



The Uttar Pradesh Homoeopathic Medicine (Amendment) Act, 1974
Act 1 of 1975

Keyword(s):
Faculty, National Homoeopathic Medical College

Amendments appended: 20 of 1983, 19 of 1984, 22 of 1988, 12 of 1991, 25 of 1991

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**THE UTTAR PRADESH HOMOEOPATHIC MEDICINE (AMENDMENT)
ACT 1974**

(U. P. Act No. 1 of 1975)

*[Authoritative English Text of the Uttar Pradesh Homoeopathic Medicine
(*Sanshodhan*) *Adhiniyam*, 1974.]

AN
ACT

Further to amend the Uttar Pradesh Homoeopathic Medicine Act, 1951

IT IS HEREBY enacted in the Twenty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Homoeopathic Medicine (Amendment) Act, 1974. Short title.

2. In section 2 of the Uttar Pradesh Homoeopathic Medicine Act, 1951, hereinafter referred to as the principal Act, after clause (b), the following clause shall be inserted, namely :— Amendment of section 2 of U. P. Act VIII of 1952.

“(bb) ‘Faculty’ means the Faculty of Homoeopathy constituted under section 41-A ;”

3. For section 4 of the principal Act, the following section shall be substituted, namely— Substitution of section 4.

“4. The Board shall consist of the following members, namely—

(a) seven members to be nominated by the State Government from amongst the registered homoeopaths ;

(b) three members to be elected in the manner prescribed by the teachers of the recognised homoeopathic institutions of Uttar Pradesh from amongst themselves ;

(c) five members who have put in at least ten years' practice in homoeopathy to be elected in the manner prescribed by the registered homoeopaths of the State from amongst themselves ;

(For Statement of Objects and Reasons, please see *Uttar Pradesh Gazette Extraordinary*, dated August 5, 1974).

(Passed in Hindi by the Uttar Pradesh Legislative Council on August 7, 1974 and by the Uttar Pradesh Legislative Assembly on December 30, 1974).

(Received the Assent of the Governor on January 15, 1974 under Article 200 of the Constitution of India and was published in the *Uttar Pradesh Gazette Extraordinary*, dated January 17, 1975).

(d) one member to represent the Kanpur University to be elected by the members of the Board of the Faculty of Homoeopathy, if constituted, and for so long as such Board is not constituted, by the member of the Academic Council of the said University ;

(e) the Deputy Director, Homoeopathy, Uttar Pradesh *ex officio* ;

(f) the Principal, National Homoeopathic College, Lucknow *ex officio* ;”

Amendment of section 17.

4. In section 17 of the principal Act,—

(i) for clause (f), the following clause shall be *substituted*, namely

“(f) he is debarred from practising in Homoeopathy by order of any competent authority ; or” ;

(ii) for clause (g), the following clause shall be *substituted*, namely

“(g) he holds any office of profit or accepts any employment under the Board” ;

(iii) for the proviso thereto, the following proviso shall be *substituted*, namely :

“Provided that the disqualifications referred to in clauses (e) and (f), may be removed by an order of the State Government.”

Omission of section 22.

5. Section 22 of the principal Act shall be *omitted*.

Amendment of section 41.

6. In section 41 of the principal Act—

(a) for clause (1), the following shall be *substituted*, namely—

“(1) on the recommendation of the Faculty constituted under section 41-A, to recognise homoeopathic educational or institutional institutions for purposes of affiliation and to suspend or withdraw such recognition ;” ;

(b) clauses (2), (3), (6), (7) and (8) shall be *omitted*.

Insertion of new sections 41-A, 41-B and 41-C.

7. After section 41 of the principal Act the following sections shall be *inserted*, namely :—

“41-A. (1) For the proper discharge of its duties and functions as a teaching and examining body in the Homoeopathic system of medicine the Board shall constitute a Faculty of Homoeopathic System of Medicine.

(2) The Faculty shall consist of the following members, namely :—

(a) the Deputy Director, Homoeopathy, who shall be the *ex officio* Dean of the Faculty ;

(b) one member to be elected in the prescribed manner by the members elected under clause (b) of section 4 from amongst themselves

(c) the member representing the Kanpur University elected under clause (d) of section 4 ;

(d) one member to be elected in the prescribed manner by the members of the Board other than those referred to in clauses (b) and (c) from amongst themselves ;

(e) the Principal, National Homoeopathic College, Lucknow, *ex officio* who shall also be the Secretary of the Faculty.

(3) The Faculty may co-opt in the manner prescribed not more than four members for such period and such purposes as may be prescribed.

(4) A member of the Faculty under clause (b), clause (c) or clause (d) of sub-section (2) shall cease to be such member on his ceasing to be a member of the Board.

41-B. The Faculty shall have the following powers and duties, namely—
Powers and duties of Faculty.

(a) to prescribe courses of study and curricula for general instruction or special or refresher courses in institutions affiliated to the Board in such branches of the Medical Science of Homoeopathy as the Board may think fit ;

(b) to hold examinations and to grant diplomas to persons who shall have pursued a course of study in the institutions affiliated to the Board ;

(c) to exercise general supervision over the residential and disciplinary arrangements made by the institutions affiliated to the Board and to make arrangements for promoting the health and general welfare of their students ;

(d) to appoint examiners and publish the results of the examinations held by it ;

(e) to cause inspections of the institutions affiliated to the Board, and to recommend to the Board for taking action on the basis of such inspections ;

(f) to make recommendations to the Board for the affiliation or for suspension or withdrawal of such affiliation of homoeopathic institutions ;

(g) to lay down the principles and norms governing the policy of admission to various courses of studies in the institutions affiliated to the Board.

41-C. In the event of disagreement between the Faculty and the Board on any matter relating to homoeopathic education a reference shall be made to the State Government and the decision of the State Government thereon shall be final.”

8. After section 53 of the principal Act the following section shall be inserted, namely :— Insertion of new section 53-A.

“53-A. (1) The State Government shall have power to communicate its views in writing to the Board in respect of anything done or purporting to be done by the Board or any other such matter as may concern the Board and to advise the Board regarding the action to be taken :

(2) The Board shall communicate to the Government the action, if any, taken or proposed to be taken on such advice.

(3) Where the Board fails to take necessary action to the satisfaction of the State Government within a reasonable time, the State Government may, after considering any explanation furnished or representation made by the Board, issue such directions consistent with the provisions of this Act, as it may think fit and the Board shall comply with such directions.

(4) Where in the opinion of the State Government, immediate action is required to be taken for proper functioning of the Board in respect of any matter concerning the Board, the State Government may *suo motu* and without prior consultation with the Board, take such action consistent with the provisions of this Act as may be necessary and the same shall be communicated to the Board.”

9. In section 56 of the principal Act, in sub-section (2) —

(i) clause (a) shall be omitted ;

(ii) for clauses (qq) and (qqq), the following clause shall be substituted, namely :—

“(qq) The period and purposes for which members may be co-opted by the Faculty under sub-section (3) of section 41-A ;”.

Amendment of section 56.

No. 2716(2)/XVII-V—1-1-Ka-21-1983

Dated Lucknow, September 21, 1983

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Homoeopathic Medicine (Sanshodhan) Adhiniyam, 1983 (Uttar Pradesh Adhiniyam Sankhya 20 of 1983) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 20, 1983.

THE UTTAR PRADESH HOMOEOPATHIC MEDICINE (AMENDMENT)

ACT, 1983

[U.P. Act no. 20 of 1983]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

173127
further to amend the Uttar Pradesh Homoeopathic Medicine Act, 1951.

IT IS HEREBY enacted in the Thirty-fourth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Uttar Pradesh Homoeopathic Medicine (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on August 6, 1983.

Amendment of section 53 of U.P. Act no. 8 of 1952.

2. In section 53 of the Uttar Pradesh Homoeopathic Medicine Act, 1951, hereinafter referred to as the principal Act, in sub-section (1), for the words "five years" the words "six years" shall be substituted.

Repeal and savings.

3. (1) The Uttar Pradesh Homoeopathic Medicine (Amendment) Ordinance, 1983, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

U. P.
Ordinance
no. 36 of
1983.

By order,
G. B. SINGH,
Sachiv.

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Dated Lucknow, October 1, 1984

IN pursuance of the provisions of clause (3) of Article 349 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Homoeopathic Medicine (Shanshodhan) Adhiniyam, 1984 (Uttar Pradesh Adhiniyam Sankhya 19 of 1984), as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 29, 1984:

**THE UTTAR PRADESH HOMOEOPATHIC MEDICINE (AMENDMENT)
ACT, 1984**

(U. P. Act NO. 19 of 1984)

[As passed by the Uttar Pradesh Legislature]

AN
ACT

further to amend the Uttar Pradesh Homoeopathic Medicine Act, 1951

IT IS HEREBY enacted in the Thirty-fifth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Uttar Pradesh Homoeopathic Medicine (Amendment) Act, 1984.

(2) It shall be deemed to have come into force on August 7, 1984.

Amendment of section 53 of U. P. Act no. 8 of 1952.

2. In section 53 of the Uttar Pradesh Homoeopathic Medicine Act, 1951, hereinafter referred to as the principal Act, in sub-section (1), for the words "six years" the words "seven years" shall be substituted.

Repeal and savings.

3. (1) The Uttar Pradesh Homoeopathic Medicine (Amendment) Ordinance, 1984, is hereby repealed

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

By order,
B. L. LOOMBA,
Sachiv.

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Ordin
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1984

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असाधारण
के अंग्रेजी

348"

Dated Lucknow, October 15, 1988

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Homoeopathic Medicine (Sanshodhan) Adhiniyam, 1988 (Uttar Pradesh Adhiniyam Sankhya 22 of 1988) as passed by the Uttar Pradesh legislature and assented to by the Governor on October 15, 1988.

THE UTTAR PRADESH HOMOEOPATHIC MEDICINE (AMENDMENT)
ACT, 1988

(U. P. ACT No. 22 OF 1988)

[As passed by the U. P. Legislative]

AN
ACT

further to amend the Uttar Pradesh Homoeopathic Medicine Act, 1951.

IT IS HEREBY enacted in the Thirty-ninth year of the Republic of India as follows :

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Homoeopathic Medicine (Amendment) Act, 1988.

(2) It shall be deemed to have come into force on September 7, 1988.

Amendment of section 53 of U. P. Act No. 8 of 1952

2. In section 53 of the Uttar Pradesh Homoeopathic Medicine Act, 1951, hereinafter, referred to as the principal Act in sub-section (1) for the words "eight years" the words "twelve years" shall be substituted.

Validation.

3. Notwithstanding anything contained in the principal Act, until another person is appointed as Controller under section 53 of the principal Act, as amended by this Act the Controller exercising and performing the powers and duties of the Uttar Pradesh Homoeopathic Medicine Board immediately before August 8, 1985 shall, with effect from the said date, be deemed to have been appointed as Controller under the aforesaid section and anything done or any act or taken by him as Controller at any time between August 8, 1985 and the date of commencement of this Act shall be valid and operative.

4. (1) The Uttar Pradesh Homoeopathic Medicine (Amendment) Ordinance, 1988, is hereby repealed. Repeal and saving

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the Ordinance, referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
S. N. SAHAY,
Sachiv.

Dated Lucknow, March 20, 1991

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Homoeopathic Medicine (Sanshodhan) Adhiniyam, 1991 (Uttar Pradesh Adhiniyam, Sankhya 12 of 1991) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 19, 1991.

THE UTTAR PRADESH HOMOEOPATHIC MEDICINE (AMENDMENT)
ACT, 1991

[U. P. Act no. 12 of 1991]

(As passed by the Uttar Pradesh Legislature)

AN
ACT

further to amend the Uttar Pradesh Homoeopathic Medicine Act, 1951.

IT IS HEREBY enacted in the Forty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Uttar Pradesh Homoeopathic Medicine (Amendment) Act, 1991.

(?) It shall be deemed to have come into force on August 7, 1989.

2. In section 53 of the Uttar Pradesh Homoeopathic Medicine Act, 1951, hereinafter referred to as the principal Act, in sub-section (1), for the words "twelve years" the words "fourteen years" shall be substituted.

Short title and
commencement

Amendment of
section 53 of
U. P. Act no. 8
of 1952

3. For the removal of doubts it is hereby declared that the Controller appointed under section 53 of the principal Act, and exercising and performing the powers and duties of the Uttar Pradesh Homoeopathic Medicine Board immediately before August 8, 1989, shall be deemed to have validly continued to be appointed as Controller until another person is appointed as Controller under the aforesaid section and anything done or any action taken by such Controller at any time on or after August 8, 1989 shall be valid as if the provisions of the principal Act as amended by this Act were in force at all material times.

Validation

4. (1) The Uttar Pradesh Homoeopathic Medicine (Amendment) Ordinance, 1990 is hereby repealed.

Repeal
saving

and

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
NARAYAN DAS,
Sachiv.

No. 1526 (2)/XVII-V-1—1(KA)-25-1991

Dated Lucknow, August 17, 1991

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Homoeopathic Medicine (Dwitiya Sanshodhan) Adhiniyam, 1991 (Uttar Pradesh Adhiniyam Sankhya 25 of 1991) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 17, 1991.

THE UTTAR PRADESH HOMOEOPATHIC MEDICINE (SECOND AMENDMENT) ACT, 1991

[U. P. Act No. 25 of 1991]

(As passed by the Uttar Pradesh Legislature)

AN
ACT

further to amend the Uttar Pradesh Homoeopathic Medicine Act, 1951.

IT IS HEREBY enacted in the Forty-second Year of the Republic of India as follows :-

- Short Title 1. This Act may be called the Uttar Pradesh Homoeopathic Medicine (Second Amendment) Act, 1991.
- Amendment of section 53 of U.P. Act no. 8 of 1952 2. In section 53 of the Uttar Pradesh Homoeopathic Medicine Act, 1951, in sub-section (1) for the words "Fourteen years" the words "Fifteen years" shall be substituted.

By order,
NARAYAN DAS,
Sachiv.