

**MINUTES OF THE 59TH MEETING OF THE CENTRAL COUNCIL OF
HOMOEOPATHY HELD ON 12TH MARCH, 2018 AT NEW DELHI.**

Present

1.	Dr. Ramjee Singh	-	President
2.	Dr. Arun Bhasme	-	Vice-President
3.	Dr. Prasobh Kumar K.C.	-	Member
4.	Dr. Manilal S.	-	"
5.	Dr. Anirudh Prasad Verma	-	"
6.	Dr. Sampath Rao	-	"
7.	Dr. Birender Bahadur Singh "Nawab"-	-	"
8.	Dr. (Smt.) N. Radha	-	"
9.	Dr. K. K. Juneja	-	"
10.	Dr. Shyamal Kumar Mukherjee	-	"
11.	Dr. Rakesh Singh	-	"
12.	Dr. S. K. Nanda	-	"
13.	Dr. R. K. Manchanda	-	"
14.	Dr. S. M. Singh	-	"
15.	Dr. A. L. Patil	-	"
16.	Dr. Ravi M. Nair	-	"
17.	Dr. (Mrs.) K.S. Desarda	-	"
18.	Dr. (Mrs.) Ayesha Ali	-	"
19.	Dr. S. M. Desarada	-	"
20.	Dr. L. K. Nanda	-	"
21.	Dr. Chandan Kumar Das	-	"
22.	Dr. P. K. Satapathy	-	"
23.	Dr. Parul J. Patel	-	"
24.	Dr. Bhosale Shivadas	-	"
25.	Dr. Bhosale Ravindra Namdeo	-	"
26.	Dr. Tejinder Pal Singh	-	"
27.	Dr. Mohd. Zakharia	-	"
28.	Dr. Mrinal Kanti Sarkar	-	"
29.	Dr. Bhakt Vatsal	-	"
30.	Dr. Rajat Chattopadhyay	-	"
31.	Dr. Biplab Kumar Kundu	-	"
32.	Dr. Choudhary Dayaram Bondkuji	-	"
33.	Dr. Girish S. Patel	-	"
34.	Dr. Nandini Sharma	-	"
35.	Dr. Konkani Shrikant Basavanni	-	"
36.	Dr. Pinakin N. Trivedi	-	"
37.	Dr. Hawada Lato	-	"
38.	Dr. Pankaj Kumar Sharma	-	"
39.	Dr. Rajesh Sharma	-	"
40.	Dr. Mridul Kumar Sahani	-	"
41.	Dr. Ravindra Kumar	-	"
42.	Dr. R. Gnanasambandam	-	"
43.	Dr. Munir Ahmed R.	-	"
	Dr. Ashis Datta	-	Secretary

Not Present

1.	Dr. Ashutosh Bhardwaj	-	Member
2.	Dr. A.K. Seth	-	”
3.	Dr. Pawan H. Dongre	-	”
4.	Dr. B. T. Rudresh	-	”
5.	Dr. Bharat Kumar Singh	-	”

Members namely Dr.Pawan H. Dongre, Dr. Ashutosh Bhardwaj, Dr. B.T. Rudresh and Dr. Bharat Kumar Singh informed their inability to attend the meeting.

The Secretary with the permission of the Chair, informed that Dr. Neelam K. Trivedi, Dr. N.Srinivas Rao, Dr. Dominic Savio Dias, Dr. Narayan Debnath and Dr. Vinod Kumar ceased to be the members of the Council in view of the letter No.R-13015/27/2016-EP(H)-CCH dated 19.1.2018 received from the Ministry of AYUSH, Govt. of India. The House appreciated their contributions as members of the Council.

The Secretary informed that Dr. Tejinder Pal Singh is continuing as member as well as of its Executive Committee under the Order of Hon’ble Court of Punjab & Chandigarh. He also informed that Dr. Pinakin Trivedi, Dr. Mohd. Zakaria, Dr. Pankaj Sharma and Dr. Rajesh Sharma are continuing as members of the Council under Court Orders.

The Secretary further informed that the Council has invited Dr. M.K. Sahani, Dr. Ravinder Kumar and Dr. Bharat Kumar as member under Court direction.

The Secretary with the permission of the Chair informed the House that Dr. Munir Ahmed and Dr. R. Gnanasambandam have joined as new members of the Council. The House welcomed both the new members.

Agenda Item No. 59.1

Confirmation of the minutes of the 58th meeting of the Central Council of Homoeopathy held on 29.09.2017 at New Delhi.

The Central Council confirmed the minutes of its meeting held on 29.9.2017 as circulated.

Agenda Item No. 59.2

Action taken in respect of the minutes of the 58th meeting of the Central Council of Homoeopathy held on 29.09.2017 at New Delhi.

The Central Council noted the action taken report in respect of decisions reflected in the minutes of its meeting held on 29.9.2017.

Agenda Item No. 59.3

Tenure of the members of the Central Council.

- 1. Ministry’s letter No.R.13015/27/2016-EP(H)-CCH dated 20.12.2017 regarding Conducting CCIM/CCH Election in all States under Section 3(1)(a) of IMCC/HCC Acts as per directions of Hon’ble Supreme Court of India –regarding.**

2. Ministry's letter No.R.13015/27/2016-EP(H)-CCH dated 19.01.2018 regarding - Election of Members Under Section 3(1)(b) of Indian Medicine Central Council Act, 1970 and the Homoeopathy Central Council Act, 1973-ceasing of membership of completion of their tenure under sections 7(2) and 7(4) of respective Acts-reg.

The Central Council considered the letters of Ministry of AYUSH, Govt. of India Nos. 13015/27/2016-EP(II)-CCH dated 7th December, 2017, 20th December, 2017 and 19th January, 2018 alongwith Legal Opinion dated 10th March, 2018 obtained from Sh. Kundan Mishra, Advocate in view of the decision of Executive Committee (taken in the meeting held on 21st Feb. 2018) and also noted the reply given by the Council to the Ministry on 18th December, 2017 and 5th January, 2018. The Council after a prolonged and threadbare discussion it decided unanimously to reiterate its earlier resolution adopted on 17.3.2017 in the matter which is as under:-

“It is resolved after prolonged discussions that the matter concerning election of members in terms of Section 3(1) of HCC Act, 1973 and conflicting communications of Central Govt. through Ministry of AYUSH and judgements being received from Hon'ble High Courts it is imperative to have clear legal remedy/order by filing a case before Hon'ble High Court Delhi to settle the matter once for all.”

The Central Council expressed its unhappiness for not taking any action by the office on the above resolution.

The Council further resolved as under :-

“It is resolved that any direction/letter of Ministry of AYUSH, Govt. of India which contradict the provisions of HCC Act, 1973 and Regulations of the Council should also be challenged in the Court”

Proposed by: Dr. Pankaj Sharma
Seconded by: Dr. Manilal S.
Dr. S.M. Desarda

Agenda Item No. 59.4

Regarding “in service” teacher be allowed to do their P.G. in same institution and the period of P.G. Course be counted as their service/Teaching experience.

The Central Council discussed the matter and reiterated its resolution taken in its meeting held on 23.3.2007 which is as under:-

“It is resolved that in the interest of academic promotion and upgradation of Teaching faculty and keeping in view of the Minimum Standards of Teaching mentioned in the minimum standards of Homoeopathy; it is permitted that the “in service” Teachers be allowed to do their post graduation in the same institution (i.e. where P.G. is conducted) and their Service/Teaching experience during the period of his completion of the P.G.Course shall be counted”.

Agenda Item No. 59.5

Request to implement Bridge Programme in Community Health for Nurses and Ayurvedic Practitioners, for Homoeopathic Practitioner also.

The Central Council discussed the matter of Bridge Programme in Community Health for Nurses and for Ayurveda Practitioners alongwith request (for allowing the said course for Homoeopathic Practitioners also) received from All Haryana Homoeopathic Organisation and others. The Central Council agreed with the resolution adopted by the Education Committee in its meeting held on 10th January, 2018 in the matter.

The Central Council also decided that the practitioners of Homoeopathy should be restricted to Homoeopathic Practice only. It also decided to convey the provisions of Section 15(2) of HCC Act, 1973 and Regulation 12(4) of Homoeopathy (professional conduct, etiquette and code of ethics) and to forward a copy of Ministry's letter No.H.11016/6/93-Homoeo dated 23.3.94 to the concerned authority of National Health Mission, Govt. of India and concerned authorities of State/U.T. Governments.

Agenda Item No. 59.6

Ministry's letter No.R-13040/28/2015-HD(Tech) dated 27.11.17 regarding Amendment of Homoeopathic Practitioners (Professional Conduct, Etiquette and Code of Ethics) (Amendment) Regulations, 1982.

The Central Council noted that sanctioned amendment (in respect of making prescription) to Homoeopathic Practitioners (Professional Conduct, Etiquette and Code of Ethics) (Amendment) Regulations, 1982 has been sent for notifying in the Official Gazette of India, to Govt. of India Press.

Agenda Item No. 59.7

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The Central Council noted the decision taken by the Registration Committee in the matter.

Agenda Item No. 59.8

DAVP BILL RO No.17206/11/0006/1718 dated 18.7.2017 for advertisement to the post of Registrar-cum-Secretary.

The Central Council agreed with the recommendations of the Executive Committee for issue of small size advertisement in two news papers (one English & one Hindi) widely circulated all over the Country and in Employment News as well as on Council's website.

Agenda Item No. 59.9

Ministry letter No.13040/52.2016-HD(Tech) dated 29.12.17 regarding amendment to Establishment of New college, (Opening of New college, (Opening of New or Higher Course of Study or Training and increase of Admission Capacity by a Medical College) Regulations, 2011.

The Central Council considered the matter and it noted that proposed amendments have been sent to the Ministry of AYUSH, Govt. of India on 31.1.2018 for necessary sanction/approval.

The Central Council also decided to write to the Ministry that before making recommendation for disapproval of the college under Section 12A of HCC Act, 1973 (in LoI matters), the Central Council may be allowed for conducting hearing of concerned colleges.

Agenda Item No. 59.10

Bill of Rs.74,000/- received from Sh.Jairaj K. Bukka, Advocate in respect of W.P. No.206144/2015 (EDN-EXM).

The Central Council sanctioned Rs.70,500/- as legal fee (and others) for Advocate Jairaj K. Bukka in respect of W.P.No.206144/2015(EDN-EXM) of G. Vinay Kumar Vs. Rajiv Gandhi University of Health Sciences, Bangalore and others which has been disposed off.

Agenda Item No. 59.11

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The Central Council also decided to issue circular to all the State/U.T. Governments and State Boards/Councils of Homoeopathy that the Practitioner of Homoeopathy enrolled in any State Register and Central Register of Homoeopathy, may practice Homoeopathy in any State under the provisions of Section 15 (to be read with Section 26) of HCC Act, 1973.

Agenda Item No. 59.12

Ministry's letter No.R.13040/17/2006-HD dated 08.12.2016 regarding inclusion of BHMS qualification awarded by Dr.Hari Singh Gour University, Sagar in 2nd Schedule of H.C.C. Act, 1973.

The Central Council agreed with the decision taken by the Executive Committee on 8.11.2017 in the matter.

Agenda Item No. 59.13

Ministry's letter No.R.13040/02/2016-HD(Tech.) dated 13.1.2016 regarding inclusion of BHMS degree qualification awarded by Chhattisgarh AYUSH and Health Sciences University, Raipur, Chhattisgarh in Second Schedule of HCC Act, 1973 from October, 2015 onwards.

The Central Council agreed with the decision taken by the Executive Committee on 8.11.2017 in the matter.

Agenda Item No. 59.14

Reports of Inspection of Homoeopathic Medical Colleges:-

1. New Colleges Inspection.

2. New Higher Courses Inspection.

3. Increase Intake Capacity.

4. New Colleges Inspection under Court Order.

5. Report of Inspection carried out under Court Order (for continuation of Permission in 1st BHMS Course for 2017-18).

6. Inspection Report for complaint verification.

The Central Council noted the status of reports of inspection of Homoeopathic Medical Colleges undertaken between 22nd September, 2017 to 11th March, 2018 in respect of 17 new Homoeopathic Medical Colleges, New Higher Courses in 02 Homoeopathic Medical Colleges, increase in intake capacity in 02 Homoeopathic Medical Colleges, 06 new Homoeopathic Medical Colleges and 01 existing Homoeopathic Medical College for continuation under Court Order and also 01 Homoeopathic Medical College for verification of complaint.

The Central Council agreed with the decision of Executive Committee taken on 8.3.2018 in respect of B.G. Garaiya Homoeopathic Medical College, Rajkot (in the matter of complaint verification).

Agenda Item No. 59.15

Issue of Code to all the Teachers of Homoeopathic Medical Colleges/Computer Data Bank(Code) of Teachers-regarding.

The Central Council discussed the matter of issue of unique code to all the teachers of Homoeopathic Medical Colleges on line and agreed to develop software in the matter to launch in Council's website so that colleges may furnish the details of the teachers on line for issue of unique code by the Council to each full time teacher in the recognised Homoeopathic Medical Colleges on line through its Teachers Management System (software). The Central Council did not agree for National Teacher Eligibility Test for Homoeopathy.

Agenda Item No. 59.16

(1)Ministry's letter No.R.13040/25/2016-HD(tech)Part-2 dated 29.12.2017 regarding Inspection/visitation of AYUSH institutions by CCIM/CCH for the year 2018-2019

(2)Ministry's letter No.R.13040/25/2016-HD(tech)Part-2 dated 29.12.2017 regarding developing mechanism of submission inspection report by the inspectors.

The Central Council considered the Ministry's two letters dated 29.12.2017 regarding mechanism of submission of inspection reports by the inspectors and it agreed with the decision of Executive Committee taken on 21.2.2018 which is as under:-

“The Executive Committee considered the Ministry's letters dated 29.12.2017 regarding developing mechanism of submission of inspection report online (in Part I and Part II) and decided that the previous Inspection Proforma may be utilized for the time being during the inspection of Homoeopathic Colleges as the Committee has also noted that the provision for sending reports by speed post is also there in the minutes of the meeting with the Secretary, AYUSH, held in the Ministry of AYUSH on 21.12.2017.”

The Central Council also agreed with the decision of Executive Committee taken on 21.2.2018 regarding circulation of resolution (under any other item) to the State/U.T. Governments, Universities, Homoeopathic Medical Colleges and to Ministry of AYUSH, Govt. of India.

Agenda Item No. 59.17

Status of proposed Homoeopathic Medical Colleges applied for Grant of permission for starting first BHMS Course for the year 2017-18 under Section 12A of HCC Act, 1973.

The Central Council noted the status of proposed Homoeopathic Medical Colleges applied for grant of permission for starting I-BHMS Course for the year 2017-2018 under Section 12A of HCC Act, 1973.

Agenda Item No. 59.18

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The Central Council sanctioned the payment of Rs.3,57,492/- for M/s Bedi&Bedi Associates.

Agenda Item No. 59.19

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The Central Council sanctioned the payment of Rs.3,45,328/- for M/s Bedi&Bedi Associates.

Agenda Item No. 59.20

Ministry's letter No.R.13014/02/2017-EP(H) dated 27.09.2017 regarding Application of Homoeopathic Medical College & Hospital, Chandigarh to increase of admission capacity from 50 to 100 seats in BHMS Course under section 12A of HCC Act, 1973.

The Central Council considered the Ministry's letter dated 27.09.2017 regarding Application of Homoeopathic Medical College & Hospital, Chandigarh for increase of admission capacity from 50 to 100 seats in BHMS Course under section 12A of HCC Act, 1973 and it agreed with the decision taken by the Executive Committee on 8.3.2018 in respect of Homoeopathic Medical College & Hospital, Chandigarh.

Agenda Item No. 59.21

- 1. Ministry's letter No.R-16011/03/203/2016-EP(IM-I) dated 20.01.2017 regarding Aadhar Based Web enabled OPD and IPD and Biometric Attendance in AU&H Colleges.**
- 2. Ministry's letter No.R-13040/52/2017-HD(Tech) dated 06.10.2017 regarding students of College and IT based real time data of colleges and attached Hospitals including web based OPD/IPD information.**
- 3. Ministry's D.O. letter No.Z.28021/93/2017-IT Cell dated 24.11.2017 received from the Joint Secretary to Government of India, Ministry of AYUSH, regarding initiative for Aadhar Based Attendance verification system of all its stake holders in the Institutions.**

The Central Council considered the Ministry's letter in respect of Adhar Based Geo Enabled Attendance System for all the Homoeopathic Medical Colleges and it agreed with the decision taken by the Executive Committee on 21.2.2018 and it also appreciated the action taken by the office on it.

The Council also resolved in the matter as under:-

“Central Council resolved to accept the Implementation of Aadhar Linked Geo Based Biometric System for Homoeopathic Colleges. However, it requests the Ministry of AYUSH to:-

- a) Make provision of budgetary allocation for implementation, registering and maintenance of AGBAS System.
- b) To provide existing biometric attendance machines in Government sectors of respect AYUSH departments, to record attendance of existing colleges for the year 2018-2019. The recurring cost of registration be borne by Central Council of Homoeopathy.
- c) Once the budgetary provision is done, then Regulations in this regard may be amended and after amendment in regulation, the process of implementation of AGBAS system may be started.”

Proposed by: Dr. S.M. Desarda
 Seconded by: Dr. Pankaj Sharma

Agenda Item No. 59.22

Ministry's letter No.C.29012/01/2018-EP(IM-2) dated 17th January, 2018 regarding Legal fee to the Advocates hired by CCIM/CCH.

The Central Council noted that the Executive Committee in its meeting held on 21.2.2018 decided to write to CCIM for knowing what is being followed in CCIM in respect of legal fees of the Advocate hired by them. The Council directed the office for taking action in the matter immediately.

Agenda Item No. 59.23

Ministry's letter No.R.13150/16/2015-CCH dated 6th Nov., 2017 regarding Disciplinary proceeding against Dr. Lalit Verma, Registrar-cum-Secretary, Central Council of Homoeopathy (CCH) – reg.

The Central Council noted the contents of Agenda Note and discussed the matter threadbare and it decided to wait for the judgement of Hon'ble Central Administrative Tribunal in O.A. No.3101/2017 filed by Dr. Lalit Verma.

Agenda Item No. 59.24

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The Central Council considered the matter and decided to accord one time relaxation to regularize all such registrations.

Agenda Item No. 59.25

Ministry's letter No.V.27016/11/2016-EP(IM-2) dated 12.10.2017 regarding Implementation of 7th Central Pay Commission in CCIM and CCH the Statutory Bodies under Ministry of AYUSH.

The Central Council noted the implementation of recommendations of 7th Central Pay Commission in the Council's office.

Agenda Item No. 59.26

1. **Ministry's letter No.R.13015/14/2009-HD-CCH dated 8th Dec., 2017 regarding Grant of P.G. Allowance & Annual Allowance to the Technical Officers of Central Council of Homoeopathy-reg.**
2. **Ministry's letter No.R.13015/14/2009-HD-CCH dated 16th Oct., 2017 regarding Grant of P.G. Allowance & Annual Allowance to the Technical Officers of Central Council of Homoeopathy(CCH).**
3. **Ministry's letter No.R.13015/14/2009-HD-CCH dated 6th Feb., 2018 regarding Grant of P.G. Allowance & Annual Allowance to the Technical Officers of Central Council of Homoeopathy.**

The Central Council noted that two technical officers namely Dr. Ashis Datta and Dr. Shoukath Ali P.K. have voluntarily decided to refund the amount of P.G Allowance and Annual Allowance in the light of decision taken by the Ministry and recovery has already been started. So far as recovery from Dr. Lalit Verma is concerned, the Executive Committee in its meeting held on 26.12.17 & 05.01.18 has already taken the decision to recover the amount from him and same was conveyed to Ministry vide letter of even No. dated 22.01.2018.

So far as other pending service matters of the employees is concerned, on the proposal of Dr. R.K. Manchanda, Member (who is also Director General in CCRH), the Central Council decided to constitute a committee of three members namely Dr. R.K. Manchanda, Dr. Ravi M. Nair and Dr. Arun Bhasme to examine all such matters concerning employees of the Council and to submit the report to the Council for further action.

In view of above and considering the fact that few days are left in this financial year, it authorized the President to write to Ministry immediately for release of the balance sanctioned grant of Rs.130.83 lakhs under salary head to this Council on priority basis to enable it to release the pay & allowances and arrears to its employees including retired employees.

Agenda Item No. 59.27

Ministry's letter No.R.13015/20/2010-HD dated 16th October 2017 regarding discontinuation of drawl of NPA and recovery of NPA drawn by the Technical Officers of Central Council of Homoeopathy(CCH) without the approval of Government.

Central Council noted that Ministry of AYUSH vide its letter No.R.13015/20/2010-HD dated 16.10.2017 has conveyed the Council for discontinuation of drawl of NPA and recovery of NPA by the Technical Officers.

The Central Council also noted that the Council vide its letter No. 5-4/82-CCH/30136 dated 19.02.2018 conveyed the decision of the Executive Committee to the Ministry related to non-payment of NPA to in-service Technical Officers w.e.f. 01.01.2016 while fixation of their pay under 7th CPC and further waiver of recoveries in the light of O.M. No.18/03/2015-Estt. (Pay-I) dated 02.03.2016 issued by DOPT, Govt. of India.

Central Council further observed that payment of NPA to the Technical Officers of the Council was started on the basis of the decision taken by the Central Council long back in 1991 and same was informed to the Ministry from time to time but the Ministry never objected it prior to 16.10.2017.

It has also been observed that the Ministry allowed the payment of NPA to the Technical Officers of CCIM (which is a similar body like CCH under the same Ministry), and the Ministry also compares the working of CCH with CCIM in each and every matter including service benefits of the employees.

In W.P.(c) No.3489/2012 the Ministry filed reply in Delhi High Court in the matter of CCH employees stating that CCH employees have the right to claim parity of pay & allowances at par with the employees of CCIM. Therefore, the action of the Ministry for non-sanction of NPA to the officers of the Council, is arbitrary.

Since the Technical Officers of the Council have not drawn the NPA at their own level but it was decided / sanctioned by the Central Council, therefore, initiation of recoveries at this stage when three Technical officers namely Dr. P.L.Verma, Dr. S.R. Islam (expired) and Dr. Lalit Verma have already been retired and remaining two officers are likely to be retired within one year.

Therefore, attention of the Ministry may be invited to the judgement of the Supreme Court delivered in C.A. NO.11527 of 2014 (arised out of SLP© No. 11684 of 2012) and adopted by the Govt. of India and conveyed vide O.M. No.18/03/2015-Estt. (Pay-I) dated 02.03.2016 by DOPT stating that where payments have been mistakenly been made by the employer, in excess of their entitlement has been summarized from the few situations, wherein recoveries by the employers **would be impermissible in law** and following two situations are applicable in the matter of officers/retired officers of CCH:-

- i) Recovery from the retired employees, or employees who are due to retire within one year of the order of recovery.
- ii) Recovery from the employees, when excess payment has been made for a period in excess of five years, before the order of recovery is issued.

Above, facts may be apprised to Ministry alongwith a copy of DOPT O.M. dated 02.03.2016 as referred to above, for sympathetic consideration.

Agenda Item No. 59.28

1. **Ministry's letter No.R.13015/48/2012-EP(H)-CCH dated 1st May, 2017 regarding Upgradation of Pay Scale of Posts of Assistant Secretary (Tech) and Assistant Secretary (Admn.) in CCH at par with the pay scale of Assistant Secretary (Admn.) and Assistant Registrar in CCIM – reg.**
2. **Ministry's letter No.R.13015/48/2012-EP(H)-CCH-Part-II dated 21.12.2017 regarding Upgradation of pay scale of Assistant Secretary (Tech) in CCH.**

The Central Council noted the correspondence between Council and the Ministry.

Agenda Item No. 59.29

1. **Ministry's letter No.R-13015/11/2006-HD-CCH dated 22nd Nov., 2017 regarding approval of Recruitment Rules for the posts of Stenographer 'C', Stenographer 'D', U.D.C. and L.D.C. and dated 19.01.2018.**
2. **Ministry's letter No.R.13015/15/2017-EP(H)-CCH dated 22nd Nov., 2017 regarding approval of Recruitment Rules for the post of Assistant Secretary (Admn.) in CCH.**

The Central Council noted the amendments in Recruitment Rules of the above mentioned posts.

Agenda Item No. 59.30

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The Central Council agreed with the decision taken by the Executive Committee for appointment of one IT Consultant on contract basis.

Agenda Item No. 59.31

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The Central Council noted the reply given by the office on audit report for the year 2016-17.

Agenda Item No. 59.32

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The Central Council agreed with office proposal for purchase of e-office software from NIC.

Agenda Item No. 59.33

Requirement of Software for selection of Team for Inspection of Homoeopathic Medical College.

1.Ministry's letter No.Z.28015/16/2016-EP(IM-2) dated 04.01.2016.

2.Ministry's letter No.R.13040/08/2017-HD(Tech) dated 01.08.2017.

The Central Council considered the Ministry's letter dated 4.1.2016 and 1.8.2017 and it noted the decision of the Executive Committee taken on 21.2.2018.

Agenda Item No. 59.34

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The Central Council noted the payments so made with the approval of the President under delegated power and has given ex-post-facto approval to said payments.

Agenda Item No. 59.35

Notes of Descent and Objection in respect of items listed therein, referring to meetings of Central Council was given on 17.3.2017 in the meeting by Dr.P.K. Satapathy, Member.

The Central Council noted the reply given by Dr. P.K. Satapathy vide his letter dated 05.03.2018 and decided not to persue the matter for the time being.

Agenda Item No. 59.36

Legal Opinion dated Nil from Sh. Sunil Narula, Advocate in respect of Oral Order passed by Hon'ble High Court at Patna in W.P. No.13705/2017 filed by Dr.M.K. Sahani.

The Central Council also considered 2nd legal opinion received from Shri Kundan Mishra, Advocate and noted the decision taken by the Executive Committee in the matter for inclusion of names of the members elected from Bihar in various committees.

Agenda Item No. 59.37

Reconstitution of various Committees of Central Council as per Section 9(1) of H.C.C. Act, 1973 and General Regulations.

The Central Council discussed the matter of re-constitution of various committees of CCH and it empowered the President to re-constitute the Committees.

Agenda Item No. 59.38

Status of Proposed Homoeopathic Medical Colleges applied for grant of permission for starting first BHMS course for the year 2018-19 under Section 12A of HCC Act, 1973.

The Central Council noted the status of proposed Homoeopathic Medical Colleges applied for grant of permission for starting I-BHMS Course for the year 2018-2019 under Section 12A of HCC Act, 1973.

Agenda Item No. 59.39

Ministry's letter No.R-13040/90/2017-HD(Tech)Part dated 05.01.2018 regarding Restriction of Jurisdiction in respect of Court Cases being filed by the Colleges to Courts/High Court in Delhi.

The Central Council discussed the matter threadbare and it decided to take legal opinion from the Advocate Kundan Mishra in the matter, which may be placed before the Executive Committee in its next meeting.

Agenda Item No. 59.40

Consideration of Inspection report (Under Court Order).

The Central Council noted the reports of inspection in respect of North East Homoeopathic Medical College, Itanagar (under taken on 30.12.2017) and Gondia Homoeopathic Medical College, Gondia (undertaken on 5.1.2018) under Court Order. The Council has also noted that copies of the reports have also been sent to the Ministry of AYUSH, Govt. of India on 18.1.2018 for further necessary actions.

Agenda Item No. 59.41

- 1. Bill of Rs.65,000/- dated 12.12.2016 received from Sh.Kundan Mishra, Advocate in respect of W.P.(C) No.10878/2016(Tribal Welfare Society).**
- 2. Bill of Rs.1,05,000/- dated 10.05.2017 received from Sh.Kundan Mishra, Advocate in respect of W.P.(C) No.10878/2016(Tribal Welfare Society).**

3. Bill of Rs.30,000/- dated 31.08.2017 received from Sh.Kundan Mishra, Advocate in respect of W.P.(C) No.10878/2016 (Tribal Welfare Society).

The Central Council agreed with the recommendation of Executive Committee made on 26.12.2017 (meeting continued on 5.1.2018) and sanctioned Rs.1,70,000/- as legal fee for Advocate Kundan Mishra in respect of W.P.(C)No.10878/2016 of Tribal Welfare Society Vs. Union of India and others.

Agenda Item No. 59.42

Minutes letter No.13040/52/2016-HD(Tech.) dated 29.12.2017 regarding Minutes of the meeting in the Ministry held with the Secretary (AYUSH) on 21.12.2017.

The Central Council noted the minutes of the meeting of the Sub-Committee (constituted by Executive Committee) held on 20.2.2018 and the decision of Executive Committee taken on 21.2.2018 in the matter.

Agenda Item No. 59.43

Minutes of the meeting of the Excellence in Education in Homoeopathy Committee on 07.11.2017 at New Delhi.

The Central Council ratified the decisions taken by the Committee for Excellence in Education in Homoeopathy which have not been discussed elsewhere.

Agenda Item No. 59.44

Minutes of the (187th) Meeting of Executive Committee held on 08.11.2017 at New Delhi.

The Central Council ratified the decisions taken by Executive Committee which have not been discussed elsewhere.

Agenda Item No. 59.45

Minutes of the Meeting of Education Committee held on 13.11.2017 at New Delhi.

The Central Council ratified the decisions taken by Education Committee which have not been discussed elsewhere.

Agenda Item No. 59.46

Minutes of the Meeting of Sub-Committee (constituted by Central Council) for reviewing the H.C.C. (M.S.R) Regulations, 2013 of the Central Council of Homoeopathy held on 1.12.2017 at New Delhi.

The Central Council ratified the decisions taken by Sub-Committee (constituted by Central Council) for reviewing the HCC (MSR) Regulation which have not been discussed elsewhere.

Agenda Item No. 59.47

Minutes of the Meeting of Literature Committee held on 07.12.2017 at New Delhi.

The Central Council ratified the decisions taken by Literature Committee which have not been discussed elsewhere.

Agenda Item No. 59.48

Minutes of the Meeting of P.G. Education Committee held on 13.12.2017 at New Delhi.

The Central Council ratified the decisions taken by P.G. Education Committee which have not been discussed elsewhere.

Agenda Item No. 59.49

Minutes of the (188th) Meeting of Executive Committee held on 26.12.2017 at New Delhi (Continued on 5.01.2018 as adjourned meeting).

The Central Council ratified the decisions taken by Executive Committee which have not been discussed elsewhere.

Agenda Item No. 59.50

Minutes of the Meeting of Education Committee held on 10.01.2018 at New Delhi.

The Central Council ratified the decisions taken by Education Committee which have not been discussed elsewhere.

Agenda Item No. 59.51

Minutes of the Sub-Committee regarding Amendment HCC (MSR) Regulations of the Central Council of Homoeopathy held on 20.2.2018 at New Delhi

The Central Council ratified the decisions taken by Sub-Committee which have not been discussed elsewhere.

Agenda Item No. 59.52

Minutes of the Liaison Committee of the Central Council of Homoeopathy held on 06.02.2018 at New Delhi

The Central Council ratified the decisions taken by Liaison Committee which have not been discussed elsewhere.

Agenda Item No. 59.53

Minutes of the Meeting of the Sub-Committee for Review of Minutes of the meeting of the Secretary (AYUSH), Govt. of India held on 21.12.2017 regarding Act and Regulations related Education Policy held on 20.02.2018 at New Delhi.

The Central Council ratified the decisions taken by Sub-Committee which have not been discussed elsewhere.

Agenda Item No. 59.54

Minutes of the (189th) Meeting of Executive Committee held on 21.02.2018 at New Delhi.

The Central Council ratified the decisions taken by Executive Committee which have not been discussed elsewhere. However, it resolved as under:-

“The decision of the agenda, “any other item” of the meeting of Executive Committee dated 21.2.2018 in reference to Ministry’s letter No.R-13040/25/2016-HD(Tech)Part-2 dated 31.01.2018, as resolved shall be informed to all concerned Colleges, Universities & State Governments immediately.”

Proposed by: Dr. Pinakin Trivedi
Seconded by: Dr. S. Manilal

Agenda Item No. 59.55

Minutes of the Meeting of Registration Committee held on 26.02.2018 at New Delhi.

The Central Council ratified the decisions taken by Registration Committee which have not been discussed elsewhere with some modification in the decision taken at agenda item no.7 that instead of “9” it shall be treated as “2” {i.e. namely Dr. Liza Ghadge (M.P./9216) and Dr. Narendra Kumar Sainger (UP/H-024561)}. The Central Council also noted at agenda item no.5 the registration number of Dr. Kriti Srivastava is 22820. Reference agenda item no.11.2 the name of Dr. Elango (TN.Regno.No.194) may restore in CRH. Reference agenda item no. 11.3 the Central Council has noted that the Certificate issued by the Council of Homoeopathic Medicine, West Bengal, the name maintained as Durga Pada Sarker, hence it may be taken care off while communicating the decision of Registration Committee taken on 26.2.2018 to the West Bengal Council.

Agenda Item No. 59.56

Minutes of the Combined meeting of the Executive and P.G. Education Committees held on 8.03.2018 at New Delhi.

The Central Council ratified the decisions taken by Executive and P.G. Education Committee which have not been discussed elsewhere.

Agenda Item No. 59.57

Ministry’s letter No.R.13040/99/2017-HD(Tech) dated 14.11.2017 regarding inclusion of BHMS/M.D.(Hom) degree qualification awarded by Parul University, Vadodara in Second Schedule of H.C.C. Act, 1973.

The Central Council agreed with the decision of Executive Committee taken on 26th December, 2017 (continued on 5th January, 2018) in respect of BHMS/MD(Hom) qualifications of Parul University which are yet to be awarded by the University and agreed to the decision.

Agenda Item No. 59.58

Regarding amendment in Homoeopathy (Degree Course) Regulations, 1983.

The Central Council noted that office has circulated the proposed amendment to Homoeopathy (Degree Course) Regulations, 1983 under Section 20 of HCC Act, 1973 and decided to wait for 90 days.

Agenda Item No. 59.59

Requests received under Section 12A of H.C.C. Act for Higher Courses during the year 2017-2018.

The Central Council noted the status of request received under Section 12A of HCC Act for Higher Courses during the year 2017-2018

Agenda Item No. 59.60

Requests received under Section 12A of H.C.C. Act for Increase of Seats in UG Courses during the year 2017-2018.

The Central Council noted the status of request received under Section 12A of HCC increase of seats during the year 2017-2018

Agenda Item No. 59.61

Letter No.7-58/2000/c&P/CGHS dated 12.2.2018 regarding payment of advance provisional CGHS contribution in respect of the staff beneficial autonomous bodies/semi government organization for the year 2017-2018.

The Central Council sanctioned the payment in favour of CGHS towards CGHS contribution for the year 2017-18 in respect of employees of the Council.

Agenda Item No. 59.62

Ministry's letter No.13040/52/2016-HD(Tech.) dated 29.12.2017 regarding amendment in Homoeopathy (Degree Course) Regulations, 1983.

The Central Council considered the Ministry's letter dated 29.12.2017 regarding amendment in Homoeopathy (Degree Course) BHMS Regulations, 1983 (in draft notification shape) and it agreed with the decision of Education Committee taken on 10.1.2018 in the matter. The Council decided to circulate the proposed amendment under Section 20 of HCC Act, 1973.

The Central Council did not agree with the 50 percent/percentile marks to qualify the National Level Eligibility Entrance Test and upper age limit in respect candidates for admission to Ist BHMS Course.

The Central Council also resolved to recommend as under:-

“The Homoeopathic Medical Colleges be allowed to fill the vacant seats in Homoeopathic Medical Colleges left over after completion of admission process of candidates from merit list of NEET, on the basis of merit of qualifying examination.”

Proposed by: Dr. K.K. Juneja

Seconded by: Dr. P.K. Satapathy

Agenda Item No. 59.63

Ministry's letter No.13040/52/2016-HD(Tech.) dated 29.12.2017 regarding amendment Homoeopathy (Post Graduate Degree Course) M.D.(Hom) Regulation, 1989.

The Central Council considered the Ministry's letter dated 29.12.2017 regarding amendment in Homoeopathy (Post Graduate Degree Course) M.D.(Hom) Regulations, 1989 (in draft notification shape) and agreed with the recommendation made in the combined meeting of

Executive & P.G. Education Committee on 8.3.2018 in the matter. The Central Council decided to circulate the proposed amendment under Section 20 of HCC Act, 1973.

The Central Council did not agree with the 50 percent/percentile marks to qualify the National Level Eligibility Entrance Test in respect of candidates for admission to M.D.(Hom) Courses.

Agenda Item No. 59.64

Ministry's letter No.13040/52/2016-HD(Tech.) dated 29.12.2017 regarding amendment in Homoeopathy Central Council (Minimum Standards Requirement of Homoeopathic Colleges and attached Hospitals) Regulations, 2013.

The Central Council considered the Ministry's letter dated 29.12.2017 regarding amendment in H.C.C. (MSR) Regulations, 2013 (in draft notification shape) and it agreed with the recommendation of Executive Committee made on 21.2.2018 in the matter. The Central Council decided to circulate the proposed amendment under Section 20 of HCC Act, 1973.

Any other item with the permission of the Chair.

1. The Central Council resolved as under:

“It is resolved during the 59th meeting of Central Council of Homoeopathy held on 12.3.2018 as under:-

The letter sent by Registrar, Rajiv Gandhi University of Health Sciences, Karnataka dated 07.03.2018, for inclusion of the M.D. (Hom) qualifications in the subjects of Practice of Medicine, Paediatrics, Psychiatry and Homoeopathic Pharmacy awarded by RGUHS shall be included in the Second Schedule of HCC Act, 1973; as the letter has reached the Council office after the Executive Committee meeting, the President of CCH is authorised to take decision on it and execute.”

Proposed by: Dr. P. Sampathrao
Seconded by: Dr. Munir Ahmed

2. The Central Council considered the request dated 12.03.2018 received from Dr. Promod Kumar Satapathy, member and decided to regularise his travel by private airlines from Bhubaneswar to Lucknow and back due to non-availability of ticket by Air India.
3. The Central Council considered the request of Dr. Mohd. Zakaria, Member and decided that this Council has no objection if Dr. Mohd. Zakaria is adopted in the Governing Body of Vasundhara Raje Homoeopathic Medical College, Gwalior.
4. The Central Council considered the office note in respect of amendment to Homeopathy Central Council (Inspector & Visitor) Regulations, 1982 and also noted

the Ministry's letter dated 1.8.2017 wherein the Ministry has given guidelines for selection of inspectors/visitors which were also followed by this Council during the last inspection conducted for grant of permission for admission for the year 2017-2018 and also under section 12A of HCC Act, 1973, even for the inspection conducted under Court Orders.

The Central Council also noted the Ministry's letter dated 29.12.2017 which stated that for streamlining the process of granting permission/recognition to colleges to ensure transparency in inspection of AYUSH institutions requires some time to yield the expected outcome and in the meanwhile, it has been decided to put on hold the inspection of AYUSH institutions for the purpose of granting recognition/permission for the academic year 2018-2019 till further orders.

5. The Central Council considered the letter of Dr. N.Radha, Member and discussed the matter of starting of M.D.(Hom) courses in NHRIMH, Kottayam. The Central Council noted the opinion/decision of Executive & P.G. Education Committee taken in its combined meeting held on 8.3.2018 alongwith the Council's letter dated 9.3.2018 issued to the Kerala University of Health Sciences (draft letter approved by the Executive & P.G. Education Committee in its combined meeting held on 8.3.2018). After prolonged discussion it has been decided that if Govt. of India request the Council, then inspection of NHRIMH, Kottayam may be conducted for making recommendation to Govt. of India for starting of M.D. (Hom) Courses in the speciality subjects namely Psychiatry and Practice of Medicine.
6. The Central Council decided to hold a combined meeting of Executive, Education and P.G. Education Committees of the Council.

The Central Council shocked to learn the demise of Dr. S.R. Islam, former Inspector of this Council and before concluding the meeting the House stood in silence for two minutes to pay homage to the departed soul, and decided that a condolence message may be sent to the bereaved family.

The meeting ended with vote of thanks to the Chair.

Sd/-
(Dr. Ashis Datta)
Secretary

Attested

Sd/-
(Dr. Ramjee Singh)
President

‘kc’
21/3/18

EXTRACT TAKEN FROM THE MINUTES OF THE 59TH MEETING OF THE CENTRAL COUNCIL OF HOMOEOPATHY HELD ON 12TH MARCH, 2018 AT NEW DELHI.

Agenda Item No. 59.62

Ministry's letter No.13040/52/2016-HD(Tech.) dated 29.12.2017 regarding amendment in Homoeopathy (Degree Course) Regulations, 1983.

The Central Council considered the Ministry's letter dated 29.12.2017 regarding amendment in Homoeopathy (Degree Course) BHMS Regulations, 1983 (in draft notification shape) and it agreed with the decision of Education Committee taken on 10.1.2018 in the matter. The Council decided to circulate the proposed amendment under Section 20 of HCC Act, 1973.

The Central Council did not agree with the 50 percent/percentile marks to qualify the National Level Eligibility Entrance Test and upper age limit in respect candidates for admission to Ist BHMS Course.

The Central Council also resolved to recommend as under:-

“The Homoeopathic Medical Colleges be allowed to fill the vacant seats in Homoeopathic Medical Colleges left over after completion of admission process of candidates from merit list of NEET, on the basis of merit of qualifying examination.”

Proposed by: Dr. K.K. Juneja
Seconded by: Dr. P.K. Satapathy
