

**Bill No. 60 of 2019**

THE INDIAN MEDICAL COUNCIL (AMENDMENT) BILL, 2019

By

SHRI N.K. PREMACHANDRAN, M.P.

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BILL

*further to amend the Indian Medical Council Act, 1956.*

BE it enacted by Parliament in the Seventieth year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Medical Council (Amendment) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

102 of 1956.

2. After section 10D of the Indian Medical Council Act, 1956 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

Insertion of new section 10E.

10 **"10E. (1) The Central Government shall, by notification in the Official Gazette, constitute an Admission and Fee Regulatory Authority (hereinafter referred to as the Authority) for the supervision and guidance of admission process and for fixation of fee and other amounts to be charged from the candidates seeking admission in**

Constitution of Admission and Fee Regulatory Authority.

**medical institutions at under graduate and post-graduate level, other than those promoted and maintained by the Central or the State Government, in such manner as may be prescribed.**

**(2) The Authority shall—**

**(a) ensure that the admission to medical institutions be made with its prior approval;** 5

**(b) fix the fees and other amounts to be charged from the candidates by the medical institutions in such manner as may be prescribed.**

**(c) restrict admission of candidates to the medical institutions who fail to pay prescribed fee and other amount charged within one month of the date of admission scheduled for such medical institutions."** 10

Amendment  
of section 33.

**3.** In section 33 of the principal Act, after clause (mb), the following clause shall be inserted, namely:—

"(mc) the Admission and Fee Regulatory Authority, fixation of fees and other amounts charged in medical institutions;" 15

## STATEMENT OF OBJECTS AND REASONS

The Indian Medical Council Act, 1956 was enacted for the purpose of reconstituting the Medical Council of India (hereinafter referred to as the Council) and to provide for the maintenance of the Indian Medical Register and for matters connected therewith.

The Act confers upon the Council the responsibility of maintenance of the highest standards of medical education throughout the country. In pursuance of the responsibility, the Council makes its recommendations to the Central Government for matters related to the courses of study, examination to be undertaken for such qualifications and inspection of examinations, etc.

The Government of India made it mandatory that all admissions to medical and dental seats in all Government colleges, deemed Universities and private medical colleges be made only through National Eligibility Cum Entrance Test list strictly on merit.

However, there were reports of malpractices by various medical educational institutions to tide over the admission procedures and charging of exorbitant fees. A legislation is required for the regulation of admission and fixation of fee in such medical institutions.

The Bill, therefore, seeks to amend the Indian Medical Association, 1956 with a view to establish an Admission and Fee Regulatory Authority to fix the fee and other amounts charged in medical institutions.

Hence this Bill.

NEW DELHI;  
*June 3, 2019.*

N.K. PREMACHANDRAN

## FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for constitution of the Admission and Fee Regulatory Authority by the Central Government. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees ten crore per annum would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five crore is also likely to be involved.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill empowers the Council to make regulations regarding the fixation of fees and other amounts charged by the medical institutions. As the regulations will relate to matters of detail only, the delegation of legislative powers is of a normal character.

*ANNEXURE*

(EXTRACT FROM INDIAN MEDICAL COUNCIL ACT, 1956)

NO. 102 OF 1956

Power to  
make  
regulations.

33. The Council may, with the previous sanction of the Central Government, make regulations generally to carry out the purposes of this Act, and without prejudice to the generality of this power, such regulations may provide for :—

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(mb) the designated authority, other languages and the manner of conducting of uniform entrance examination to all medical educational institutions at the under graduate level and post-graduate level;".

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**BILL**

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*(Shri N.K. Premachandran, M.P.)*