



Standing Committee Summary

The National Commission for Human Resources for Health Bill, 2011

- The Standing Committee on Health and Family Welfare submitted its 60th Report on 'The National Commission for Human Resources for Health Bill, 2011' on October 30, 2012. The Chairperson was Brajesh Pathak.
- The Bill seeks to set up the National Commission for Human Resources for Health (NCHRH), National Board for Health Education (NBHE), and the National Evaluation and Assessment Council (NEAC) in order to determine and regulate the standard of health education in the country. It separates regulation of education from that of the profession, and establishes professional councils at the national and state levels to regulate the profession. It also sets up an NCHRH fund.
- It repeals the Indian Nursing Council Act, 1947; the Pharmacy Act, 1948; the Dentists Act, 1948 and the Indian Medical Council Act, 1956.
- After consultation with various stakeholders, the Committee stated that it could not recommend the Bill in its present form. It suggested that the government should consider all opinions and bring a revised Bill before Parliament.
- The Committee noted the concern of professional councils such as the Medical Council, Nursing Council and the Pharmacy Council that their autonomy and democratic set-up has been taken over by the Bill. It therefore recommended that the democratic functioning of the National Councils need to be protected even if they are brought under an overarching body. It further suggested that the professional councils may be given the power to consider all the proposals as per their existing functions after which the NCHRH, NBHE and NEAC can take the final decision on the matter.
- The Committee felt that the fact that there is no element of election in any of the bodies being set up under the Bill need to be considered.
- The Committee however expressed concern over the acute shortage of qualified health workers in the country as well as variations among states and rural-urban areas. As per 2001 Census, the estimated density of all health workers (qualified and unqualified) is about 20% less than the World Health Organisation's norm of 2.5 health workers per 1000 population.
- Given that health is a State subject and health education is a Concurrent subject, the Committee recommended that a substantive role be mandated for the states in the NCHRH, NBHE and NEAC. It added that discussions may be held with all state governments before revising the Bill.
- The Committee recommended that the selection process of the Selection Committee be spelt out as has been done for the proposed National Commission on Higher Education and Research (NCHER) (to be set up under the Higher Education and Research Bill, 2011). It also suggested that members of the Selection Committee should be persons of eminence, preferably from the medical field. There should be only one Selection Committee for all three bodies.
- The Bill provides that members of the NCHRH, NBHE and NEAC can be removed by the central government. This differs from the process laid out for members of NCHER. The Committee recommended that adequate safeguards be provided in the Bill so that the members can discharge their duties in a fair and objective manner.
- The Committee noted that a comparison of the Bills related to NCHRH and NCHER showed that both have identical jurisdiction and functions on various aspects of medical education and research. It suggested that medical education and research should be brought under the jurisdiction of NCHRH.
- The Committee advised that precise and explicit provisions be made to protect the existing streams of Post Graduate Education run by the National Board of Examinations. Also, the councils of new streams of the health professions need to be adequately represented.
- The Committee took note of certain potentially conflicting powers given to NCHRH, NBHE and NEAC. It recommended that the powers of the three bodies be clearly demarcated.
- The Bill states that the permission of NCHRH is required to establish an educational institution. In case the NCHRH fails to decide on an application within a year of its submission, it shall be deemed to have been approved. The Committee recommended that this provision be made more stringent with sufficient safeguards.
- The Committee recommended that the Indian system of medicine be also brought under the jurisdiction of NCHRH. It also advised that medical education should not be imparted through distance education.



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