

Bill No. 111 of 2019

THE DENTISTS (AMENDMENT) BILL, 2019

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BILL

further to amend the Dentists Act, 1948.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Dentists (Amendment) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

16 of 1948.

2. In section 3 of the Dentists Act, 1948 (hereinafter referred to as the principal Act), in clause (f), the words and letter "and at least two shall be dentists registered in Part B of a State register" shall be omitted.

Amendment of section 3.

3. In section 21 of the principal Act, clause (b) shall be omitted.

Amendment of section 21.

4. In section 23 of the principal Act, clause (b) shall be omitted.

Amendment of section 23.

STATEMENT OF OBJECTS AND REASONS

The Dentists Act, 1948 (the Act) was enacted with a view to regulate the profession of dentistry. Section 3 of the Act provides for the constitution of the Dental Council of India (Council) for promoting dental education and dental profession in India. Section 31 of the Act provides that the Council shall maintain a register of dentists known as the Indian Dentists Register which consists of entries in all the State register of dentists. The register of dentists shall be maintained in two parts, namely, Part A and Part B. Part A consisting of all dentists possessing recognised dental qualifications and Part B which contains persons not holding such qualifications but engaged in practice of dentistry as principal means of livelihood for a period not less than five years prior to the date appointed under section 32.

2. Registration under Part B was allowed from a date prior to the commencement of the Act *i.e.* 29th March, 1948 for the persons displaced during Partition and displaced from Bangladesh or repatriated from Burma or Ceylon after 14th April, 1957 and before 25th March, 1971. However, no person has been registered in Part B after the year 1972. There are approximately 950 dentists registered in Part B against 2.7 lakh dentists registered in Part A. Moreover, only few States and Union territories like West Bengal, Kerala, Jammu and Kashmir, Puducherry, Punjab and Delhi have dentists registered in Part B.

3. Section 3 of the Act provides that the Central Government nominates six members to the Council as Central Government nominees, of whom at least two shall be dentists registered in Part B of a State register. The Act also provides for the constitution of State Dental Councils with four members and Joint State Dental Councils with two members elected from among themselves by dentists registered in Part B of the State register.

4. In view of above, it is proposed to amend the Dentists Act, 1948 so as to take away the mandatory requirement of the representation of Part B dentists in the Council, State Dental Councils and Joint State Dental Councils.

5. The proposed Dentists (Amendment) Bill, 2019, provides for the following, namely:—

(a) to amend clause (f) of section 3 of the Act relating to membership of Council so as to omit the provision for nomination of at least two members registered in Part B;

(b) to omit clause (b) of section 21 of the Act relating to election of four members from Part B to the State Dental Councils; and

(c) to omit clause (b) of section 23 of the Act relating to election of two members from Part B to the Joint State Dental Councils.

6. The Bill seeks to achieve the above objectives.

NEW DELHI;
The 20th June, 2019.

HARSH VARDHAN

ANNEXURE

EXTRACTS FROM THE DENTISTS ACT, 1948

(16 OF 1948)

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CHAPTER II

DENTAL COUNCIL OF INDIA

3. The Central Government shall, as soon as may be, constitute a Council consisting of the following members, namely:—

Constitution and composition of Council.

* * * * *

(f) six members nominated by the Central Government, of whom at least one shall be a registered dentist possessing a recognised dental qualification and practising or holding an appointment in an institution for the training of dentists in a Union territory, and at least two shall be dentists registered in Part B of a State register;

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CHAPTER III

STATE DENTAL COUNCILS

21. Except where a Joint State Council is constituted in accordance with an agreement made under section 22, the State Government shall constitute a State Council consisting of the following members, namely:—

Constitution and composition of State Councils.

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(b) four members elected from among themselves by dentists registered in Part B of the State register;

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23. A Joint State Council shall consist of the following members, namely:—

Composition of Joint State Councils.

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(b) two members elected from among themselves by dentists registered in Part B of the State register of each of the participating States;

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further to amend the Dentists Act, 1948.

(Shri Harsh Vardhan, Minister of Health and Family Welfare)