

Standing Committee Report Summary

The National Commission for Homoeopathy Bill, 2019

- The Standing Committee on Health and Family Welfare (Chairperson: Prof. Ram Gopal Yadav) submitted its report on the National Commission for Homoeopathy Bill, 2019 on November 27, 2019. The Bill seeks to repeal the Homoeopathy Central Council Act, 1973 and provide for regulation of education and practice of homoeopathy medicine. Key observations and recommendations of the Committee are summarised below:
- **Composition of the National Commission for Homoeopathy (NCH):** The Committee observed that the strength of the NCH and the representation from states as proposed in the Bill must be increased for its effective functioning. It also noted the lack of proper representation of elected medical professionals in the composition of the NCH as 80% of them are nominated. The Committee recommended that the total strength of the NCH be increased from 20 members to 27 members. These 27 members will include the Chairperson, 7 ex-officio members, 10 members who are nominees of states/UTs (part-time), six elected registered medical practitioners (part-time), and 3 other part-time members.
- With regard to the composition of the three Autonomous Boards under the NCH, the Committee recommended that the strength of the Medical Assessment and Rating Board and the Board of Ethics and Registration should be enhanced to four instead of three members.
- **Appellate jurisdiction:** The central government has the appellate jurisdiction over the decisions taken by the NCH. In this regard, the Committee stated that giving the appellate jurisdiction to the central government does not fit into the constitutional provision for separation of powers. It recommended constitution of a Medical Appellate Tribunal for Indian System of Medicine and Homoeopathy comprising of a Chairperson, who should be a sitting or retired Judge of the Supreme Court or a Chief Justice of a High Court, and four other members (with special knowledge in the medical profession and education, Indian Systems of Medicine, homoeopathy, and health administration). This Tribunal will have an appellate jurisdiction over the decisions taken by the NCH instead of the central government.
- **Fee regulation:** The Committee noted that states have an existing process to regulate fees charged by private medical colleges. This is done by taking into account local factors, reservation quota, and other issues prevailing in respective states. However, there is no provision in the Bill for regulation of fees of homoeopathy colleges. The absence of fee regulation may result in charging of high fees by private medical colleges. Hence, the Committee recommended fee regulation for at least 50% of seats in private medical colleges, and deemed-to-be universities.
- **Advisory Council:** Under the Bill, the central government will constitute an Advisory Council for Homoeopathy. The Council will be the primary platform through which the states/union territories can put forth their views and concerns before the NCH. The Committee noted that there is no representation of State Medical Councils in the Advisory Council. Therefore, it recommended that there should be a provision for representation of elected members of State Medical Councils. Further, it recommended that the Advisory Council should include Vice-Chancellors of recognised homoeopathy colleges instead of just any general university.
- **Teacher's examination:** The Bill proposes a National Teachers' Eligibility Test for postgraduates of homoeopathy who wish to take up teaching homoeopathy as a profession. However, the Committee noted that this does not apply to teachers appointed before the enactment of this Bill. It observed that there are several teachers in the system who do not hold a postgraduate degree but are part of the education system. For such teaching professionals, there must be a provision for a training course, followed by Minimum Qualifying Test. This would ensure that their knowledge base is widened and updated.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.