

Bill No. XXX of 2015

THE HOMOEOPATHY CENTRAL COUNCIL
(AMENDMENT) BILL, 2015

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BILL

further to amend the Homoeopathy Central Council Act, 1973.

BE it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Homoeopathy Central Council (Amendment) Act, 2015.

Short title and commencement.

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

59 of 1973.

2. In the Homoeopathy Central Council Act, 1973 (hereinafter referred to as the principal Act), in section 12A,—

Amendment of section 12A.

(A) in sub-section (1), in clause (b),—

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(a) at the end of sub-clause (ii), the word “or” shall be inserted;

(b) after sub-clause (ii), the following sub-clause shall be inserted, namely:—

“(iii) admit a new batch of students in any course of study or training (including post-graduate course of study or training);”;

(c) after the words “except with the previous permission of the Central Government obtained in accordance with the provisions of this section”, the following proviso shall be inserted, namely:—

“Provided that the previous permission to admit a new batch of students under sub-clause (iii) may be obtained for a period of five years, subject to the provisions of this Act.”;

(B) in sub-section (7), for clauses (a) to (c), the following clauses shall be substituted, namely:—

"(a) whether the proposed medical institution or the existing medical institution seeking to open a new or higher course of study or training (including post-graduate course of study or training), or to increase its admission capacity or to admit a new batch of students in any course of study or training (including post-graduate course of study or training), is in a position to fulfil the minimum standards of medical education under this Act;

(b) whether the person seeking to establish a medical institution or the existing medical institution seeking to open a new or higher course of study or training (including post-graduate course of study or training), or to increase its admission capacity or to admit a new batch of students in any course of study or training (including post-graduate course of study or training) has adequate financial resources under this Act;

(c) whether necessary facilities in respect of staff, equipment, accommodation, training, hospital and other facilities to ensure proper functioning of the medical institution or conducting the new or higher course of study or training (including post-graduate course of study or training), or increase in admission capacity or to admit a new batch of students in any course of study or training (including post-graduate course of study or training) have been provided or would be provided within the time limit specified in the scheme;”.

Amendment of section 12B.

3. In the principal Act, in section 12B, after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) Where any medical institution admits a new batch of students in any course of study or training (including post-graduate course of study or training) without the previous permission of the Central Government in accordance with the provisions of section 12A, the medical qualification granted to any student of such medical institution shall not be deemed to be a recognised medical qualification for the purposes of this Act."

STATEMENT OF OBJECTS AND REASONS

The Homoeopathy Central Council Act, 1973 (59 of 1973) provides for constitution of the Central Council of Homoeopathy for regulation of the educational standards of Homoeopathic Medical Colleges, maintenance of the Central Register of practitioners of Homoeopathy and for matters connected therewith.

2. The Homoeopathy Central Council Act, 1973 was amended in the year 2002, to check growth of sub-standard colleges, increase in admission capacity and starting of new courses in such colleges. The permission of the Central Government is mandatory for establishing new colleges or starting new courses of study. The existing provision in the Homoeopathy Central Council Act is, however, not enabling the Central Government to stop admissions in colleges, which are not conforming to standards specified in the regulations made under the said Act. Due to this, quality of Homoeopathy education is being compromised.

3. The Homoeopathy Central Council (Amendment) Bill, 2015 seeks to amend the Homoeopathy Central Council Act, 1973,—

(a) to make provision for obtaining prior permission of the Central Government by all Homoeopathy Medical Colleges for admission of new batches of students in any course of study or training (including post-graduate course of study or training); and

(b) to provide the aforesaid permission by the Central Government for a period of five years;

The proposed amendment will ensure quality of Homoeopathy education leading to better healthcare through Homoeopathy system of medicine.

4. The Bill seeks to achieve the aforesaid objectives.

NEW DELHI;
The 22nd April, 2015.

SHRIPAD YESSO NAIK

ANNEXURE

EXTRACT FROM THE HOMOEOPATHY CENTRAL COUNCIL ACT, 1973

(59 OF 1973)

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CHAPTER II-A

Permission for establishment of new medical institution, new course of study, etc.

12A. (1) Notwithstanding anything contained in this Act or any other law for the time being in force,—

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(b) no Homoeopathic Medical College shall—

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(ii) increase its admission capacity in any course of study or training (including the post-graduate course of study or training),

except with the previous permission of the Central Government obtained in accordance with the provisions of this section.

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(7) The Central Council, while making its recommendations under clause (b) of sub-section (3) and the Central Government, while passing an order, either approving or disapproving the scheme under sub-section (4), shall have due regard to the following factors, namely:—

(a) whether the proposed medical institution or the existing medical institution seeking to open a new or higher course of study or training, would be in a position to offer the minimum standards of medical education as prescribed by the Central Council under section 20;

(b) whether the person seeking to establish a medical institution or the existing medical institution seeking to open a new or higher course of study or training or to increase its admission capacity has adequate financial resources;

(c) whether necessary facilities in respect of staff, equipment, accommodation, training, hospital and other facilities to ensure proper functioning of the medical institution or conducting the new course of study or training or accommodating the increased admission capacity have been provided or would be provided within the time-limit specified in the scheme;

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RAJYA SABHA

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further to amend the Homoeopathy Central Council Act, 1973.

*(Shri Shripad Yesso Naik, Minister of State (I/C) for Ayurveda, Yoga and Naturopathy,
Unani, Siddha and Homoeopathy and Minister of State in the Ministry of
Health and Family Welfare)*