

FOURTEENTH KERALA LEGISLATIVE ASSEMBLY

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The revised Financial Memorandum received from the Law Department on the basis of the ruling by the Hon'ble Speaker on 28.5.2019 during the introduction of the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Amendment Bill, 2019, (Bill No.192) is listed below for the information of the Hon'ble Members.

FINCNCIAL MEMORANDUM

This Bill is intended to amend the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 for constituting two committees namely Admission Supervisory Committee and Fee Regulatory Committee instead of Admission and Fee Regulatory Committee constituted as per section 3 of the Act, by accepting the direction in the judgement of the Hon'ble Kerala High Court passed in WP(C) No.30032/17. Since the activities and responsibilities of the two committees constituted as per the amendment provisions are interconnected and as per para 67 of the aforesaid judgement in the Hon'ble Court observed that some members of both committees may be common or may be a similar committee, the Government intends to appoint one retired Judge as Chairman of both the committees. Similarly government intends that the representative nominated from Indian Medical Council to both the committees is also the same person. Moreover when the ten member committee constituted as per the Principal Act is divided into two committees as per the amendment, there will be no notable difference in the total number and qualification of the existing members. That is, the Secretary, Higher Education and the Director, Medical Education are not

included in the newly constituted committees. Health Secretary will continue to be the member in both committees.

In the previous committee, in addition to the chartered accountant nominated by the Government, there were two non-official members. Those non-official members are an educational expert nominated by the Government and an educational expert belonging to Scheduled Caste or Scheduled Tribe community. These members are included in each committee, intended to be newly constituted. When such committees are constituted and functioned accordingly, no additional expenditure will be incurred than the expenditure incurred in the functioning of the previous committee.

Since the functioning of the two committees are at different time zones, there is no need to appoint more officers and staff for its functioning. Existing officers and staff are sufficient. Hence no additional expenditure will be incurred by the Government on that account also.

Official amendments are submitted to incorporate the aforesaid matters in the Bill. In the circumstances, the Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the state.

C. Jos,
Secretary-in-Charge.