



# Standing Committee Report Summary

## The Indian Medical Council (Amendment) Bill, 2013

- The Standing Committee on Health and Family Welfare submitted its report on the Indian Medical Council (Amendment) Bill, 2013 on November 20, 2013. The Indian Medical Council (Amendment) Bill, 2013 was introduced in the Rajya Sabha on August 19, 2013. The Bill was brought in to replace an Ordinance notified on May 23, 2013, to amend the Indian Medical Council Act 1956. On September 28, 2013 the central government promulgated the Indian Medical Council (Amendment) Second Ordinance
- The Bill provides the central government with the power to direct the MCI on policy matters including amending and revoking regulations made by the Council. This power is deemed to be final. The committee was of the view that this provision gave the central government with sweeping powers to influence the functioning of the MCI that could affect its independent decision making and autonomy. The Committee stated that while there is need for a regulatory mechanism to ensure that the MCI functions in the right manner, it disapproved of the central government controlling the autonomy of the MCI.
- According to the Bill, the term of the MCI is four years. The Committee noted that the ministry had not given any justification for reducing the term of office from five years to four years. The Committee recommended that since other bodies under the ministry have a five year term the Bill be amended to provide the MCI with a term of five years.
- The Bill specifies the conditions under which the central government can remove the President and Vice-President of the MCI. 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 committee was of the view that giving the central government such powers could jeopardise the autonomy of the Council. The Committee recommended that the powers of removal should not be given to the central government and should remain confined to the MCI.
- The Indian Medical Council (Amendment) Second Ordinance amends the definition of universities to exclude deemed universities from being represented in the MCI. The Committee recommended that this provision be withdrawn as it was not justified to exclude medical colleges affiliated with deemed universities from sending their representative to the MCI. The Committee suggested one representative each from the states with five or more deemed universities may be elected to the MCI and for deemed universities that are less than five in a State could together send one representative.
- The Bill allows Overseas Citizens of India to practice medicine in India. The Committee was of the view that abundant safeguards should be provided in terms of screening tests to ensure quality medical personnel to practice in the country.
- Under the Act, the establishment of a new medical college or starting a new course of study requires the prior permission of the central government. The Committee was of the view that in addition the permission of the state government should also be obtained
- The Committee expressed concern over the lack of infrastructure in newly established central universities such as a well-structured building, shortage of teachers, library, laboratories and, hostel facilities. The Committee recommended a vigorous monitoring mechanism to expedite the process of building infrastructure at the proposed universities.

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