Standing Committee Report Summary
The Indian Medical Council (Amendment) Bill, 2005


The Indian Medical Council Act, 1956 (Principal Act) created the Medical Council of India (MCI) to register medical practitioners in India, maintain standards of medical education, and recommend the recognition of medical qualifications. The current Bill seeks to modify the composition of the MCI, introduce provisions to remove council members, and empower the central government to give directions to the MCI.

The Bill requires one member from each state or union territory to be elected by the medical faculty of the universities in that locality. States shall elect one representative for every ten medical universities. This will alter the composition of the MCI and the Committee recommends electing one member for every five colleges in the state. To ensure equal representation of all medical colleges, the committee suggests a mechanism to determine eligibility criteria for electing members.

The Principal Act stipulates that each state with a medical register shall elect one member from amongst the registered practitioners. The Bill stipulates that members should be elected amongst members of the state medical council. The committee notes that all states do not have state medical councils. Until all states have state medical councils, the clause in the Principal Act should apply.

The Principal Act allows the central government to nominate one member from each state other than a union territory. The standing committee believes one member should also be nominated to represent all union territories.

The Bill requires elections to be held within three months from the date of a vacancy. Otherwise, the central government can nominate members to fill the vacancy. The Committee notes that existing provisions will ensure elections and recommends removing this clause.

The council shall be guided by the central government. If a dispute arises, the central government’s decision is final. In order to ensure daily functions are not hampered, the Committee suggests changing the language so the government may give the council direction.

The Bill allows the central government to remove nominated members, dissolve any committee on the ground of misconduct, and making or amending regulations. The Committee believes these clauses interfere with MCI’s autonomy and suggests deleting all.

The Bill specifies that a council member can be removed on the recommendation of the majority of members. MCI should also consult with a Disciplinary Committee. The Committee notes that the composition of the Disciplinary Committee is vague and the power to remove a member should remain only with the council.

The Bill limits the term limits for president and vice-president. The Committee recommends removing the term limits as these violate democratic principles.