



The Kerala Medical Education (Regulation and Control of Admission to  
Private Medical Educational Institutions) Act, 2017

Act 15 of 2017

**Keyword(s):**

Capitation Fees, Common Entrance Test, Centralized Counselling,  
Management

Amendments appended: 4 of 2019, 25 of 2023

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## ACT 15 OF 2017

### THE KERALA MEDICAL EDUCATION (REGULATION AND CONTROL OF ADMISSION TO PRIVATE MEDICAL EDUCATIONAL INSTITUTIONS) ACT, 2017

*An Act to provide for the regulation of admission and fixation of fee to private medical educational institutions in the State of Kerala and to provide for reservation of seats to students belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes in medical educational institutions.*

*Preamble.*—WHEREAS, it is expedient to provide for the regulation of admission and fixation of fee to private medical educational institutions in the State of Kerala and to provide for reservation of seats to students belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes in medical educational institutions and for matters connected therewith or incidental thereto;

BE it enacted in the Sixty-eighth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 1st day of June, 2017.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “appropriate authority” means a Central or State authority established by the Central or the State Government for laying down norms and conditions for ensuring standards of medical education;

(b) "capitation fees" means any amount or thing, by whatever name called, whether in cash or in kind, paid or collected or received directly or indirectly in addition to the fees fixed under this Act;

(c) "centralized counselling" means a common counselling and allotment of seats in colleges through a single window procedure by the Government or by any agency authorized by it for persons who have qualified in the common entrance test, for the purpose of merit based admission to medical colleges or institutions;

(d) "Committee" means the Admission and Fee Regulatory Committee constituted under section 3;

(e) "common entrance test" means an entrance test conducted by the Central Board of Secondary Education, New Delhi or any agency authorized by Government of India for determination of merit of the candidates;

(f) "fee" means all fee including tuition fee and development charges;

(g) "Government" means the Government of Kerala;

(h) "management" means any person or body, by whatever name called, managing and controlling the private medical educational institutions;

(i) "medical course" means a course of study notified as a medical or paramedical course by the appropriate authority, such as a degree, diploma or certificate, by whatever name called;

(j) "medical educational" means education in medicine, dentistry, pharmacy, ayurveda, homoeopathy, siddha, unani, naturopathy, nursing and other medical courses;

(k) "minority" means a community defined as minority under clause (f) of section 2 of the National Commission for Minority Educational Institutions Act, 2004 (Central Act 2 of 2005);

(l) "minority institution" means an institution imparting medical education, established and administered by a minority;

(m) "non-resident Indian" shall have the same meaning as assigned to it in clause (e) of section 114C of the Income Tax Act, 1961 (Central Act 43 of 1961);

(n) "Other Backward Classes" means the Other Backward Classes notified as such by the State Government as amended from time to time;

(o) "prescribed" means prescribed by rules made under this Act;

(p) "private medical educational institution" or "institution" means a private aided or private unaided educational institution which is a college, a school, a department or an institution, by whatever name called, imparting medical education, other than those promoted and maintained by the Central Government or State Government, approved or recognized by an appropriate authority, which is affiliated to, or is a constituent unit of a university, established or incorporated by an Act of the State Legislature;

(q) "private unaided medical educational institution" means a medical educational institution which is not receiving recurring financial aid or grant-in-aid from any State or Central Government and which is not established or maintained by the Central Government, the State Government or any public body;

(r) "reserved seats" means the seats reserved in favour of students belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes notified by the State Government;

(s) "sanctioned intake" means the total number of seats sanctioned by an appropriate authority and notified by the State Government for admitting students in each course of study in a medical educational institution;

(t) "Scheduled Castes" means any caste, race or tribe or part of, or group within caste, race or tribe specified as Scheduled Castes with respect to the State of Kerala under Article 341 of the Constitution of India;

(u) "Scheduled Tribes" means any tribe or tribal community or part of, or group within such tribe or tribal community specified as Scheduled Tribes with respect to the State of Kerala under Article 342 of the Constitution of India;

(v) "State" means the State of Kerala;

(w) "University" means a University established under any law made by the Legislature of the State.

3. *Constitution of the Admission and Fee Regulatory Committee.*—(1) The Government shall, by notification in the Gazette, constitute a Committee to be called the Admission and Fee Regulatory Committee for the purpose of supervision and guidance of admission process and for the fixation of fee that may be charged from students who get admission in medical courses in private medical educational institutions.

(2) The Committee shall consist of the following members, namely:—

- (a) a retired judge of the Supreme Court .. Chairperson  
or High Court
- (b) Secretary, Higher Education .. Member Secretary  
Department (ex-officio)
- (c) Secretary, Health and Family Welfare .. Member  
Department (ex-officio)
- (d) Secretary, Law Department (ex-officio) .. Member
- (e) Director, Directorate of Medical .. Member  
Education (ex-officio)
- (f) Commissioner for Entrance .. Member  
Examinations (ex-officio)
- (g) a representative from the Medical .. Member  
Council of India nominated by the  
Government
- (h) an educational expert nominated by .. Member  
the Government
- (i) an educational expert belonging to .. Member  
the Scheduled Caste or Scheduled  
Tribe community, nominated by the  
Government
- (j) one Chartered Accountant, nominated .. Member  
by the Government

**4. Term of the Committee and conditions of services of the members.**—(1) The term of the members of the Committee, other than ex-officio members, shall be three years from the date of publication of the notification constituting the Committee.

(2) The members of the Committee shall continue to hold office until a new Committee is constituted, subject to the provisions of this Act and the rules made thereunder.

(3) The nominated members shall hold office during the pleasure of the Government which shall not exceed three years at a time and shall be eligible for re-appointment:

Provided that a person shall not be appointed as member for more than two terms.

(4) A member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he is nominated.

(5) A nominated member may resign his office by writing under his hand addressed to the Government but he shall continue his office until his resignation is accepted by the Government.

(6) No act or proceedings of the Committee shall be deemed to be invalid by reason of any defect or irregularity in its constitution or on the ground of existence of any vacancy in the office of any member.

(7) The Committee shall regulate its own procedure for the conduct of its business.

(8) The salary and allowances and the other conditions of service of the Chairperson and the nominated members shall be such as may be prescribed.

**5. Meeting of the Committee.**—(1) The Committee shall meet in such place and time as decided by the Chairperson as and when required.

(2) The Chairperson or in his absence, a member of the Committee elected from among the members present at the meeting shall preside over the meeting.

(3) The quorum for a meeting of the Committee shall be four.

6. *Disqualification.*—(1) No person who is associated with any private medical educational institution shall be eligible to be a member of the Committee.

(2) Government may remove any member, other than ex-officio member, if he,—

(a) is declared as undischarged insolvent;

(b) becomes incapable of continuing as such, due to physical or mental disability;

(c) becomes unsound mind and stands so declared by a court of competent jurisdiction;

(d) has been convicted for an offence, which in the opinion of the Government involves moral turpitude or financial irregularities;

(e) has, in the opinion of the Government, abused his official position so as to render his continuance in office prejudicial to public interest:

Provided that the person shall be given a reasonable opportunity of being heard in the matter.

7. *Officers and other employees of the Committee.*—(1) The Government shall provide the Committee with such officers and employees as may be necessary for the efficient performance of the functions of the Committee.

(2) The salaries and allowances and the other conditions of service of the officers and other employees appointed for the purpose of the Committee shall be such as may be prescribed.

8. *Powers and functions of the Committee.*—(1) The Committee shall exercise the following powers and perform the following functions, namely:—

(a) require a private medical educational institution to furnish, within a specified date, information, documents or records as may be necessary for enabling the Committee to determine the fee that may be charged by the institution in respect of each medical course, and the fee so determined by the Committee shall be valid for such period as may be notified by the Government;

(b) If the committee is of the belief that for any reason delay will occur in the determination of final fee, it may fix a provisional fee and publish and within ninety days from the date of publication of order fixing such fee final fee shall be fixed and the same shall be notified as specified in clause (a);

(c) hear complaints with regard to admission in contravention of the provisions of this Act or the rules made thereunder either on receipt of a complaint or *suo motu* and shall,—

(i) enquire into admission made in contravention of the provisions contained herein or collection of fee in excess of the fee determined under the provisions of this Act, or realization of capitation fee or profiteering by any private medical educational institution;

(ii) cause inspection of the institution for the purpose of making enquiry under sub-clause (i):

Provided that the Committee may proceed under sub-section (4), after conducting an enquiry under sub-clause (i), on any inspection report prepared by the concerned department on the direction of the Government or the concerned University or the appropriate authority.

(2) The Committee shall, for the purpose of making any enquiry under this Act, have all the powers of a civil court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) while trying a suit in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any witness and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavit; and

(d) issuing commissions for the examination of witnesses and for local inspections.

(3) The fee determined by the Committee shall be applicable to a student who is admitted to a private medical educational institution in that academic year and shall not be revised till the completion of his course in the said institution or University. No private medical educational institution shall collect a fee amounting to more than one year's fee from a student in an academic year. Collection of more than one year's fee in an academic year shall be construed as collecting of capitation fee and shall be liable to be proceeded against.

(4) The Committee may, if it is satisfied that there has been any violation by such institution of the provisions of this Act or the rules made thereunder regarding admission or fees, it may recommend to the Government to take the following actions against such institution, namely:—

(a) impose a monetary fine up to ten lakh rupees on the institution together with interest thereon at the rate of twelve per cent per annum which shall be recovered as if it were an arrear of public revenue due on land;

(b) declare admission made in respect of any or all seats in a particular institution made in contravention of the provisions of this Act or the rules made thereunder invalid, whereupon the institution shall forthwith cancel the admission of such candidate and the concerned University shall cancel the enrolment of such student and cancel his results of any examination in which the candidate has already appeared;

(c) order the institution to refund to the student within such time as specified in the order, any amount received by the institution in excess of the fees fixed by the Committee or any amount received by way of capitation fee or any amount received for profiteering:

Provided that if the institution fails to refund the amount within the specified time to the student, the same shall be recoverable along with interest thereon at the rate of twelve per cent per annum as if it were an arrear of public revenue due on land and paid to the student;

(d) order the institution to stop admission or reduce the sanctioned intake in any medical course for such period as it may deem fit;

(e) recommend to the University or the appropriate authority to withdraw the recognition of the institution;

(f) any other course of action, as it deems fit.

(5) The Committee shall ensure that the admission in an institution is done in a fair and transparent manner.

9. *Eligibility for admission.*—(1) The eligibility for admission to a private medical educational institution shall be such as may be notified by the appropriate authority.

(2) Admission to the sanctioned intake of students in an institution shall be strictly on the basis of *interse* merit obtained in the common entrance test in such manner as may be prescribed by the Government.

(3) Every admission to private medical educational institution shall be made in accordance with the provisions of this Act and the rules made thereunder and every admission made in contravention thereof shall be void.

10. *Reservation of seats.*—In the admission to private medical educational institutions, other than the minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India, there shall be reservation of seats at the stage of admission for the students belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes, in such manner as may be prescribed by the Government.

11. *Factors for determination of fee.*—(1) The Committee shall determine the fee that may be charged by a private medical educational institution in the manner as may be prescribed, considering the following factors, namely:—

(a) the location of the private medical educational institution;

(b) the nature of the medical course;

(c) the cost of land and building;

(d) the available infrastructure, teaching and non-teaching staff and other equipments;

(e) the expenditure on administration and maintenance of the medical educational institution;

(f) a reasonable surplus required for growth and development of the medical educational institution;

(g) any other relevant factor.

(2) The Committee shall, before fixing any fee, give the institution a reasonable opportunity of being heard:

Provided that no such fee as may be fixed by the Committee shall amount to profiteering or commercialization of education.

12. *Appeal.*—Any person aggrieved by an order of the Committee may prefer an appeal, within thirty days from the date of such order, before the High Court.

13. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Government or the officers or employees, or the Chairperson or members of the Committee for anything which is done or intended to be done in good faith under this Act.

14. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that no such order shall be issued after two years from the commencement of this Act.

(2) Every order issued under this section shall be laid before the Legislative Assembly as soon as may be after it is issued.

15. *Overriding effect of the Act.*—The provisions of this Act and the rules made thereunder shall have effect over the provisions of the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitation Fee and other Measures to ensure Equity and Excellence in Professional Education) Act, 2006 (19 of 2006) in so far as it is applicable to the private medical educational institutions in the State:

Provided that anything done or deemed to have been done or any action taken or deemed to have been taken under the said Act prior to the date of commencement of this Act shall be continued and maintained under the provisions of that Act and any suit, prosecution or any other legal proceeding so taken under the said Act shall be continued, maintained or dealt with in accordance with the provisions of the said Act as if this Act was not promulgated.

16. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) the salary and allowances and other conditions of service of the Chairperson and the members of the Committee under sub-section (8) of section 4;

(b) the salary and allowances and other conditions of service of the staff and employees appointed for the purpose of the Committee under sub-section (2) of section 7;

(c) the eligibility of admission, manner of admission and allocation of seats in private medical educational institutions under sub-section (2) of section 9;

(d) the manner of determination of fee to be charged by a private medical educational institution from the candidates under sub-section (1) of section 11;

(e) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the

Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

17. *Agreement between Government and medical educational institutions.*—Notwithstanding anything contained in the foregoing provisions or in any other law, the Government may enter into any agreement with one or more private medical educational institutions regarding fee or any such other matter.

18. *Repeal and saving.*—(1) The Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Ordinance, 2017 (14 of 2017) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance shall be deemed to have been done or taken under this Act.

19. *Validation.*—Notwithstanding anything contained in the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Ordinance, 2017 (14 of 2017) or in any rules made thereunder or in any judgement, decree or order of any court, the proceedings of the Admission and Fee Regulatory Committee fixing the fee provisionally and the fee so fixed as per order numbers AFRC 50/17/BDS/SFMC, AFRC 50/17/MBBS/SFMC dated the 13th day of July, 2017, shall be deemed to be valid till the fee is fixed finally subject to the provisions of this Act and the same shall not be called in question before any court of law for the reason that there was no provision in this behalf in the said Ordinance or there was defect in the procedure fixing the fee.

GOVERNMENT OF KERALA  
Law (Legislation –H) Department  
NOTIFICATION

No.4573/Leg.H1/2019/Law.

*28th June, 2019*  
*Dated, Thiruvananthapuram, 13th Mithunam, 1194*  
*7th Ashadha, 1941.*

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Amendment Act, 2019 (4 of 2019).

By order of the Governor.

ARAVINTHA BABU. P. K.,  
*Law Secretary.*



[Translation in English of “2019-ലെ കേരള മെഡിക്കൽ വിദ്യാഭ്യാസം (സ്വകാര്യ മെഡിക്കൽ വിദ്യാഭ്യാസ സ്ഥാപനങ്ങളിലേക്കുള്ള പ്രവേശനം ക്രമപ്പെടുത്തലും നിയന്ത്രിക്കലും) ഭേദഗതി ആക്ട്” published under the authority of the Governor.]

**ACT 4 OF 2019**

**THE KERALA MEDICAL EDUCATION (REGULATION AND CONTROL OF  
ADMISSION TO PRIVATE MEDICAL EDUCATIONAL INSTITUTIONS)  
AMENDMENT ACT, 2019**

*AN*

*ACT*

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

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

BE it enacted in the Seventieth 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, 2019.

(2) It shall come into force at once.

2. *Amendment of section 2.-* In section 2 of the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 (15 of 2017) (hereinafter referred to as the principal Act),-

(a) the existing clause (a) shall be relettered as clause (aa) and before the clause (aa) so relettered, the following clause shall be inserted, namely:-

“(a) “Admission Supervisory Committee” means the Admission Supervisory Committee constituted as per section 3;”;

(b) for the existing clause (d) the following clause shall be substituted, namely:-



“(d) “Committees” mean the Admission Supervisory Committee constituted as per section 3 and the Fee Regulatory Committee constituted as per section 3A;”;

(c) after the existing clause (f) the following clause shall be inserted, namely:-

“(fa) “Fee Regulatory Committee” means the Fee Regulatory Committee constituted as per section 3A;”.

3. *Substitution of new sections for section 3.*- In the principal Act, for section 3, following sections shall be substituted, namely:-

“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:-

- |     |  |                    |
|-----|--|--------------------|
| (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.”.

4. *Amendment of section 4.*- In section 4 of the principal Act,-

(a) in the marginal heading for the word “Committee” the word “Committees” shall be substituted;

(b) in sub-section (1) for the word “Committee” the word “Committees” shall be substituted;

(c) in sub-section (2) for the words “the Committee” the words “the Committees” and for the words “a new Committee is” the words “new Committees are” shall be substituted;

(d) in sub-section (6) for the word “Committee” the word “Committees” and for the word “its” the word “their” shall be substituted;

(e) in sub-section (7) for the word “Committee” the word “Committees” and for the word “its” the word “their” shall be substituted.

5. *Amendment of section 5.*- In section 5 of the principal Act,-

(a) in the marginal heading for the word “Committee” the word “Committees” shall be substituted;



(b) in sub-section (1) for the word "Committee" the word "Committees" shall be substituted;

(c) in sub-section (2) for the word "the Committee" the words "the Committee concerned" shall be substituted;

(d) sub-section (3) shall be omitted.

6. *Amendment of section 6.*- In sub-section (1) of section 6 of the principal Act, for the word "Committee" the word "Committees" shall be substituted.

7. *Amendment of section 7.*- In section 7 of the principal Act,-

(a) in the marginal heading for the word "*Committee*" the word "*Committees*" shall be substituted;

(b) in sub-section (1) for the word "Committee" wherever it occurs, the word "Committees" shall be substituted;

(c) in sub-section (2) for the word "Committee" the word "Committees" shall be substituted;

(d) in sub-section (2) the following proviso shall be added, namely:-

"Provided that the committees shall function with the common office, officers and employees."

8. *Insertion of new section.*- Section 8 of the principal Act shall be renumbered as section 8A and before the section 8A so renumbered, the following section shall be inserted, namely:-

"8. *Powers and functions of the Admission Supervisory Committee.*- (1) The Admission Supervisory Committee shall exercise the following powers and perform the following functions, namely:-

(a) on receipt of a complaint regarding the admission made in contravention of the provisions of this Act or the rules made thereunder, to inquire into the admission made by any private medical educational institutions in contravention of such provisions or the collection of fee exceeding the fee determined as per the provisions of this Act or the realisation of capitation fee or the profiteering and cause inspection of the institution for the purpose of making inquiry, on the basis of the said complaint or suomoto;



(b) to take appropriate action, after conducting an inquiry under clause (a), on an inspection report prepared by the department concerned on the direction of the Government or the University concerned or the appropriate authority;

(c) if satisfied that there has been any violation by such institutions of the provisions of this Act or the rules made thereunder regarding admission, recommend to the Government to take the following actions against such institution, namely:-

(i) impose a monetary fine up to ten lakh rupees on the institution together with interest thereon at the rate of twelve per cent per annum which shall be recovered as if it were an arrear of public revenue due on land;

(ii) declare admission made in any or all the seats in an institution, in contravention of the provisions of this Act or the rules made thereunder invalid, and thereupon take necessary action causing the institution to forthwith cancel the admission of such student and the University concerned to cancel the enrolment of such student and cancel his results of examinations concerned in which the student has already appeared;

(iii) order the institution to stop admission or reduce the sanctioned intakes in any medical course for such period as it may deem fit;

(iv) recommend to the University or the appropriate authority to withdraw the recognition of the institution;

(v) any other course of action, as it deems fit.

(2) The Admission Supervisory Committee shall ensure that the admission in a private medical educational institution is done in a fair and transparent manner.

(3) The Admission Supervisory Committee shall, for the purpose of making any enquiry under this Act, have all the powers of a civil court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) while trying a suit in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any witness and examining him on oath;

(b) requiring discovery and production of any document;

(c) receiving evidence on affidavit; and



(d) issuing commissions for the examination of witnesses and for local inspections.”.

9. *Amendment of section 8A.*- In section 8A of the principal Act so renumbered,-

(a) in the marginal heading for the word “Committee”, the words “Fee Regulatory Committee” shall be substituted;

(b) in sub-section (1),-

(i) for the word “Committee”, the words “Fee Regulatory Committee” shall be substituted;

(ii) in clause (a) for the word “Committee” the words “Fee Regulatory Committee” shall be substituted and the words and symbol “, and the fee so determined by the Committee shall be valid for such period as may be notified by the Government” shall be omitted;

(iii) clause (b) shall be omitted;

(iv) clause (c), its items and proviso shall be omitted;

(c) in sub-section (2) for the word “Committee” the words “Fee Regulatory Committee” shall be substituted;

(d) in sub-section (3) for the word “Committee” the words “Fee Regulatory Committee” shall be substituted;

(e) in sub-section (4),-

(i) for the word “Committee” the words “Fee Regulatory Committee” shall be substituted and the words “admission or” shall be omitted;

(ii) clause (b) shall be omitted;

(iii) clause (c) shall be relettered as clause (b) and in the clause (b), so relettered, for the word “Committee” the words “Fee Regulatory Committee” shall be substituted;

(iv) clause (d) shall be omitted and clause (e) and clause (f) shall be relettered as clause (c) and clause (d) respectively;

(f) for the existing sub-section (5), the following sub-section shall be substituted, namely:-

“(5) Before recommending to the Government to initiate actions under sub-section (4) the institutions shall be given a reasonable opportunity of being heard.”.



10. *Amendment of section 11.*- In section 11 of the principal Act,-

(a) in sub-section (1) for the word "Committee", the words "Fee Regulatory Committee" shall be substituted;

(b) in sub-section (2) and in its proviso for the word "Committee" the words "Fee Regulatory Committee" shall be substituted.

11. *Amendment of section 12.*- In section 12 of the principal Act, for the word "Committee" the word "Committees" shall be substituted.

12. *Amendment of section 13.*- In section 13 of the principal Act, for the word "Committee" the word "Committees" shall be substituted.

13. *Amendment of section 16.*- In sub-section (2) of section 16 of the principal Act,-

(i) in clause (a) for the word "Committee" the word "Committees" shall be substituted;

(ii) in clause (b) for the word "Committee" the word "Committees" shall be substituted.

14. *Amendment of section 17.*- Section 17 of the principal Act shall be omitted.

15. *Amendment of section 19.*- Section 19 of the principal Act shall be omitted.

GOVERNMENT OF KERALA  
**Law (Legislation-H) Department**  
NOTIFICATION

No. Leg. H1/65/2023/Law.

*Dated, Thiruvananthapuram, 6th October, 2023  
19th Kanni, 1199  
14th Aswina, 1945.*

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorize the publication in the Gazette of the following translation in English language of the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Amendment Act, 2023 (Act 25 of 2023).

By order of the Governor,

K. G. SANAL KUMAR,  
*Law Secretary.*



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

## ACT 25 OF 2023

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

*AN*

*ACT*

*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 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.

