

Fifteenth Kerala Legislative Assembly

Bill No. 165

**THE KERALA MEDICAL EDUCATION (REGULATION
AND CONTROL OF ADMISSION TO PRIVATE MEDICAL
EDUCATION INSTITUTIONS) AMENDMENT BILL, 2023**

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[Translation in English of “2023-ലെ കേരള മെഡിക്കൽ വിദ്യാഭ്യാസം (സ്വകാര്യ മെഡിക്കൽ വിദ്യാഭ്യാസ സ്ഥാപനങ്ങളിലേക്കുള്ള പ്രവേശനം ക്രമപ്പെടുത്തലും നിയന്ത്രിക്കലും) ഭേദഗതി ബിൽ ” published under the authority of the Governor.]

**THE KERALA MEDICAL EDUCATION (REGULATION AND CONTROL OF
ADMISSION TO PRIVATE MEDICAL EDUCATIONAL INSTITUTIONS)
AMENDMENT BILL, 2023**

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further to amend the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 (Act 15 of 2017) for the purposes hereinafter appearing;

BE it enacted in the Seventy-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Amendment Act, 2023.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In section 3 of the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 (Act 15 of 2017) (hereinafter referred to as the principal Act) in item (d) of the section 3 for the words “Medical Council of India” the words “National Medical Commission” shall be substituted.

3. *Amendment of section 3A.*—In item (c) of section 3A of the principal Act, for the words “Medical Council of India” the words “National Medical Commission” shall be substituted.

4. *Amendment of section 3B.*—In section 3B of the principal Act, for the words “Medical Council of India” the words “National Medical Commission” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

As the Indian Medical Council Act, 1956 was repealed with effect from 25th September, 2020 vide notification No.S.O. 3263 (E) dated 24th September, 2020, issued by the Central Government under section 60 of the National Medical Commission Act, 2019 (Central Act 30 of 2019), the National Medical Commission came into existence in place of Medical Council of India. In the said circumstances, the word “Medical Council of India”, wherever referred to in the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 (Act 15 of 2017) has to be amended as “National Medical Commission”. For the said purpose the Government has decided to amend the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional, recurring or non-recurring expenditure from the Consolidated Fund of the State.

VEENA GEORGE.

EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA MEDICAL EDUCATION (REGULATION AND CONTROL
OF ADMISSION TO PRIVATE MEDICAL EDUCATIONAL
INSTITUTIONS) ACT, 2017 (ACT 15 OF 2017)

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3. *Constitution of Admission Supervisory Committee.*—The Government shall, by notification in the Gazette, constitute an Admission Supervisory Committee consisting of the following members for the purpose of supervision and issuing guidelines of admission process in the private medical educational institutions, namely:—

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|--|--------------------|
| (a) A retired Judge of High Court | - Chairperson |
| (b) Secretary, Health and Family Welfare Department (ex-officio) | - Member Secretary |
| (c) Law Secretary (ex-officio) | - Member |
| (d) A representative of Medical Council of India nominated by the Government | - Member |
| (e) Commissioner of Entrance Examinations (ex-officio) | - Member |
| (f) An educational expert belonging to Scheduled Caste or Scheduled Tribe nominated by the Government in consultation with the Chairperson | - Member |

3A. *Constitution of Fee Regulatory Committee.*—The Government shall, by notification in the Gazette, constitute a Fee Regulatory Committee for fixing the fee that may be charged from the students who get admission in private medical educational institutions, consisting of the following members, namely:—

- (a) A retired Judge of High Court - Chairperson
- (b) Secretary, Health and Family Welfare Department (ex-officio) - Member Secretary
- (c) A representative of Medical Council of India nominated by the Government - Member
- (d) One Chartered Accountant nominated by the Government - Member
- (e) An expert nominated by the Government in consultation with the Chairperson - Member

3B. *Special provisions in respect of committees.*—The Chairperson of the committees constituted as per section 3 and 3A shall be same Judge and the representative to be nominated to the committees from the Medical Council of India also shall be same person:

Provided that the Chairperson so appointed shall be eligible for the honorarium entitled for one post alone.

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