

THE INDIAN MEDICAL COUNCIL ACT, 1956

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title, extent and commencement.
2. Definition.
3. Constitution and composition of the Council.
- 3A. Power of Central Government to supersede the Council and to constitute a Board of Governors
- 3B. Certain modifications of the Act
- 3C. Power of Central Government to give directions
4. Mode of election.
5. Restrictions on nomination and membership.
6. Incorporation of the Council.
7. Term of office of President, Vice-President and members.
8. Meetings of the Council.
9. Officers, committees and servants of the Council.
10. The Executive Committee.
11. Recognition of medical qualifications granted by Universities of medical institutions of India.
12. Recognition of medical qualifications granted by medical institutions in countries with which there is a scheme of reciprocity.
13. Recognition of medical qualifications granted by certain medical institutions whose qualifications are not included in the First of Second Schedule.
14. Special provision in certain cases for recognition of medical qualifications granted medical institutions countries with which there is no scheme of reciprocity.
15. Right of persons possessing qualifications in the Schedules to be enrolled.
16. Power to require information as to courses of study and examinations.
17. Inspection of examinations.
18. Visitors at examinations.
19. Withdrawn of recognition.
20. Post-graduate Medical Education Committee for assisting council in matters relating to post-graduate medical education.
21. The Indian Medical Register.
22. Supply of copies of the State Medical Registers.
23. Registration in the Indian Medical Register.
24. Removal of names from the Indian Medical Register.
25. Provisional registration for clinical practice.
26. Registration of additional qualifications.
27. Privileges of persons who are enrolled on the Indian Medical Regis.
28. Person enrolled on the Indian Medical Register to notify change of place of residence or practice
29. Information to be furnished by the Council and publication thereof.
30. Commissions of inquiry.
31. Protection of action taken in good faith.
32. Power to make rules.
33. Power to make regulations.
34. Repeal of Act XXVII of 1933.

THE INDIAN MEDICAL COUNCIL ACT, 1956*

ACT NO.102 OF 1956

[30th December, 1956.]

An Act to provide for the reconstitution of the Medical Council of India, and the maintenance of a Medical Register for India and for matters connected therewith.

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

1. Short title, extent and commencement.—(1) This Act may be called the Indian Medical Council Act, 1956.

(2) It extends to the whole of India ^{1***}.

(3) It shall come into force on such date² as the Central Government may, by notification in the Official Gazette, appoint.

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

(a) “approved institution” means a hospital, health center or other such institution recognised by a University as an institution in which a person may undergo the training, if any, required by his course of study before the award of any medical qualification to him;

(b) “Council” means the Medical Council of India constituted under this Act;

^{3*} * * * *

(d) “Indian Medical Register” means the medical register maintained by the Council;

(e) “medical institution” means any institution, within or without India, which grants degrees, diplomas or licences in medicine;

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

(g) “prescribed” means prescribed by regulations;

(h) “recognised medical qualification” means any of the medical qualifications included in the Schedules;

(i) “regulation” means a regulation made under section 33;

(j) “State Medical Council” means a medical council constituted under any law for the time being in force in any State regulating the registration of practitioners of medicine;

(k) “State Medical Register” means a register maintained under any law for the time being in force in any state regulating the registration of practitioners of medicine;

(l) “University” means any University in India established by law and having a medical faculty.

3. Constitution and composition of the Council.—(1) The Central Government shall cause to be constituted a Council consisting of the following members namely:—

(a) one member from each State other than a Union Territory, to be nominated by the Central Government in consultation with the State Government concerned;

(b) one member from each University, to be elected from amongst the members of the medical faculty of the University by members of the Senate of the University or in case the University has no senate, by members of the Court;

1. The words “except the State of Jammu and Kashmir” omitted by Act 24 of 1964, s. 2 (w.e.f. 16-6-1964).

2. 1st November, 1958, *vide* notification No. S.O. 2254, dated 28th October, 1958, *see* Gazette of India, Part II, sec. 3(ii).

3. Clause (c) omitted by Act 24 of 1964, s. 3 (w.e.f. 16-6-1964).

*Subject to verification and confirmation by the administrative ministry.

(c) one member from each State in which a State Medical Register is maintained, to be elected from amongst themselves by persons enrolled on such Register who possess the medical qualifications included in the First or the Second Schedule or in Part II of the Third Schedule;

(d) seven members to be elected from amongst themselves by persons enrolled on any of the State Medical Registers who possess the medical qualifications included in Part I of the Third Schedule;

(e) eight members to be nominated by the Central Government.

(2) The President and Vice-President of the Council shall be elected by the members of the Council from amongst themselves.

(3) No act done by the Council shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Council.

3A. Power of Central Government to supersede the Council and to constitute a Board of Governors.—(1) On and from the date of commencement of the Indian Medical Council (Amendment) Act, 2010, the Council shall stand superseded and the President, Vice-President and other members of the Council shall vacate their offices and shall have no claim for any compensation, whatsoever.

(2) The Council shall be reconstituted in accordance with the provisions of section 3 within a period of ²[three years] from the date of supersession of the Council under sub-section (1).

(3) Upon the supersession of the Council under sub-section (1) and until a new Council is constituted in accordance with section 3, the Board of Governors constituted under sub-section (4) shall exercise the powers and perform the functions of the Council under this Act.

(4) The Central Government shall, by notification in the Official Gazette, constitute the Board of Governors which shall consist of not more than seven persons as its members, who shall be persons of eminence and of unimpeachable integrity in the fields of medicine and medical education, and who may be either nominated members or members, ex officio, to be appointed by the Central Government, one of whom shall be named by the Central Government as the Chairperson of the Board of Governors.

(5) The Chairperson and the other members, other than the members, ex officio, shall be entitled to such sitting fee and travelling and other allowances as may be determined by the Central Government.

(6) The Board of Governors shall meet at such time and places and shall observe such rules of procedure in regard to the transaction of business at its meetings as is applicable to the Council.

(7) Two-third of the members of the Board of Governors shall constitute the quorum for its meetings.

(8) No act or proceedings of the Board of Governors shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of, the Board of Governors; or

(b) any irregularity in the procedure of the Board of Governors not affecting the merits of the case.

(9) A member having any financial or other interest in any matter coming before the Board of Governors for decision shall disclose his interest in the matter before he may, if allowed by the Board of Governors, participate in such proceedings.

(10) The Chairperson and the other members of the Board of Governors shall hold office during the pleasure of the Central Government.]

3B. Certain modifications of the Act.—¹[During the period when the Council stands superseded,—

(a) the provisions of this Act shall be construed as if for the word “Council”, the words “Board of Governors” were substituted;

(b) the Board of Governors shall—

(i) exercise the powers and discharge the functions of the Council under this Act and for this purpose, the provisions of this Act shall have effect subject to the modification that references therein to the Council shall be construed as references to the Board of Governors;

(ii) grant independently permission for establishment of new medical colleges or opening a new or higher course of study or training or increase in admission capacity in any course of study or training referred to in section 10A or giving the person or college concerned a reasonable opportunity of being heard as provided under section 10A without prior permission of the Central Government under that section, including exercise of the power to finally approve or disapprove the same; and

(iii) dispose of the matters pending with the Central Government under section 10A upon receipt of the same from it.]

3C. Power of Central Government to give directions.—¹[(1) Without prejudice to the provisions of this Act, the Board of Governors or the Council after its reconstitution shall, in exercise of its powers and in the performance of its functions under this Act, be bound by such directions on questions of policy, other than those relating to technical and administrative matters, as the Central Government may give in writing to it from time to time.

(2) The decision of the Central Government whether a question is a matter of policy or not shall be final.]

4. Mode of election.—(1) An election under clause (b), clause (c) or clause (d) of sub-section (1) of section 3 shall be conducted by the Central Government in accordance with such rules as may be made by it in this behalf, and any rules so made may provide that pending the preparation of the Indian Medical Register in accordance with the provisions of this Act, the members referred to in clause (d) of sub-section (1) of section 3 may be nominated by the Central Government instead of being elected as provided therein.

(2) Where any dispute arises regarding any election to the Council, it shall be referred to the Central Government whose decision shall be final.

5. Restrictions on nomination and membership.—(1) No person shall be eligible for nomination under clause (a) of sub-section (1) of section 3 unless he possesses any of the medical qualifications included in the First and Second Schedules, resides in the State concerned, and, where a State Medical Register is maintained in that State, is enrolled on that register.

(2) No person may at the same time serve as a member in more than one capacity.

6. Incorporation of the Council.—The Council so constituted shall be a body corporate by the name of the Medical Council of India, having perpetual succession and a common seal, with power to acquire and hold property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

7. Term of office of President, Vice-President and members.—(1) The President or Vice-President of the Council shall hold office for a term not exceeding beyond the expiry of his term as member of the Council.

(2) Subject to the provisions of this section, a member shall hold office for a term of five years from the date of his nomination or election or until his successor shall have been duly nominated or elected, whichever is longer.

(3) An elected or nominated member shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Council, from three consecutive ordinary meetings of the Council or, in the case of a member elected under clause (b) of sub-section (1) of section 3, if he ceases to be a member of the medical faculty of the University concerned, or in the case of a member elected under clause (c) or clause (d) of that sub-section, if he ceases to be a person enrolled on the State Medical Register concerned.

(4) A casual vacancy in the Council shall be filled by nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected.

(5) Members of the Council shall be eligible for re-nomination or re-election.

(6) Where the said term of five years is about to expire in respect of any member, a successor may be nominated or elected at any time within three months before the said term expires but he shall not assume office until the said term has expired.

8. Meetings of the Council.—(1) The Council shall meet at least once in each year at such time and place as may be appointed by the Council.

(2) Unless otherwise provided by regulations, fifteen members of the Council shall form a quorum, and all the acts of the Council shall be decided by a majority of the members present and voting.

9. Officers, committees and servants of the Council.—(1) constitute from amongst its members an Executive Committee and such other Committees for general or special purposes as the Council deems necessary to carry out the purposes of this Act;

(2) appoint a Registrar who shall act as Secretary and who may also, if deemed expedient, act as Treasurer;

(3) employ such other persons as the Council deems necessary to carry out the purposes of this Act;

(4) require and take from the Registrar, or from any other employee, such security for the due performance of his duties as the Council deems necessary; and

(5) with the previous sanction of the Central Government, fix the remuneration and allowances to be paid to the President, Vice-President and members of the Council and determine the conditions of service of the employees of the Council.

10. The Executive Committee.—(1) The Executive Committee, hereinafter referred to as the Committee, shall consist of the President and Vice-President, who shall be members ex office, and not less than seven and not more than ten other members who shall be elected by the Council from amongst its members.

(2) The President and Vice-President shall be the President and Vice-President respectively of the Committee.

(3) In addition to the powers and duties conferred and imposed upon it by this Act, the Committee shall exercise and discharge such powers and duties as the Council may confer or impose upon it by any regulations which may be made in this behalf.

11. Recognition of medical qualifications granted by Universities of medical institutions of India.—(1) The medical qualifications granted by any University or medical institution in India which are included in the First Schedule shall be recognised medical qualifications for the purposes of this Act.

(2) Any University or medical institution in India which grants a medical qualification not included in the First Schedule may apply to the Central Government to have such qualification recognised, and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend the First Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in the last column of the First Schedule against such medical qualification declaring that it shall be a recognised medical qualification only when granted after a specified date.

12. Recognition of medical qualifications granted by medical institutions in countries with which there is a scheme of reciprocity.—(1) The medical qualifications granted by medical institutions outside India which are included in the Second Schedule shall be recognised medical qualifications for the purposes of this Act.

(2) The Council may enter into negotiations with the Authority in any State or country outside India which by the law of such State, or country is entrusted with the maintenance of a register of medical practitioners, for the settling of a scheme of reciprocity for the recognition of medical qualifications, and in pursuance of any such scheme, the Central Government may, by notification in the Official Gazette amend the Second Schedule so as to include therein the medical qualification which the Council has decided should be recognised, and any such notification may also direct that an entry shall be made in the last column of the Second Schedule against such medical qualification declaring that it shall be a recognised medical qualification only when granted after a specified date.

(3) The Central Government, after consultation with the Council, may, by notification in the Official Gazette, amend the Second Schedule by directing that an entry be made therein in respect of any medical qualification declaring that it shall be a recognised medical qualification only when granted before a specified date.

(4) Where the Council has refused to recommend any medical qualification which has been proposed for recognition by any Authority referred to in sub-section (2) and that Authority applies to the Central Government in this behalf, the Central Government, after considering such application and after obtaining from the Council a report, if any, as to the reasons for any such refusal, may, by notification in the Official Gazette, amend the Second Schedule so as to include such qualification therein and the provisions of sub-section (2) shall apply to such notification.

13. Recognition of medical qualifications granted by certain medical institutions whose qualifications are not included in the First of Second Schedule.—(1) The medical qualifications granted by medical institutions in India which are not included in the First Schedule and which are included in Part I of the Third Schedule shall also be recognised medical qualifications for the purposes of this Act.

(2) The medical qualifications granted to a citizen of India—

(a) before the 15th day of August, 1947, by medical institutions in the territories now forming part of Pakistan, and

(b) before the 1st day of April, 1937, by medical institutions in the territories now forming part of Burma, which are included in Part I of the Third Schedule shall also be recognised medical qualifications for the purposes of this Act.

(3) The medical qualifications granted by medical institutions outside India which are included in Part II of the Third Schedule shall also be recognised medical qualifications for the purposes of this Act, but no person possessing any such qualification shall be entitled to enrolment on any State Medical Register unless he is a citizen of India and has undergone such practical training after obtaining that qualification as may be required by the rules or regulations in force in the country or State granting the qualification, or if he has not undergone any practical training in that country or State, he has undergone such practical training as may be prescribed.

(4) The Central Government, after consulting the Council, may by notification in the Official Gazette, amend Part II of the Third Schedule so as to include therein any qualification granted by a medical institution outside India which is not included in the second Schedule.

(5) Any medical institution in India which is desirous of getting a medical qualification granted by it included in Part I of the Third Schedule may apply to the Central Government to have such qualification recognised and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend Part I of the Third Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in the last column of Part I of the Third Schedule against such medical qualification declaring that it shall be a recognised medical only when granted after a specified date.

14. Special provision in certain cases for recognition of medical qualifications granted medical institutions countries with which there is no scheme of reciprocity.—(1) The Central Government after consultation with the Council may, by notification in the Official Gazette, direct that medical qualifications granted by medical institutions in any State or country outside India in respect of which a scheme of reciprocity for the recognition of medical qualifications is not in force, shall be recognised medical qualifications for the purposes of this Act or shall be so only when granted after a specified date:

Provided that medical practice by the doctors possessing such qualifications shall be limited to the institution to which they are attached for the time being for purposes of teaching, research or charitable work and shall be limited to the period specified in this behalf by the Central Government by general or special order.

(2) In respect of any such medical qualification, the Central Government, after consultation with the Council, may, by notification in the Official Gazette, direct that it shall be a recognised medical qualification only when granted before a specified date.

15. Right of persons possessing qualifications in the Schedules to be enrolled.—Subject to, the other provisions contained in this Act, the medical qualifications included in the Schedules shall be sufficient qualification for enrolment on any State Medical Register.

16. Power to require information as to courses of study and examinations.—Every University or medical institution in India which grants a recognised medical qualification shall furnish such information as the Council may, from time to time, require as to the courses of study and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualification is conferred and generally as to the requisites for obtaining such qualification.

17. Inspection of examinations.—(1) The Committee shall appoint such number of medical inspectors as it may deem requisite to attend at any or all of the examinations held by Universities or medical institutions in India for the purpose of recommending to the Central Government recognition of medical qualifications.

(2) Inspectors appointed under this section shall not interfere with the conduct of any examination but they shall report to the Committee on the sufficiency of every examination which they attend and on any other matters in regard to which the Committee may require them to report.

(3) The Committee shall forward a copy of any such report to the University or medical institution concerned, and shall also forward a copy with the remarks of the University or institution thereon, to the Central Government.

18. Visitors at examinations.—(1) The Council may appoint such number of visitors as it may deem requisite to attend at any or all of the examinations held by Universities or medical institutions in India for the purpose of granting recognised medical qualifications.

(2) Any person, whether he is a member of the Council or not, may be appointed as a visitor under this section but a person who is appointed as an inspector under section 17 for any examination shall not be appointed as a visitor for the same examination.

(3) Visitors appointed, under this section shall not interfere with the conduct of any examination but they shall report to the President of the Council on the sufficiency of every examination which they attend and on any other matters in regard to which the Council may require them to report.

(4) The report of a visitor shall be treated as confidential unless in any particular case the President of the Council otherwise directs:

Provided that if the Central Government requires a copy of the report of a visitor, the Council shall furnish the same.

19. Withdrawn of recognition.—(1) When 'upon' report by the Committee or by a visitor appointed under section 18, it appears to the Council that the courses of study and examination to be undergone in any University or medical institution in India in order to obtain a recognised medical qualification or that the standards of proficiency required from candidates at any examination held for the purpose of granting such qualification are not such as to secure to persons holding such qualification the knowledge and skill requisite for the efficient practice of medicine, the Council shall make a representation to that effect to the Central Government.

(2) After considering such representation, the Central Government may send it to the State Government of the State in which the University or medical institution is situated and the State Government shall forward it along with such remarks as it may choose to make to the University or medical institution, with an intimation of the period within which the University or medical institution may submit its explanation to the State Government.

(3) On the receipt of the explanation or, where no, explanation is submitted within the period fixed, then on the expiry of that period, the State Government shall make its recommendations to the Central Government.

(4) The Central Government, after making such further inquiry, if any, as it may think fit, may, by notification in the Official Gazette direct that an entry shall be made in the appropriate Schedule against the said medical qualification declaring that it shall be a recognised medical qualification only when granted before a specified date.

20. Post-graduate Medical Education Committee for assisting council in matters relating to post-graduate medical education.—(1) The Council may prescribe standards of. post-graduate, medical education for the guidance of Universities, and may advise Universities in the matter of securing uniform standards for post- graduate medical education throughout India, and for this purpose the Central Government may constitute from among the members of the Council a Post-graduate Medical Education Committee (hereinafter referred to as the Post-graduate Committee).

(2) The Post-graduate Committee shall consist of nine members all of whom shall be persons possessing post-graduate medical qualifications and experience of teaching or examining post-graduate students of medicine.

(3) Six of the members of the Post-graduate Committee shall be nominated by the Central Government and the remaining three members shall be elected by the Council from amongst its members.

(4) For the purpose of considering post-graduate studies in a subject, the Post-graduate Committee may co-opt, as and when necessary, one or more members qualified to assist it in that subject.

(5) The views and recommendations of the Post-graduate Committee on all matters shall be placed before the Council; and if the Council does not agree with the views expressed or the recommendations made by the Post-graduate Committee on any matter, the Council shall forward them together with its observation's to the Central Government for decision.

21. The Indian Medical Register.—(1) The Council shall cause to be maintained in the prescribed manner a register of medical practitioners to be known as the Indian Medical Register, which shall contain the names of all persons who are for the time being enrolled on any State Medical Register and who possess any of the recognised medical qualifications.

(2) It shall be the duty of the Registrar of the Council to keep the Indian Medical Register in accordance with the provisions of this Act and of any orders made by the Council, and from time to time to revise the register and publish it in the Gazette of India and in such other manner as may be prescribed.

(3) Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (1 of 1872), and may be proved by a copy published, in the Gazette of India.

22. Supply of copies of the State Medical Registers.—Each State Medical Council shall supply to the Council three printed copies of the State Medical Register as soon as may be after e commencement of this Act and subsequently after the first day of April of each year, and each Registrar of a State Medical Council shall inform the Council without delay of all additions to and other amendments in the State Medical Register made from time to time.

23. Registration in the Indian Medical Register.—The Registrar of the Council may, on receipt of the report of registration of a person in a State Medical Register or on application made In the prescribed manner by any such person, enter his name in the Indian Medical Register:

Provided that the Registrar is satisfied that the person concerned possesses a recognised medical qualification.

24. Removal of names from the Indian Medical Register.—(1) If the name of any person enrolled on a State Medical Register is removed therefrom in pursuance of any power conferred by or under any law relating to registration of medical practitioners for the time being in force in any State, the Council shall direct the removal of the name of such person from the Indian Medical Register.

(2) Where the name of any person has been removed from a State Medical Register on any ground other than that he is not possessed of the requisite medical qualifications or where any application made by the said person for restoration of his name to the State Medical Register has been rejected, he may appeal in the prescribed manner and subject to such conditions including conditions as to the payment of a fee as may be laid down in rules made by the Central Government in this behalf, to the Central Government, whose decision, which shall be given after consulting the Council, shall be binding on the State Government and on the authorities concerned with the preparation of the State Medical Register.

25. Provisional registration for clinical practice.—If the courses of study to be undergone for obtaining a recognised medical qualification include a period of training after a person has passed the qualifying examination and before such qualification is conferred on him, any such person shall, on application made by him in this behalf, be granted provisional registration in a State Medical Register by the State Medical Council concerned in order to enable him to practise medicine in an approved institution for the period aforesaid.

26. Registration of additional qualifications.—(1) If any person whose name is entered in the Indian Medical Register obtains any title, diploma or other qualification for proficiency in sanitary science, public health or medicine, which is a recognised medical qualification, he shall on application made in this behalf in the prescribed manner, be entitled to have an entry, stating such other title, diploma, or other qualification made against his name in the Indian Medical Register either in substitution for or in addition to any entry previously made.

(2) The entries in respect of any such person in a State Medical Register shall be altered in accordance with the alterations made in the Indian Medical Register.

27. Privileges of persons who are enrolled on the Indian Medical Register.—Subject to the conditions and restrictions laid down in this Act regarding medical practice by persons possessing certain recognised medical qualifications, every person whose name is for the time being borne on the Indian Medical Register shall be entitled according to his qualifications to practise as a medical practitioner in any part of India and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances, or any fees to which he may be entitled.

28. Person enrolled on the Indian Medical Register to notify change of place of residence or practice.—Every person registered in the Indian Medical Register shall notify any transfer of the place of his residence or practice to the Council and to the State Medical Council concerned, within thirty days of such transfer, failing which his right to participate in the election of members to the Council or a State Medical Council shall be liable to be forfeited by order of the Central Government either permanently, or for such period as may be specified therein.

29. Information to be furnished by the Council and publication thereof.—(1) The Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.

(2) The Central Government may publish in such manner as it may think fit, any report, copy, abstract or other information furnished to it under this section or under sections 17 and, 18.

30. Commissions of inquiry.—(1) Whenever it is made to appear to the Central Government that the Council is not complying with any of the provisions of this Act, the Central Government may refer the particulars of the complaint to a Commission of Inquiry consisting of three persons, two of whom shall be appointed by the Central Government, one being a Judge of a High Court, and one by the Council, and such Commission shall proceed to inquire in a summary manner and to report to the Central Government as to the truth of the matters charged in the complaint, and in case of any charge of default or of improper action being found by the Commission to have been established, the Commission shall recommend the remedies, if any, which are in its opinion necessary.

(2) The Central Government may require the Council to adopt the remedies so recommended within such time as, having regard to the report of the Commission, it may think fit, and if the Council fails to comply with any such requirement, the Central Government may amend the regulations of the Council,

or make such provision or order or take such other steps as may seem necessary to give effect to the recommendations of the Commission.

(3) A Commission of enquiry shall have power to administer oaths, to enforce the attendance of witnesses and the production of documents, and shall have all such other necessary powers for the purpose of any inquiry conducted by it as are exercised by a civil court under the Code of Civil Procedure, 1908 (5 of 1908).

31. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Government, the Council or a State Medical Council or any Committee thereof, or any officer or servant of the Government or Councils aforesaid for anything which is in good faith done or intended to be done under this Act.

32. Power to make rules.—(1)The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2)All rules made under this section shall be laid for not less than thirty days before both Houses of Parliament as soon as possible after they are made, and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

33. Power to make regulations.—The Council may, with the previous sanction of the Central Government, make regulations generally to carry out the purposes of this Act, and without prejudice to the generality of this power, such regulations may provide for—

(a) the management of the property of the Council and the maintenance and audit of its accounts;

(b) the summoning and holding of meetings of the Council, the times and places where such meetings are to be held, the conduct of business there at and the number of members necessary to constitute a quorum;

(c) the resignation of members of the Council;

(d) the powers and duties of the President and Vice-President;

(e) the mode of appointment of the Executive Committee and other Committees, the summoning and holding of meetings, and the conduct of business of such Committees;

(f) the tenure of office, and the powers and duties of the Registrar and other officers and servants of the Council;

¹[(fa) the form of the scheme, the particulars to be given in such scheme, the manner in which the scheme is to be preferred and the fee payable with the scheme under clause (b) of sub-section (2) of section 10A;

(fb) any other factors under clause (g) of sub-section (7) of section 10A;

(fc) the criteria for identifying a student who has been granted a medical qualification referred to in the *Explanation* to sub-section (3) of section 10B.]

(g) the particulars to be stated, and the proof of qualifications to be given in applications for registration under this Act;

(h) the fees to be paid on applications and appeals under this Act;

(i) the appointment, powers, duties and procedure of medical inspectors and visitors; ^{2***}

³[(j) the courses and period of study and of practical training to be undertaken, the subjects of examination and the standards of proficiency therein to be obtained, in Universities or medical institutions for grant of recognised medical qualifications;

1. Ins. by Act 31 of 1993, s. 3 (w.e.f. 27-8-1992).

2. The word "and" omitted by Act 24 of 1964, s. 16 (w.e.f. 16-6-1964).

3. Ins. by s. 16, *ibid.* (w.e.f. 16-6-1964).

(k) the standards of staff, equipment, accommodation, training and other facilities for medical education;

(l) the conduct of professional examinations, qualifications of examiners and the conditions of admission to such examinations;

(m) the standards of professional conduct and etiquette and code of ethics to be observed by medical practitioners; and]

¹[(ma) the modalities for conducting screening tests under sub-section (4A), and under the proviso to sub-section (4B), and for issuing eligibility certificate under sub-section (4B), of section 13;]

²[(mb) the designated authority, other languages and the manner of conducting of uniform entrance examination to all medical educational institutions at the undergraduate level and post-graduate level;]

³[(n)] the courses and period of study and of practical training to be undertaken, the subjects of examination and the standards of proficiency therein to be obtained, in Universities or medical institutions for grant of recognised medical qualifications;

34. Repeal of Act XXVII of 1933.—As soon as the new Act [that is, the Indian Medical Council Act, 1956 is brought into force, the existing Council will cease to function as there is no provision for continuing the existing Council, and some time will necessary have to elapse before a new Council can be constituted under the 1956 Act. As it is desirable that there should be continuity in the existence of the Medical Council, it is proposed to provide for the continuance of the existing Council after the commencement of the new Act until the new Council is constituted.” This section gives effect to this object.

1. Ins. by Act 34 of 2001, s. 3 (w.e.f. 3-9-2001).

2. Ins. by Act 39 of 2016, s. 3 (w.e.f. 24-5-2016).

3. Clause (j) re-lettered as Clause (n) by Act 24 of 1964, s. 16 (w.e.f. 16-6-1964).