

Ordinance Summary

The Indian Medical Council (Amendment) Ordinance, 2013

- On May 23, 2013, the government notified an Ordinance amending the Indian Medical Council Act 1956. Earlier this year, on March 19, 2013 the Indian Medical Council (Amendment) Bill 2013 was introduced in Parliament and is currently pending.
- The Indian Medical Council Act provides for the constitution of the Medical Council of India (MCI) that makes recommendations to the central government on matters related to the recognition of medical qualifications, determining the courses of study, inspection of examinations and maintenance of a register of medical practitioners.
- According to the Act, the MCI can be superceded by a Board of Governors, constituted by the central government. Due to issues in the functioning of the MCI, in May 2010, the MCI was superceded by a Board of Governors whose term expired on May 14, 2013. As per the recent Ordinance:
 - The Board of Governors has been given an extension of 180 days so that it can exercise the functions of the MCI.
 - Within this time period (latest by November 10, 2013), the central government has to reconstitute the MCI.
 - The composition of the MCI is changed to include more representation from the Union Territories.
- The term of the MCI is for 4 years and the President and Vice President cannot hold office for more than two terms.
- The functions of the MCI include taking measures to (a) determine coordinate and maintain the standards of medical education and practice in medicine; (b) grant or withdraw permission for establishment of medical college and course of study in medical education; (d) maintain the Indian Medical Register (in electronic form as well) and (e) ensure adequate availability of doctors to all States.
- The conditions under which the central government can remove the President and Vice-President of the MCI are specified. These include among others, abusing his position in performance of the duties specified under this Act or wilfully or without sufficient cause failing to comply with directions issued by the central government and in public interest.
- The power of the central government to direct the MCI on policy matters including amending and revoking regulations made by the Council is final.
- Overseas Citizens of India are allowed to practice medicine in India.

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