

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:1087
ANSWERED ON:09.03.2005
CENTRAL LEGISLATION ON MEDICAL ADMISSION
Gaikwad Shri Eknath Mahadeo

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government is aware that there is no Central Legislation regarding Medical Admission ;
- (b) if so, the reasons therefor ;
- (c) whether the Government has received any proposals from the States in this regard ;
- (d) if so, the decision taken by the Government thereon; and
- (e) the time by which the Legislation is likely to be brought in?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) to (e): There is no Central Legislation at present with regard to admissions in courses of medicine. Presently, the policy with regard to admission in medical institutions, other than those under the control of the Central Governments, is determined by the respective State Governments. Further, the Hon`ble Supreme Court of India has issued various directions with regard to admissions and charging of fee in the medical institutions, contained in its judgments dated 31.10.2002 in the T.M.A. Pai Foundation case and dated 14.8.2003 in the case of Islamic Academy of Education.

Pursuant to the directions of the Hon`ble Supreme Court dated 31.10.2002 in the T.M.A. Pai Foundation case the Central Government had issued broad policy guidelines dated 14.5.2003 to the State Governments and the Universities in the matter of admission and charging of fee by the private unaided medical and dental institutions. The Central Government has also decided to frame an appropriate legislation in this regard after eliciting the views of the concerned Departments and the stakeholders including the State Governments.