

THE NATIONAL MEDICAL COMMISSION ACT, 2019

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THE NATIONAL MEDICAL COMMISSION ACT, 2019

ACT NO. 30 OF 2019

[8th August, 2019.]

An Act to provide for a medical education system that improves access to quality and affordable medical education, ensures availability of adequate and high quality medical professionals in all parts of the country; that promotes equitable and universal healthcare that encourages community health perspective and makes services of medical professionals accessible to all the citizens; that promotes national health goals; that encourages medical professionals to adopt latest medical research in their work and to contribute to research; that has an objective periodic and transparent assessment of medical institutions and facilitates maintenance of a medical register for India and enforces high ethical standards in all aspects of medical services; that is flexible to adapt to changing needs and has an effective grievance redressal mechanism and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the National Medical Commission Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

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

(a) “Autonomous Board” means any of the Autonomous Boards constituted under section 16;

(b) “Chairperson” means the Chairperson of the National Medical Commission appointed under section 5;

(c) “Commission” means the National Medical Commission constituted under section 3;

(d) “Council” means the Medical Advisory Council constituted under section 11;

(e) “Ethics and Medical Registration Board” means the Board constituted under section 16;

(f) “health University” means a University specialised in affiliating institutions engaged in teaching medicine, medical and health sciences and includes a medical University and University of health sciences;

(g) “licence” means a licence to practice medicine granted under sub-section (1) of section 33;

(h) “Medical Assessment and Rating Board” means the Board constituted under section 16;

1. 2nd September, 2019—Sections 3, 4, 5, 6, 8, 11, 16, 17, 18, 19, 56 and 57, *vide* notification No. S.O. 3162(E), dated 2nd September, 2019, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).

25th September, 2020—all the remaining provisions, *vide* notification No. S.O. 3262(E), dated 24th September, 2020, *see* Gazette of India, Extraordinary, Part II, sec. 3, Sub-section(ii) .

(i) “medical institution” means any institution within or outside India which grants degrees, diplomas or licences in medicine and include affiliated colleges and deemed to be Universities;

(j) “medicine” means modern scientific medicine in all its branches and includes surgery and obstetrics, but does not include veterinary medicine and surgery;

(k) “Member” means a Member of the Commission appointed under section 5 and includes the Chairperson thereof;

(l) “National Board of Examination” means the body registered as such under the Societies Registration Act, 1860 (21 of 1860) which grants broad-speciality and super-speciality qualifications referred to in the Schedule;

(m) “National Register” means a National Medical Register maintained by the Ethics and Medical Registration Board under section 31;

(n) “notification” means notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(o) “Post-Graduate Medical Education Board” means the Board constituted under section 16;

(p) “prescribed” means prescribed by rules made under this Act;

(q) “President” means the President of an Autonomous Board appointed under section 18;

(r) “recognised medical qualification” means a medical qualification recognised under section 35 or section 36 or section 37 or section 40, as the case may be;

(s) “regulations” means the regulations made by the Commission under this Act;

(t) “Schedule” means the Schedule to this Act;

(u) “State Medical Council” means a medical council constituted under any law for the time being in force in any State or Union territory for regulating the practice and registration of practitioners of medicine in that State or Union territory;

(v) “State Register” means a register maintained under any law for the time being in force in any State or Union territory for registration of practitioners of medicine;

(w) “Under-Graduate Medical Education Board” means the Board constituted under section 16;

(x) “University” shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956 (3 of 1956) and includes a health University.

CHAPTER II

THE NATIONAL MEDICAL COMMISSION

3. Constitution of National Medical Commission.—(1) The Central Government shall constitute a Commission, to be known as the National Medical Commission, to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.

(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The head office of the Commission shall be at New Delhi.