THE HOMEOPATHY CENTRAL COUNCIL
(AMENDMENT) ORDINANCE, 2018

No. 4 of 2018
Promulgated by the President in the Sixty-ninth Year of the
Republic of India.

An Ordinance further to amend the Homoeopathy Central

WHEREAS Parliament is not in session and the President is
satisfied that circumstances exist which render it necessary for
him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by
clause (1) of article 123 of the Constitution, the President is
pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Homoeopathy
Central Council (Amendment) Ordinance, 2018.

(2) It shall come into force at once.
2. In the Homoeopathy Central Council Act, 1973, (herein after referred to as the principal Act), after section 3, the following sections shall be inserted, namely:—

“3A. (1) On and from the date of commencement of the Homoeopathy Central Council (Amendment) Ordinance, 2018, the Central Council shall stand superseded and the President, Vice-President and other members of the Central Council shall vacate their offices and shall have no claim for any compensation, whatsoever.

(2) The Central Council shall be reconstituted in accordance with the provisions of section 3 within a period of one year from the date of supersession of the Central Council under sub-section (1).

(3) Upon the supersession of the Central Council under sub-section (1) and until a new Council is constituted in accordance with section 3, the Board of Governors constituted under sub-section (4) shall exercise the powers and perform the functions of the Central Council under this Act.

(4) The Central Government shall, by notification in the Official Gazette, constitute the Board of Governors which shall consist of not more than seven persons as its members, who shall be persons of eminence and of unimpeachable integrity in the fields of Homoeopathy and Homoeopathy education, and eminent administrators, and who may be either nominated members or members, ex officio to be appointed by the Central Government, one of whom shall be selected by the Central Government as the Chairperson of the Board of Governors.

(5) The Chairperson and the other members, other than the members, ex officio, shall be entitled to such sitting fee and travelling and other allowances as may be determined by the Central Government.

(6) The Board of Governors shall meet at such time and such places and shall observe such rules of procedure in regard to the transaction of business at its meetings as is applicable to the Central Council.

(7) Two-third of the members of the Board of Governors shall constitute the quorum of its meetings.
(8) No act or proceedings of the Board of Governors
shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the
constitution of, the Board of Governors’; or

(b) any irregularity in the procedure of the Board
of Governors not affecting the merits of the case.

(9) A member having any financial or other interest
in any matter coming before the Board of Governors for
decision, shall disclose his interest in the matter before he
may, if allowed by the Board of Governors, participate in
such proceedings.

(10) The Chairperson and other members of the Board
of Governors shall hold office during the pleasure of the
Central Government.

3B. During the period when the Central Council
stands superseded, —

(a) the provisions of the Act shall be construed as
if for the words “Central Council”, the words “Board of
Governors” were substituted;

(b) the Board of Governors shall exercise the
powers and discharge the functions of the Central
Council under this Act and for this purpose, the
provisions of this Act shall have effect subject to
the modification that references therein to the
Central Council shall be construed as references to
the Board of Governors.

3C. (1) Without prejudice to the provisions of this
Act, the Board of Governors or the Central Council after its
reconstitution shall, in exercise of its powers and in the
performance of its functions under this Act, be bound by
such directions on question of policy, other than those
relating to technical and administrative matters, as the
Central Government may give in writing to it from time to
time:

Provided that the Board of Governors or the Central
Council, after its reconstitution shall, as far as practicable,
have an opportunity to express its view before any
direction is given under this sub-section.
(2) The decision of the Central Government whether a question is a matter of policy or not shall be final.”.

3. After section 12B of the principal Act, the following section shall be inserted, namely:—

“12C. (1) If any person has established a Homoeopathy Medical College or any Homoeopathy Medical College has opened a new or higher course of study or training or increased the admission capacity on or before the date of commencement of the Homoeopathy Central Council (Amendment) Ordinance, 2018, such person or Homoeopathy Medical College, as the case may be, shall seek, within a period of one year from the said commencement, permission of the Central Government, in accordance with the provisions specified in the regulations made by the Central Council.

(2) If any person or Homoeopathy Medical College, as the case may be, fails to seek permission under sub-section (1), the provisions of section 12B shall apply, as far as may be, as if the Central Government has been refused.”.

RAM NATH KOVIND,
President.

DR. REETA VASISHTA,
Additional Secretary to the Govt. of India.