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LEGISLATIVE NOTE

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The National Commission for Indian System of Medicine (Amendment) Bill, 2021

I. Objective of the Bill

The National Commission for Indian System of Medicine (Amendment) Bill 2021 was introduced in the Lok Sabha on 9th August, 2021. It proposed to amend the National Commission for Indian System of Medicine Act, 2020 by inserting a new sub-section (5) in section 58 to provide that all acts done, and all the powers and functions of the Central Council exercised and performed by the Board of Governors under the repealed Act, immediately before the commencement of the National Commission for Indian System of Medicine Act, 2020 shall be deemed to have been done or taken under that Act and shall continue in force unless and until superseded by anything done or any action taken under the said Act.

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II. What was the need for the Bill?

The National Commission for Indian System of Medicine was constituted on 11th June, 2021, on the same day the Indian Medicine Central Council Act, 1970 was repealed and the Central Council of Indian Medicine was superseded. Although a decision was taken that subsequent to the repeal of the said Act, it is not appropriate to move a replacement Bill before Parliament to replace the aforesaid Ordinance. It is also required that the actions taken by the Board of Governors under the said Ordinance up to the date of repeal of the said Act are to be saved. Hence, the need for the Bill.

III. Salient features of the Bill

- The National Commission for Indian System of Medicine Act, 2020 which was enacted on 20th September, 2020 replaced The Indian Medicine Central Council Act, 1970 to constitute a Central Council of Indian Medicine and maintenance of a Central Register of Indian Medicine.
- Prior to such enactment, and subsequent to the introduction of the Act of 2020 in Parliament, The Central Council of Indian Medicine had failed in its responsibility and not cooperated with the Central Government to safeguard the standards of education and practice of Indian Medicine.
- The Indian Medicine Central Council (Amendment) Act, 2020 empowers the Central Government to supersede the Indian Medicine Central Council to constitute the Board of Governors to exercise the powers and to perform the function of the Central Council till its reconstitution within a period of one year.
- The National Commission for Indian System of Medicine could not be set up immediately under the Act of 2020 since the appointment and nomination of its Members and recruitment of staff of the Commission was taking some time. Moreover the Act of 1970 had not been repealed.

- The Indian Medicine Central Council (Amendment) Ordinance, 2021 was promulgated on the 22nd April, 2021 as the Board of Governors was in the process of conducting inspections for the academic year 2021-22 and its tenure was coming to end on 23rd April, 2021, there was an immediate need for legislation to further extend the period for reconstitution of the central Council from one year to two years.
- The National Commission for Indian System of Medicine was constituted on the 11th June, 2021 and on the same date, the Indian Medicine Central Council Act, 1970 was repealed and the Central Council of Indian Medicine was superseded.

For Original copy of Bill, see

http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/125_2021_LS_E.pdf

Media Coverage-

- **Medical education of Indian System of Medicine and Homoeopathy to get revolutionary revamp**
<https://pib.gov.in/PressReleasePage.aspx?PRID=1654384>
- **Cabinet approves bill for setting up of National Commission for Indian System of Medicine**
<https://www.livemint.com/Politics/vUIta178Ew2gXHMEY8a0nK/Cabinet-approves-bill-for-setting-up-of-National-Commission.html>
- **India: Highlights Of National Commission For Indian System Of Medicines Bill, (Need For Preserving, Regulating, Organizing The Age Old Medicine Systems)**
<https://www.mondaq.com/india/healthcare/793334/highlights-of-national-commission-for-indian-system-of-medicines-bill-need-for-preserving-regulating-organizing-the-age-old-medicine-systems>