution, cease to be the officer or employee of the Dental Council of India and his employment in the Dental Council of India stand terminated with immediate effect:</p>	
	<p>Provided also that such officer or employee of the Dental Council of India shall be entitled to such compensation for the premature termination of his employment, which shall not be less than three months' pay and allowances, as may be prescribed.</p>	
16 of 1948.	<p>(4) Notwithstanding the repeal of the aforesaid enactment, any order made, any licence to practice issued, any registration made, any permission to start new dental college or to start higher course of studies or for increase in the admission capacity granted, any recognition of dental qualifications granted, under the Dentists Act, 1948, which are in force as on the date of commencement of this Act, shall continue to be in force till the date of their expiry for all purposes, as if they had been issued or granted under the provisions of this Act or the rules or regulations made thereunder.</p>	
	<p>59. (1) The Commission shall be the successor in interest to the Dental Council of India including its subsidiaries or owned trusts and all the assets and liabilities of the Dental Council of India shall be deemed to have been transferred to the Commission.</p>	Transitory provisions.
16 of 1948.	<p>(2) Notwithstanding the repeal of the Dentists Act, 1948, the educational standards, requirements and other provisions of the Dentists Act, 1948 and the rules and regulations made thereunder shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made thereunder:</p>	
	<p>Provided that anything done or any action taken as regards the educational standards and requirements under the enactment under repeal and the rules and regulations made thereunder shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force accordingly unless and until superseded by anything done or by any action taken under this Act.</p>	

THE SCHEDULE

(See section 36)

LIST OF CATEGORIES OF DENTAL QUALIFICATIONS GRANTED BY STATUTORY BODY OR OTHER BODY IN INDIA

Sl.No. Categories of medical qualifications

1. All dental qualifications granted by Centre for Dental Education & Research, All India Institute of Medical Sciences, New Delhi.