

**THE HOMOEOPATHY CENTRAL  
COUNCIL ACT, 1973  
ACT NO. 59 OF 1973**

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MD PART II  
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# Why is this act necessary..?

- An Act to provide for the constitution of a Central Council of Homoeopathy and the maintenance of a Central Register of Homoeopathy and for matters connected therewith.
- Brought into action on **19th December 1973.**



# CHAPTERS

- 5 Main Chapters.
  1. Chapter I – Preliminary
  2. Chapter II - The Central Council and its Committees (also includes Chapter II A)
  3. Chapter III- Recognition of medical qualifications
  4. Chapter IV - The Central Register of Homoeopathy
  5. Chapter V - Miscellaneous



# CHAPTER I

- **SECTIONS**

1. Short title, extent and commencement.

**Title** - This Act may be called The Homoeopathy Central Council Act, 1973.

**Extent** – to whole of INDIA

**Commencement**- It shall come into force in a State on such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf for such State and different dates may be appointed for different States and for different provisions of this Act.

2. **Definitions-**

includes certain terms of which everyone should be aware of -



- Board
- Central Council
- Homoeopathy
- CENTRAL REGISTER OF HOMOEOPATHY
- State register of Homoeopathy
- Regulations
- University. Etc



# CHAPTER II

## THE CENTRAL COUNCIL AND ITS COMMITTEES

### 3. Constitution of Central Council

1) **The Central Government shall**, by notification in the Official Gazette, constitute for the purposes of this Act a Central Council consisting of the following members, namely:—

(a) **such number of members not exceeding five** as may be determined by the Central Government in accordance with the provisions of the First Schedule from each State in which a State Register of Homoeopathy is maintained, to be elected from amongst themselves by persons enrolled on that register as practitioners of Homoeopathy;

;



- **(b) one member from each University** to be elected from amongst themselves by the members of the Faculty or Department (by whatever name called) of Homoeopathy of that University: Provided that until any such Faculty or Department of Homoeopathy is started in at least seven Universities, the Central Government may nominate such number of members not exceeding seven as may be determined by the Central Government from amongst the teaching staff of medical institutions within India, so however, that the total number of members so nominated and elected under this clause shall in no case exceed seven



(c) such number of members, not exceeding **40%** of the total number of members elected under clauses (a) and (b), as may be nominated by the Central Government, from amongst persons having special knowledge or practical experience in respect of Homoeopathy or other related disciplines:

(2) The President and the Vice-President of the Central Council shall be elected by the members of the Central Council from amongst themselves in such manner as may be prescribed:

Provided that for two years from the first constitution of the Central Council, the President and the Vice-President shall be nominated by the Central Government from amongst the members of the Central Council.



#### **4. Mode of election.**

- (1) An election under clause (a) or clause (b) of subsection (1) of section 3 shall be conducted by the Central Government in accordance with such rules as may be made by it in this behalf.
- (2) Where any dispute arises regarding any election to the Central Council, it shall be referred to the Central Government whose decision shall be final.

#### **5. Restriction on elections and membership.**

- (1) No person shall be eligible for election to the Central Council unless he possesses any of the medical qualifications included in the Second or the Third Schedule, is enrolled on any State Register of Homoeopathy and resides in the State concerned.
- (2) No person may at the same time serve as a member in more than one capacity.



## **7. Term of office of President, Vice-President and members of Central Council.**

- (1) The President, Vice-President or a member of the Central Council shall hold office for a term of five years from the date of his election or nomination, as the case may be, or until his successor shall have been duly elected or nominated, whichever is longer.
- (2) A person who holds, or who has held, office as President or Vice-President of the Central Council, shall be eligible for re-election to that office once, but only once.
- (3) Members of the Central Council shall be eligible for re-election or re-nomination.
- (4) An elected or nominated member shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Central Council, from three consecutive ordinary meetings of the Central Council



- (5) A casual vacancy in the Central Council shall be filled by election or nomination, as the case may be, and the person elected or nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was elected or nominated.
- (6) Where the said term of five years is about to expire in respect of any member, a successor may be elected or nominated at any time within 3 months before the said term expires but he shall not assume office until the said term has expired.



## **8. Meetings of Central Council.**

The Central Council shall meet at least once in each year at such time and place as may be appointed by the Central Council.

## **9. The Executive Committee and other committees.**

- (1) The Central Council shall constitute from amongst its members an Executive Committee and such other committees for general or special purposes as the Council deems necessary to carry out the purposes of this Act.
- (2) (i) The Executive Committee (hereafter in this section referred to as the Committee), shall consist of the President and Vice-President, who shall be members ex officio, and not less than five and not more than seven members who shall be elected by the Central Council from amongst its members.
  - (ii) The President and the Vice-President shall be the President and Vice-President respectively of the Committee.
  - (iii) In addition to the powers and duties conferred and imposed upon it by this Act, the Committee shall exercise and discharge such powers and duties as the Central Council may confer or impose upon it by any regulations which may be made in this behalf.



## **10. Meetings of committees.**

- (1) The committees constituted under section 9 shall meet at least twice in each year at such time and place as may be appointed by the Central Council.

## **11. Officers and other employees of Central Council.**

The Central Council shall—

- (a) appoint a Registrar who shall also act as Secretary;
- (b) employ such other persons as it deems necessary to carry out the purposes of this Act;
- (c) require and take from the Registrar or from any other employee, such security for the due performance of his duties as the Central Council deems necessary;
- (d) with the previous sanction of the Central Government, fix the remuneration and allowances to be paid to the President, Vice-President and members of the Central Council and to the members of the committees thereof and determine the conditions of service of the employees of the Central Council.



## **12. Vacancies in the Central Council and committees thereof not to invalidate acts, etc.—**

Act or proceeding of the Central Council or any committee there of shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Central Council or the committee, as the case may be.

### **CHAPTER II A**

#### **▪ 12A.- Permission for establishment of new medical institution, new course of study, etc**

In this regard a Person or Institution is permitted to open only and only Homoeopathic medical college and no other courses and not even the Postgraduation courses in homoeopathy, after the approval by Central govt & Central council of Homoeopathy for the same. And according to the fees prescribed by the CCH.

#### **▪ 12B. - Non-recognition of medical qualifications in certain cases**

Where any medical institution is established without the previous permission of the Central Government in accordance with the provisions of section 12A, 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



- (2) Where any medical institution opens a new or higher course of study or training (including a post-graduate course of study or training) without the previous permission of the Central Government in accordance with the provisions of section 12A, medical qualification granted to any student of such institution on the basis of such study or training shall not be deemed to be recognised medical qualification for the purposes of this Act.
- (3) Where any medical institution increases its admission capacity in any course of study or training without the previous permission of the Central Government in accordance with the provisions of section 12A, medical qualification granted to any student of such medical institution on the basis of the increase in its admission capacity shall not be deemed to be recognised medical qualification for the purposes of this Act.



# **CHAPTER III**

## **RECOGNITION OF MEDICAL QUALIFICATIONS**

### **13. Recognition of medical qualification granted by certain medical institutions in India.**

- (1) The medical qualifications granted by any University, Board or other medical institution in India which are included in the Second Schedule shall be recognised medical qualifications for the purposes of this Act.
- (2) Any University, Board or other medical institution in India which grants a medical qualification not included in the Second Schedule may apply to the Central Government to have any such qualification recognised, and the Central Government, after consulting the Central Council, may, by notification in the Official Gazette, amend the Second Schedule so as to include such qualification therein.

### **14. Recognition of medical qualifications granted by medical institutions in States or countries outside India.—**

- (1) The medical qualifications granted by medical institutions outside India which are included in the Third Schedule shall be recognised medical qualifications for the purposes of this Act.



## **15. Rights of persons possessing qualifications included in Second or the Third Schedule to be enrolled.**

- (1) Subject to the other provisions contained in this Act, any medical qualification included in the Second or the Third Schedule shall be sufficient qualification for enrolment on any State Register of Homoeopathy.
- (2) No person, other than a practitioner of Homoeopathy who possesses a recognised medical qualification and is enrolled on a State Register or the Central Register of Homoeopathy,
  - (a) shall hold office as Homoeopathic physician
  - (b) shall practise Homoeopathy in any State;
  - (c) shall 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 medical practitioner;
  - (d) shall be entitled to give any evidence at any inquest or any court of law as an expert under section 45 of the Indian Evidence Act, 1872 (1 of 1872) on any matter relating to Homoeopathy.



(3) Any person who acts in contravention of any provision of sub-section (2) shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

**16. Power to require information as to courses of study and examinations.**

**17. Inspectors at examinations.**

1) The Central Council shall appoint such number of medical inspectors as it may deem requisite to inspect any medical college, hospital or other institution where education in Homoeopathy is given, or to attend any examination held by any University.

**18. Visitors at examinations**

**19. Withdrawal of recognition** - When upon report by the inspector or the visitor, it appears to the Central Council—

(a) That the staff, equipment, accommodation, training and other facilities for instruction and training provided in such University, Board or medical institution or in any college or other institution affiliated to the University, do not conform to the standard prescribed by the Central Council, the Central Council shall make a representation to that effect to the Central Government.

**20. Minimum standards of education in Homoeopathy-** has to be strictly provided.



# **CHAPTER IV**

## **THE CENTRAL REGISTER OF HOMOEOPATHY**

### **21. The Central Register of Homoeopathy.**

- 1) The Central Council shall cause to be maintained in the prescribed manner, a register of practitioners of Homoeopathy to be known as the Central Register of Homoeopathy which shall contain –

The names of all persons who are for the time being enrolled on any State Register of Homoeopathy and possess any of the recognised medical qualifications.

- (2) It shall be the duty of the Registrar of the Central Council to keep and maintain the Central Register of Homoeopathy in accordance with the provisions of this Act and of any orders made by the Central Council, and from time to time to revise the register and publish it in the Gazette of India and in such other manner as may be prescribed.

### **22. Supply of copies of State Register of Homoeopathy.**

### **23. Registration in the Central Register of Homoeopathy.**



## **24. Professional conduct.**

- (1) The Central Council may prescribe standards of professional conduct and etiquette and a code of ethics for practitioners of Homoeopathy.

## **25. Removal of names from the Central Register of Homoeopathy.**

If the name of any person enrolled on a State Register of Homoeopathy is removed therefrom in pursuance of any power conferred by or under any law relating to registration of practitioners of Homoeopathy, the Central Council shall direct the removal of the name of such person from the Central Register of Homoeopathy.

## **26. Privileges of persons who are enrolled on the Central Register of Homoeopathy.**

any person whose name is for the time being borne on Part II of the Central Register of Homoeopathy, may practise Homoeopathy in any State, other than the State where he is enrolled on the State Register of Homoeopathy, with the previous approval of the Government of the State where he intends to practise.



## **27. Registration of additional qualifications.**

- (1) If any person whose name is entered in the Central Register of Homoeopathy obtains any title, diploma or other qualification for proficiency in Homoeopathy, which is a recognized medical qualification, he shall, on application made in this behalf in the prescribed manner, be entitled to have an entry stating such other title, diploma or other qualification made against his name in the Central Register of Homoeopathy either in substitution for or in addition to any entry previously made.

## **28. Persons enrolled on Central Register of Homoeopathy to notify change of place of residence or practice.**

Every person registered in the Central Register of Homoeopathy shall notify any transfer of the place of his residence or practice to the Central Council and to the Board concerned, within ninety days of such transfer, failing which his right to participate in the election of members to the Central Council or a Board shall be liable to be forfeited by order of the Central Government either permanently or for such period as may be specified therein



## **CHAPTER V**

### **MISCELLANEOUS**

#### **29. Information to be furnished by Central Council and publication thereof.**

#### **30. Commission of inquiry**

A commission of inquiry shall have power to administer oaths, to enforce the attendance of witnesses and the production of documents, and shall have all such other necessary powers for the purpose of any inquiry conducted by it as are exercised by a civil court under the Code of Civil Procedure, 1908.

#### **31. Protection of action taken in good faith**

#### **32. Power to make rules.**

(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

#### **33. Power to make regulations**

The Central Council may, with the previous sanction of the Central Government, to carry out the purposes of this Act, and, without prejudice to the generality of this power, such regulations may provide for-



- (a) the manner of election of the President and the Vice-President of the Central Council;
- (b) the management of the property of the Central Council and the maintenance and audit of its accounts;
- (c) the resignation of members of the Central Council;
- (d) the powers and duties of the President and Vice-President;
- (e) the summoning and holding of meetings of the Central Council and the committees thereof, the times and places where such meetings are to be held, and the conduct of business thereat and the number of members necessary to constitute a quorum;
- (f) the functions of the committees constituted under section 9;
- (g) the tenure of office, and the powers and duties of the Registrar and other officers and servants of the Central Council;
- (h) the qualifications, appointment, powers and duties of, and procedure to be followed by, inspectors and visitors;
- (i) the courses and period of study of practical training to be undertaken, the subjects of examination and the standards of proficiency therein to be obtained, in any University, Board or medical institution for grant of recognised medical qualification



- (j) the standards of staff, equipment, accommodation, training and other facilities for education in Homoeopathy;
- (k) the conduct of professional examinations, qualifications of examiners and the conditions of admission to such examinations;
- (l) the standards of professional conduct and etiquette and code of ethics to be observed by practitioners of Homoeopathy;
- (m) the particulars to be stated, and the proof of qualifications to be given in applications for registration under this Act.
- (n) the manner in which and the conditions subject to which an appeal under section 25 may be preferred;
- (o) the fees to be paid on applications and appeals under this Act; and
- (p) any matter for which under this Act provision may be made by regulations.



- **THE CONTENTS OF**

- 1. FIRST SCHEDULE**

The Central Government shall, by notification in the Official Gazette, determine the number of seats allocated in the Central Council of Homoeopathy in each State

- 2. SECOND SCHEDULE**

Recognised Medical Qualifications In Homoeopathy Granted By Universities, Boards Or Medical Institutions In India

- 3. THIRD SCHEDULE**

Qualifications Granted By Medical Institutions Outside India



**THANK YOU**

