

National Commission for Homoeopathy (Manner of Preparation and Maintenance of National Register for Practitioner of Homoeopathy) Regulations, 2022.

UNION OF INDIA

India

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NATIONALCOMMISSIONFORHOMOEOPATHY F-NO-2-11-2021-BERH-NCH-11055- of 2022

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F. No. 2-11/2021-BERH/NCH/11055.—In exercise of the powers conferred by sub-section (1) and clauses (zf), (zg), (zh), (zi) and (zj) of sub-section (2) of section 55 read with sections 32, 33 and 34 of the National Commission for Homoeopathy Act, 2020 (15 of 2020) and in supersession of the Homoeopathy Central Council (Registration) Regulations, 1983, except as respects thing done or omitted to be done before such supersession, the National Commission for Homoeopathy hereby makes the following regulations, namely :-

1. Short title and commencement.

(1) These regulations may be called the National Commission for Homoeopathy (Manner of Preparation and Maintenance of National Register for Practitioner of Homoeopathy) Regulations, 2022. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-

(1) In these regulations, unless the context otherwise require,—(a) “Act” means the National Commission for Homoeopathy Act, 2020 (15 of 2020); (b) “additional qualification” includes a post graduate degree, post graduate diploma or doctoral degree as may be laid down by the Commission; (c) “Ayushman Bharat Digital Mission” means a mission which seeks to create a national digital health ecosystem that supports universal health coverage in an efficient, accessible, inclusive, affordable, timely and safe manner, that provides a wide-range of data, information and infrastructure services, duly leveraging open, interoperable, standards based digital systems, and

ensures the security, confidentiality and privacy of health-related personal information.(d)“Form” means a form appended to these regulations;(e)“Healthcare Professional Registry’ under Ayushman Bharat Digital Mission means a comprehensive repository of all healthcare professionals involved in the delivery of healthcare services across both modern and traditional systems of medicine.(f)“Practitioner of Homoeopathy’ includes Medical Practitioner of Homoeopathy, registered practitioner of Homoeopathy, registered medical practitioner, practitioner, register homoeopathic practitioner, licensed practitioner, homoeopathy practitioner, who is for the time being registered in any State register or Central register or National register for Homoeopathy;(g)“Schedule” means a Schedule appended to these regulations.(2)Words and expressions used herein and not defined but defined in the Act shall have the same meanings as respectively, assigned to them in the Act.

3. Maintenance of National Register. —

(1)The Board of Ethics and Registration for Homoeopathy shall maintain the National Register for Homoeopathy in the Forms as specified in the National Commission for Homoeopathy (Submission of List of Homoeopathy Practitioners) Rules, 2021, both in electronic and physical formats.(2)The National Register shall be prepared on the basis of list of registered medical practitioners as provided by the State Medical Councils for Homoeopathy and the data of direct registration made by the Board of Ethics and Registration for Homoeopathy.(3)Every State Medical Council for Homoeopathy shall also maintain and regularly update the State Register in the Form-1 and Form-2,both in the electronic and physical formats and also supply physically signed two copies of the same to the President of the Board of Ethics and Registration for Homoeopathy on quarterly basis as per the time schedule mentioned in the following table, namely:—

Serial Number	Details of Data	Time-Period
(1)	(2)	(3)
1.	Data of Registered Practitioner From 01 January to 31 March	upto the 15 April
2.	Data of Registered Practitioner From 01 April to 30 June	upto the 15 July
3.	Data of Registered Practitioner From 01 July to 30 September	upto the 15 October
4.	Data of Registered Practitioner From 01 October to 31 December	upto the 15 January

(4)Every State Medical Council for Homoeopathy in discharge of its functions under these regulations shall make suitable arrangements for the infrastructures relating to the Information Technology and human resources, so as to commensurate with number of practitioners registered in the State or Union territory, as the case may be, and the State Government or Union territory Administration concerned shall ensure that licenses or registrations granted prior to constitution of the Commission are updated in Form - 1 and Form— 2,in a time bound manner but within a maximum time- period of one year from the date of commencement of these regulations.(5)In case of any contradiction between the Act and any regulations made thereunder and any State Act or regulations for the time being in force, the provisions of the Act and regulations made there under

shall prevail and every State Medical Council for Homoeopathy shall comply the said provisions of the Act and regulations made there under so as to maintain uniformity.(6)The Board of Ethics and Registration for Homoeopathy shall have continuous interactions with the State Medical Councils for Homoeopathy so as to effectively promote and regulate the conduct of medical practitioners of Homoeopathy.(7)(i)All registered homoeopathic medical practitioners duly registered under their respective State Medical Councils for Homoeopathy, may enroll themselves in Healthcare Professional Registry under Ayushman Bharat Digital Mission as per the guidelines issued in this regard by the National Health Authority.(ii)Notwithstanding anything contained in clause (i), practitioners of Homoeopathy of government healthcare facility shall mandatorily register themselves in Healthcare Professional Registry under Ayushman Bharat Digital Mission.

4. Eligibility for License to Practice. -

(1)Any person possessing medical qualification in Homoeopathy recognised by the Homoeopathy Education Board or recognised under the Second or Third schedule to the erstwhile Homoeopathy Central Council Act, 1973 (59 of 1973) shall be eligible to obtain license to practice Homoeopathy from the concerned State Medical Council for Homoeopathy, where he resides:Provided that the State Medical Councils for Homoeopathy shall ensure that the applicant who desires to obtain license is not already registered with any other State Medical Council for Homoeopathy:Provided further that in case of delay of more than one year in obtaining initial registration by any qualified person, the concerned State Medical Council for Homoeopathy shall ensure that the applicant has not obtained registration from any other State Medical Council for Homoeopathy and compulsory undertaking to the effect that he does not have any license or registration from any other State or Union territory shall be obtained before granting the license.

5. Additional qualification. -

(1)The State Medical Council for Homoeopathy shall enter the recognised additional qualification against the initial registration of the practitioner of Homoeopathy in the State Register, after verification and simultaneously updation of the electronic data in this regard.(2)The State Medical Council for Homoeopathy shall enter all changes or modifications or corrections, in any details of the practitioner of Homeopathy in the State Register, updated the same through the electronic data synchronisation with the National Register, modify the same in Healthcare Professional Registry if applicable, and also inform to the National Commission for Homoeopathy in this regard.

6. Registration with National Commission for Homoeopathy. —

Where the State Medical Council for Homoeopathy is not constituted the National Commission for Homoeopathy through the Board of Ethics and Registration for Homoeopathy shall register a medical practitioner of Homoeopathy residing in a State or Union territory on application form made along with fee as specified these Regulation.Provided that the direct registration under this regulation shall be made only till the time such State Medical Council for Homoeopathy is constituted:Provided further that the Board of Ethics and Registration for Homoeopathy shall, before entering the name of such practitioner in the register, verify his qualification from the

awarding authority and also verify his address and other particulars from the concerned police authority.

7. License to practice by citizen or for foreign qualification.—

(1) Any foreign citizen possessing the medical qualification in Homoeopathy of his country and is recognised as practitioner of homoeopathy in that country and recognised by the National Commission for Homoeopathy and desires license to practice Homoeopathy in India, shall be required to obtain diplomatic permission for stay in India and shall be eligible for obtaining temporary license for the period of falling within the such permitted stay but not exceeding six months at a time: Provided that in case of a foreign citizen who desires to pursue any additional qualification in Homoeopathy recognised by the National Commission for Homoeopathy shall be eligible for obtaining the license for the period of his study. (2) Any foreign citizen referred to in sub-regulations (1), shall apply in Form-7 to the State Medical Council for Homoeopathy or National Commission for Homoeopathy, as the case may be, along with payment of the fee as specified in the Schedule for obtaining license in Form-8 and the 'A' part of register for them shall be maintained by the Board of Ethics and Registration for Homoeopathy, in Form-2. (3) Any person who is citizen of India and holding foreign qualification recognised by the National Commission for Homoeopathy and desires for the License to practice Homoeopathy shall apply to the concerned State Medical Council for Homoeopathy: Provided that the National Commission for Homoeopathy through the Board of Ethics and Registration for Homoeopathy shall register such person residing in a State or Union territory, where the State Medical Council for Homoeopathy is not constituted vide the application in Form- 7 and certificate of registration in Form- 8: Provided further that the State Medical Council for Homoeopathy or Board of Ethics and Registration for Homoeopathy shall, before entering the name of such practitioner in their respective register, verify his qualification from the awarding authority and also verify his address and other particulars from the concerned police authority. (4) Where a foreign Practitioner of Homoeopathy visits India for the purpose of healthcare service delivery, he may register themselves in the Healthcare Professional Registry under Ayushman Bharat Digital Mission, in order to maintain patient records and enhance the quality of care, in accordance with the policy, guidelines and notifications as maybe issued by the National Health Authority from time to time.

8. Practice or Employment in other State.—

(1) A person holding license to practice Homoeopathy from any State Medical Council for Homoeopathy or direct registration with National Commission for Homoeopathy or direct registration with erstwhile Central Council for Homoeopathy or enrolled in National Register for Homoeopathy or enrolled in erstwhile Central Council for Homoeopathy shall be eligible to practice or work in any State or Union territory; Provided that a licensed practitioner shall also enroll with the concerned respective State Medical Council for Homoeopathy. (2) (i) A licensed practitioner of Homoeopathy, who wants to practice in any other State or Union territory, shall apply to the concerned State Medical Council for Homoeopathy, in Form—5 and on verification of particulars, the State Medical Council for Homoeopathy shall enroll them in Form-6. (ii) Every State Medical Council for Homoeopathy shall maintain and regularly update the State Register separately in

Form-6 and also send the particulars of practitioners enrolled with State Medical Councils for Homoeopathy to Board of Ethics and Registration for Homoeopathy.(iii)A practitioner of Homoeopathy registered with any other State Medical Council for Homoeopathy and desires to practice in any such State or Union territory, where the State Medical Council for Homoeopathy is yet to be constituted, shall apply to the Board of Ethics and Registration for Homoeopathy, in Form-5 with fee as specified in Schedule and enroll such practitioners, in Form—6:Provided that on verification of particulars, the State Medical Council for Homoeopathy or Board of Ethics and Registration for Homoeopathy, as the case may be, shall issue enrollment letter with a copy to the State Medical Council for Homoeopathy, where practitioner is actually registered:Provided further that any such enrolment shall not be equated with provisional or temporary or permanent registration or direct registration and the concerned State Medical Council for Homoeopathy shall also update the new address in the record.

9. Updating the details of License in State or National Register. —

(1)The license of a medical practitioner of Homoeopathy shall be updated after every five years in a uniform pattern by all the State Medical Councils for Homoeopathy and by National Commission for Homoeopathy for the direct registrations.(2)Any practitioner who fails to get his license updated within six months from the due date, shall forfeit his right to practice in Homoeopathy and also forfeit the right to continue in employment based upon his license, unless updated with the payment of fees as may be laid down by State Medical Councils for Homoeopathy or with the payment of fees as specified in Schedule along with the application in Form-9 in case of direct registration by the National Commission for Homoeopathy, as the case may be:Provided that no such updating shall be allowed, if delay is beyond two years and in such case, the license or registration shall be cancelled and fresh application for license shall be required to be obtained with applicable fee as specified in the Schedule or as laid down by the State Medical Council for Homoeopathy, as the case may be.(3)All updating or removal made under this regulation shall be informed to the Board of Ethics and Registration through electronic and physical format by stating the reasons by State Medical Councils for Homoeopathy. Removal or Restoration of name in the State Register or National Register. -(1)Where the registration to any person has been granted on the basis of unrecognised qualifications, forged documents or through unfair means, his registration shall be removed by the respective State Medical Council for Homoeopathy or Board of Ethics and Registration, as the case may be, by recording the reasons thereof and after giving an opportunity of being heard in person and all such cancellations shall be intimated to the Board of Ethics and Registration for Homoeopathy within fifteen days.(2)Any registered practitioner of Homoeopathy whose name has been removed from a State Register of Homoeopathy, on any ground other than that he does not possess requisite medical qualifications, and failed to update his license in due time, and where any application of the said practitioner for restoration of his name to the State Register of Homoeopathy has been rejected by the State Medical Council for Homoeopathy, may file an appeal to the President, Board of Ethics and Registration for Homoeopathy within thirty days of such rejection, with all details.(3)In the case, where an appeal is allowed in favor of a licensed practitioner, whose name has been removed from the State or National Register, his name shall be restored accordingly, in the respective register and updated.

11. Protection of earlier Registrations or Licenses. —

The license granted by any State Medical Councils for Homoeopathy or names entered in the Central Register of Homoeopathy in Part-I and Part-II by the erstwhile Central Council of Homoeopathy prior to constitution of the Commission unless cancelled by the State Councils for Homoeopathy, shall be valid for practice or employment.

12. The Commission shall power to relax any of the conditions specified in this regulation, for reasons to be recorded in writing, to avoid any hardship to the practitioners in extreme deserving cases.