

# **The National Medical Commission, Autonomous Boards (Manner of Appointment of Fourth Member and the Salary, Allowances and Terms and Conditions of Service, and Declaration of Assets, Professional and Commercial Engagements of President and Members) Rules, 2019**

UNION OF INDIA

India

## **The National Medical Commission, Autonomous Boards (Manner of Appointment of Fourth Member and the Salary, Allowances and Terms and Conditions of Service, and Declaration of Assets, Professional and Commercial Engagements of President and Members) Rules, 2019**

### **Rule**

### **THE-NATIONAL-MEDICAL-COMMISSION-AUTONOMOUS-BOARDS-MA of 2019**

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The National Medical Commission, Autonomous Boards (Manner of Appointment of Fourth Member and the Salary, Allowances and Terms and Conditions of Service, and Declaration of Assets, Professional and Commercial Engagements of President and Members) Rules, 2019Published vide Notification No. G.S.R. 647(E), dated 12th September, 2019Last Updated 14th September, 2019Ministry of Health and Family WelfareG.S.R. 647(E). - In exercise of the powers conferred by clauses (j) and (k) of sub-section (2) of section 56 of the National Medical Commission Act, 2019 (30 of 2019), the Central Government hereby makes the following rules, namely: -

## **1. Short title and commencement.**

(1)These rules may be called the National Medical Commission, Autonomous Boards (Manner of Appointment of Fourth Member and the Salary, Allowances and Terms and Conditions of Service, and Declaration of Assets, Professional and Commercial Engagements of President and Members) Rules, 2019.(2)They shall come into force from the date of their publication in the Official Gazette.

## **2. Definitions.**

(1)In these rules, unless the context otherwise requires, -(a)"Act" means the National Medical Commission Act, 2019 (30 of 2019);(b)"Commission" means the National Medical Commission constituted under section 3 of the Act;(c)"section" means a section of the Act.(2)Words and expressions used in these rules and not defined herein but defined in the Act, shall have the respective meanings assigned to them in the Act.

## **3. Manner of appointment of fourth Member of Autonomous Board.**

(1)The fourth Member of each Autonomous Board shall be appointed by the Central Government for a period of two years and shall cease to hold office after attaining the age of seventy years, whichever is earlier.(2)The fourth Member of each Autonomous Board, being apart-time Member, to be appointed under subsection (5) of section 17 shall be chosen by draw of lots from among the elected Members of State Medical Councils.(3)The elected Members of State Medical Councils referred to in sub-rule (2) shall also be the Members of the Medical Advisory Council appointed under clause (e) of sub-section (2) of section 11:Provided that for the purpose of ensuring representation of maximum States and Union Territories, -(i)the Members of the Medical Advisory Council who are appointed as Members of the Commission under clause (c) of sub-section (4) of section 4; and(ii)the nominees of the States and Union territories which are already represented in the Commission by the Members appointed under clause (b) of sub-section (4) of section 4, shall not be considered for the draw of lots under this rule.(4)The draw of lots shall be conducted on such date as may be decided by the Central Government.(5)The draw of lots shall be conducted with paper slips of uniform size, colour and design bearing individual names of elected Members of the State Medical Council referred to in sub-rule (3), which shall be folded in such manner so as to preserve the confidentiality.(6)The draw of lots shall be conducted consecutively for choosing the fourth Member of each Autonomous Board from amongst the elected Members of State Medical Councils referred to in sub-rule (3) in the following manner, namely: -(a)firstly, for the Under-Graduate Medical Education Board;(b)secondly, for the Post-Graduate Medical Education Board;(c)thirdly, for the Medical Assessment and Rating Board; and(d)fourthly, for the Ethics and Medical Registration Board.(7)The total number of paper slips shall correspond to the total number of elected Members of State Medical Councils referred to in sub-rule (3).(8)During the draw of lots as mentioned in sub-rule (6), one paper slip shall be picked up during each of the draw of lots so as to choose the fourth Member of each Autonomous Board referred to therein.(9)The draw of lots shall be conducted in the presence of the Union Minister of Health and Family Welfare.(10)The video recording of the entire process of draw of lots shall be made and all records relating to the draw of lots shall be kept for a period of six months on the website of the Ministry of Health and Family

Welfare for public access.(11)For the purposes of maintaining transparency during the process of draw of lots, media personnel shall be invited.(12)Where the term of a fourth Member of any Autonomous Board chosen under this rule by draw of lots is reduced for any reason to less than two years, the Central Government shall appoint other nominee of the same State Medical Council for the remaining period on the basis of nomination by that State Medical Council.(13)The draw of lots to choose the fourth Member of all the four Autonomous Boards from among the elected Members of State Medical Councils shall be conducted every consecutive two years.

#### **4. Salaries and allowances payable to President and Members, including part-time Members, of Autonomous Boards.**

(1)The salary of the President and whole-time Members of each Autonomous Board shall be equivalent to the salary of the Additional Secretary to the Government of India in Level-15 in the pay matrix (Rs. 182200-224100/-):Provided that where the President or a whole-time Member of an Autonomous Board is a retired person from Government, semi-Government agencies, public sector undertakings or recognised research institutions, the salary payable together with the pension or pensionary value of the terminal benefits, or both, received by him shall not exceed the last pay drawn.(2)If the President or whole-time Member of an Autonomous Board is in service of the Central Government or a State Government, his salary and allowances shall be regulated in accordance with the rules applicable to him or sub-rule (1), whichever is higher.

#### **5. Dearness allowance.**

- The President and whole-time Members of each Autonomous Board shall be entitled for dearness allowance appropriate to their pay at the rates admissible to officers of the equivalent level of the Central Government.

#### **6. Travelling allowance.**

(1)The President and every other Member of each Autonomous Board shall be entitled to draw travelling allowances and daily allowances at the rates appropriate to their pay admissible to officers of the equivalent level of the Central Government.(2)The President and Member of the Autonomous Boards shall be their own controlling officer in respect of their bills relating to travelling allowances and daily allowances.

#### **7. Leave.**

- The President and whole-time Members of the Autonomous Boards shall be entitled to -(a)earned leave, half pay leave and commuted leave as admissible to Central Government servants in accordance with the Central Civil Services (Leave) Rules, 1972, as amended from time to time; and(b)extraordinary leave as admissible to the temporary Central Government servants under the Central Civil Services (Leave) Rules, 1972, as amended from time to time.

## **8. Leave sanctioning authority.**

(1)The Chairperson of the Commission shall be the authority competent to sanction leave to the Presidents of the Autonomous Boards.(2)The President of the respective Autonomous Board shall be the authority to sanction leave to every other whole-time Member of that Board.

## **9. Contributory Provident Fund.**

(1)The President and whole-time Members of the Autonomous Boards shall be governed by the provisions of the Contributory Provident Fund Rules (India), 1962 where no option to subscribe under the General Provident Fund (Central Services) Rules, 1960 is available.(2)The President and whole-time Members of the Autonomous Boards shall not be entitled to additional pension and gratuity for the service rendered by them in an Autonomous Board.

## **10. Sitting fee.**

- The part-time Members of every Autonomous Board shall be entitled to a sitting fee of five thousand rupees for each day of sitting of the Autonomous Board.

## **11. Declaration of assets, professional and commercial engagement or involvement by President and Members of Autonomous Boards.**

(1)The President and every Member of every Autonomous Board shall file return of assets and liabilities in the Form A of the Schedule annexed to these rules.(2)The President and every Member of each Autonomous Board shall also declare their professional and commercial engagement or involvement on their first appointment and at the time of demitting office in Form B of the said Schedule.

## **Schedule**

Form A[See rule 11(1)]Declaration of Assets and LiabilitiesA. Assets and Liabilities  
Ofpresident/member of Autonomous Board

**1. Name (in block letters)**

**2. Father's/Husband's name**

**3. Permanent address**

## **4. Present address**

## **5. Date of appointment/nomination**

I. Details of immovable property(1)Name of the State, District, Subdivision and village in which property is situated.(2)Details of property(a)House and buildings and their present value(b)Lands and their present value(3)Whether held as owner or beneficiary(4)Whether held jointly or severally. If property held jointly with another person share of property held(5)If not held in Member's own name, state in whose name held and his/her relationship with the Member(6)How acquired(whether by purchase, lease, mortgage, inheritance, gift or otherwise with date of acquisition and name of person from whom acquired)(7)Any other relevant information which the Member may like to mentionII. Details of movable property(1)Description of the property (i.e. car/motorcycle/jewellery/ investments in banks/stock markets/companies/financial institutions/insurance policies, etc.)(2)Make, model(and also registration No. in case of vehicles) where necessary(3)Mode of acquisition (purchase/gift/mortgage lease or otherwise)(4)Purchase price of the property(5)In case of purchase, source or sources from which financed(a)Personal savings(b)Other sources(6)Any other relevant information which the member may like to furnishIII. Details of Liabilities of the Member to public Financial Institutions/Central Government and State Government(1)Details of loans raised from Banks/Companies/Financial Institutions/Central/State Governments(2)Amount of loans raised in each case(3)The period for which these loans were raised in each case.B. Information Regarding Immovable and Movable Properties Held Byspouse

### **1. Name of the spouse**

(in block letters)

### **2. Father's/Husband's name**

### **3. Permanent Address**

### **4. Present Address**

I. Details of immovable property(1)Name of State, District, Sub-division and village in which property is situated(2)Details of property(a)House and buildings and their present value(b)Lands and their present value(3)Whether held as owner or beneficiary(4)Whether held jointly or severally.If property held jointly with Member, share of property held(5)If not held in spouse's own name, State in whose name held and his/her relationship with the spouse(6)How acquired(whether by purchase, lease, mortgage, inheritance, gift or otherwise with date of acquisition and name of person from whom acquired).(7)Any other relevant information which the member may like to mentionII. Details of movable property(1)Description of the property(i.e. car/motorcycle/jewellery/investments in banks/stock markets/companies/financial institutions/insurance policies, etc.)(2)Make, model(and also registration number in case of vehicles) where necessary(3)Mode of acquisition(purchase/gift/mortgage lease or

otherwise)(4)Purchase price of the property(5)In case of purchase, source or sources or sources from which financed(a)Personal savings(b)Other sources(6)Whether held as owner or beneficiary(7)Whether held jointly or severally(8)Any other relevant information which the Member may like to furnishC. Information Regarding Immovable and Movable Properties Held by Dependent Children

## 1. Name of the dependent children

(in block letters)

## 2. Father's/Husband's name

## 3. Permanent Address

## 4. Present Address

I. Details of immovable property(1)Name of State, District, Sub-division and village in which property situated(2)Details of property(a)House and buildings and their present value(b)Lands and their present value(3)Whether held as owner or beneficiary(4)Whether held jointly or severally. If property held jointly with Member, share of property held(5)If not held in the child's own name, state in whose name held and his/her relationship with the child(6)How acquired(whether by purchase, lease, mortgage, inheritance, gift or otherwise with date of acquisition and name of person from whom acquired)(7)Any other relevant information which the Member may like to mentionII. Details of movable property(1)Description of property(i.e. car/motorcycle/jewellery/ investments in banks/stock markets/companies/financial institutions/ insurance policies, etc.)(2)Make, model( and also registration number in case of vehicles) where necessary(3)Mode of acquisition(purchase/gift/mortgage/lease or otherwise)(4)Purchase price of the property(5)In case of purchase, source or sources from which financed(a)Personal savings(b)Other sources(6)Whether held as owner or beneficiary(7)Whether held jointly or severally(8)Any other relevant information which the member may like to furnishDeclarationI, hereby declare that the information given above is true and correct to the best of my knowledge and belief.In the event of any change in the information given above, I undertake to intimate the same.Date:Yours faithfully,Signature/thumb impressionForm B[See rule 11(2)]Statement of professional and commercial engagements or involvement on first appointment and at the time of demitting office

Sl.No.	Relation	Name	Professional position held in last three years from the date of declarations, if any	Commercial engagements/involvement held in last three years from the date of declarations, if any
1	Self			
2	Spouse			
3	Dependent-1			

4                      Dependent-2

5. ☐ [Add more  
rows, if              Dependent-3  
necessary.]

Date.....Signature.....Date: