

Standing Committee Report Summary

The National Commission for Indian System of Medicine Bill, 2019

- The Standing Committee on Health and Family Welfare (Chairperson: Prof. Ram Gopal Yadav) submitted its report on the National Commission for Indian System of Medicine Bill, 2019 on November 27, 2019. The Bill seeks to repeal the Indian Medicine Central Council Act, 1970 and provide for regulation of education and practice of Ayurveda, Unani, Siddha, and Sowa-Rigpa. Key observations and recommendations of the Committee are summarised below:
- **Composition of the National Commission for Indian System of Medicine (NCISM):** The Committee observed that the strength of the NCISM and the representation from states as proposed in the Bill must be increased for its effective functioning. It noted that there were eight lakh registered AYUSH doctors in India. Of these, 56% of doctors belong to Ayurveda, 6.4% to Unani, and 1.4% to Siddha and Naturopathy. The Bill provides for three members to be elected from Ayurveda and one each from Unani, Siddha and Sowa-Rigpa. To ensure proportionate representation of doctors in the NCISM, the Committee recommended increasing the representation of Ayurveda doctors from three members to six members. The Committee recommended that the total strength of the NCISM be increased from 29 members to 44 members. These 44 members will include the Chairperson, 20 ex-officio members, and 23 part-time members.
- **Autonomous Boards:** The Bill sets up certain autonomous boards under the supervision of the NCISM. These boards are: (i) the Board of Ayurveda and the Board of Unani, Siddha, and Sowa-Rigpa, (ii) the Medical Assessment and Rating Board for Indian System of Medicine, and (iii) the Ethics and Medical Registration Board. To provide for a central regulatory framework for Yoga and Naturopathy, the Committee recommended setting up a Board of Yoga and Naturopathy under the NCISM. It also proposed the constitution of a Board of Research to facilitate research programmes in Indian System of Medicine, Yoga and Naturopathy.
- **Appellate jurisdiction:** The central government has the appellate jurisdiction over the decisions taken by the NCISM. In this regard, the Committee stated that giving the appellate jurisdiction to the central government does not fit into the constitutional provision for separation of powers. It recommended constitution of a Medical Appellate Tribunal for Indian System of Medicine and Homoeopathy comprising of a Chairperson, who should be a sitting or retired Judge of the Supreme Court or a Chief Justice of a High Court, and four other members (with special knowledge in the medical profession and education, Indian System of Medicine, homoeopathy, and health administration). This Tribunal will have an appellate jurisdiction over the decisions taken by the NCISM instead of the central government.
- **Fee regulation:** The Committee noted that states have an existing process to regulate fees charged by private medical colleges. This is done by taking into account local factors, reservation quota, and other issues prevailing in respective states. However, there is no provision in the Bill for regulation of fees of Indian System of Medicine colleges. The absence of fee regulation may result in charging of high fees by private medical colleges. Hence, the Committee recommended fee regulation for at least 50% of seats in private medical colleges, and deemed-to-be universities.
- **Advisory Council:** Under the Bill, the central government will constitute an Advisory Council for Indian System of Medicine. The Council will be the primary platform through which the states/union territories can put forth their views and concerns before the NCISM. The Committee noted that there is no representation of State Medical Councils in the Advisory Council. Hence, it recommended that there should be a provision for ensuring representation of State Medical Councils.
- **Teacher's examination:** The Bill also proposes a National Teachers' Eligibility Test for postgraduates of each discipline of Indian System of Medicine who wish to take up teaching that particular discipline as a profession. However, the Committee noted that this does not apply to teachers appointed before the enactment of this Bill. It observed that there are several teachers in the system who do not hold a postgraduate degree but are part of the education system. For such teaching professionals, there must be a provision for a training course, followed by Minimum Qualifying Test. This would ensure that their knowledge base is widened and updated.

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