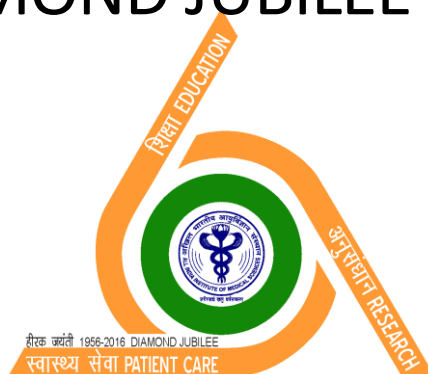


AIIMS DIAMOND JUBILEE CELEBRATIONS



AIIMS ACT 1956 THE PARLIAMENT DEBATE

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ABSTRACT

9th May 1956: Rajya Sabha had concluded the marathon 4 day debate on the AIIMS Bill 1956. Rajkumari Amrit Kaur in her reply to the debate spoke thus – “I want this Institute to be a unique Institute, and to be able to give our people – the young men and women doctors – the opportunities for study for post graduate education that they have not upto now been able to have in their country. Not only that. It will, I hope draw students from the whole of the South East Asia zone and even from abroad. I want this to be something wonderful, of which India can be proud, and I want India to be proud of it.” The Deputy Chairman Rajya Sabha posed the Question “that the Bill be passed”. The motion was adopted, and AIIMS was born.

INTRODUCTION

The AIIMS Act 1956 provided for the establishment of the All India Institute of Medical Sciences. It was enacted by Parliament as Act no 25 of 1956 and has a mere 29 Sections. The Business Advisory Committee of Lok Sabha had allocated only 60 minutes for discussion and passage of the Legislation. The Bill aroused tremendous enthusiasm amongst Members of Parliament and was debated for 3 days from 18th to 21st February 1956 in the Lok Sabha and 4 days from 3rd May to 9th May 1956 in the Rajya Sabha. The Parliamentary records of the debate run into over 800 pages.

HEALTH MINISTER MOVES THE BILL FOR CONSIDERATION IN LOK SABHA

18th February 1956: Minister of Health Rajkumari Amrit Kaur rose in the Lok Sabha to move the Bill to provide for the establishment of an All India Institute of Medical Sciences. She did not have a prepared text of her speech. She spoke from notes that she carried and from her heart. “It has been one of my cherished dreams that for post graduate study and for the maintenance of high standards of medical education in our country, we should have an institute of this nature which would enable our young men and women to have their post graduate education in their own country. It will provide under graduate study to only a very very limited few. The major emphasis will be on post graduate study and specialization.” The two special features of the Institute, which is the first of its kind in India and the first of its kind in Asia, are prohibition of private practice of every form and to pay the doctors reasonably high salaries to compensate them for the loss of private practice. The doctors of AIIMS would devote their whole time not only to teaching, not only to serving the patients who come to the hospital but also to research. All the staff and students were to be housed in the campus of the Institute in the best traditions of the Guru-Sishya ideal to stay in close touch with each other.

THE LOK SABHA DEBATE

The Members of Parliament across party lines in the Lok Sabha overwhelmingly supported the revolutionary changes in medical education envisaged by the AIIMS Bill 1956. They said that it meets the long cherished desires of the Nation. Commencing the debate **Dr. Rama Rao** Member of Parliament from Kakinada, said the Institute should have more undergraduate seats, given that very limited opportunities were available in India. The objects of the Institute provide for running one or more medical colleges. The Institute could develop the Irwin Medical College Hospital for graduate courses in addition to the Institute already developing for post-graduate courses.

T.S.A.Chettiar Member of Parliament from Tiruppur said that the composition of the Institute should provide that the majority of the members should be non-officials. In addition to accounts being submitted to Parliament, the Institute should lay an annual report of its activities in both the Houses of Parliament. This proposal of T.S.A.Chettiar was incorporated in the AIIMS Act by a subsequent amendment which says that “The Institute shall prepare for every year a report of its activities during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed by rules and a copy of this report shall be laid before both Houses of Parliament within one month of its receipt.” T.S.A.Chettiar further said that practical training for doctors in rural and urban areas cannot be provided on the campus of the Institute and the Institute should have a hospital where practical training can be provided. This is reflected in the Community Health Centre at Ballabgarh which is administered by the Institute where undergraduate doctors are sent for practical training.

Shrimati Jayashri Member of Parliament from Bombay Suburban said that the nursing college at the Institute is a welcome initiative and the nursing college of AIIMS should be a path bearer for the other nursing colleges of the Nation. **Shri Narayan Das** Member of Parliament from Darbhanga Central said that the Government must provide adequate finances to the Institute. **Mohanlal Saxena**, Member of Parliament from Lucknow District said that the Bill contained several important provisions. These were (a) “It is hereby declared that the Institute shall be an Institution of national importance; (b) The President of this Institute will be exempted from disqualification of holding an office of profit for becoming a Member of Parliament. And (c) The Bill gave powers to the Institute to give degrees and diplomas by an amendment in the Medical Council Act.” He further added that AIIMS was going to be an autonomous body and Parliament will not have much control over it. Several members also raised the need to incorporate Ayurveda, Homeopathy and other indigenous systems of medicine into the AIIMS

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which was a recurring theme in the Rajya Sabha debate also. Even as the Bill was put to clause by clause voting, **Joachim Alva** Member of Parliament from Kanara sought further clarifications on Clause 2 of the Bill. He expressed concerns that the Director who is to be appointed by the Government could perhaps be a retired politician – “a Khushamat” who has not had any teaching or operative work or anything of that sort for nearly 2 decades. Joachim Alva said that the Institute must be filled up with young men of 50 and 45 whose contributions have been internationally acknowledged and whose articles have found place in the world research journals. The Standing Selection Committee may not be the appropriate body to recruit doctors to AIIMS.

In her reply to the debate in Lok Sabha, the Health Minister, rejected calls for referring the Bill to a Select Committee of the House as the bill was introduced in the Lok Sabha on 21.9.1955 and Members had plenty of time to study the bill and give their motions. She said she was sorry that such an enormous amount of heat has been engendered over a bill which is a very straightforward and simple measure. She rejected calls for post-graduate studies in Ayurveda or Homeopathy to be introduced at AIIMS maintaining that the Institute will provide for undergraduate and post-graduate degrees in the science of modern medicine and other allied sciences, including physical and biological sciences. She maintained that the Governing body would comprise of a majority of non-officials. She maintained that the name All India Institute of Medical Sciences was all inclusive and apt. The Health Minister found many of the points made by Joachim Alva as quite irrelevant to the Bill and irrelevant to the issues at hand. She said that the selection of Professors by a Standing Selection Committee has been agreed to by UPSC. She further clarified that while Rules will be made by Government, Regulations dealing with a wide variety of subjects pertaining to administration will be formulated by the Institute. All the clauses of the Bill except clause 9 were voted on 20th February 1956. The Lok Sabha took up Clause 9 of the Bill for discussion on 21st February 1956. The clause dealt with the nomination of 2 Members of Lok Sabha and 1 Member of Rajya Sabha on the Institute Body. Clause 9 of the Bill was felt necessary lest the Members of Parliament could be held to be holding offices of profit by their nomination on the Institute Body and Governing Body. The AIIMS Bill was thus passed by Lok Sabha with a single amendment that AIIMS shall lay an annual report through Central Government in both Houses of Parliament.

HEALTH MINISTER MOVES THE BILL FOR CONSIDERATION IN RAJYA SABHA

3rd May 1956: Health Minister rose in Rajya Sabha to seek permission of the House that the Bill to provide for the establishment of an All India Institute of Medical Sciences as passed by Lok Sabha be taken into consideration. Rajkumari Amrit Kaur said ***“The future of the Institute will lie in the hands of the Director, of the Professors and other Members of the teaching staff and students. I believe that it will be their devotion to duty, their desire to promote their work and their spirit of altruism that will actuate them to subordinate their personal considerations as I believe the noble profession of medicine should do to the fulfillment of the objectives in view, that will eventually create and maintain an atmosphere which is necessary for an Institute like this. I do therefore, hope that in presenting the Bill for acceptance by the Rajya Sabha today, the legal structure that is crafted may facilitate the progressive realization of improved methods of medical education in this Institute and through its influence the standards of different courses of professional training in the field of health throughout this country will be raised.”*** The Health Minister informed Members that Dr. B.B.Dixit has been appointed as the first Director of the Institute given his research experience at the Haffkine Institute and the administrative experience as Surgeon-General of Bombay. She further reiterated that she will not allow the doctors of the Institute to have private practice and doctors at the Institute will be paid enough to ensure that they are quite contented to devote their whole time to teaching, serving patients and undertaking research. The Institute was to be given the powers of a University to make revolutionary changes in curriculum and modes of teaching and the degrees given by the Institute shall be recognized by incorporating an amendment in the Indian Medical Council Act on the lines of the Royal College of Surgeons and Royal College of Physicians. To conclude her introductory remarks, the Health Minister maintained that ***“Subject to such minimum control as the Government of India may exercise through its rule making power, the Institute will enjoy a very large measure of autonomy to fulfill its objectives.”***

THE RAJYA SABHA DEBATE

Thus began the 4 day marathon debate. The Members of the Rajya Sabha were overwhelmingly in support of the Bill, implementing one of the major recommendations of the Bhor Committee Report, for establishing an All India Institute of Medical Sciences facilitating for higher instruction in modern medicine. Yet many felt that the legislation lacked clarity and envisaged excessive delegation to executive authority in the Rules. Members said that out of 30 clauses in the Bill as many as 25 clauses contained the provision, “prescribed by Rules” and 11 clauses contained the provision “prescribed by regulations”. While delegated legislation comes with every Act, the AIIMS Bill sought extraordinary delegation to executive authority. The powers of the Medical Council to grant degrees and diplomas and the powers of the UPSC to conduct selections were delegated to the Institute. Several members expressed concern at the total omission of references to indigenous systems of medicine in the Bill and felt that the focus should be on Ayurveda, Homeopathy and Unani systems also. **Biswanath Das** Member of Parliament from Orissa said that the Health Minister who received inspiration from Mahatma Gandhi was making Ayurveda an untouchable system. Some Members also felt that the Dental College and Nursing College were not required at AIIMS and the focus should be on high-end research work.

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Commencing the debate **P.N.Sapru** Member of Parliament from Uttar Pradesh said that *“We cannot agree to the suggestion that the shaping of the Institute in its technical aspect should be entrusted to the Director and the Professors of the Institute acting as a medical faculty. There is danger, under a constitution of this character, of the academic faculty of the Institute developing into a closed corporation of mutual admiration. There must be representation of an expert character – representation of an outside expert character – provided in the constitution itself.”*

Participating in the debate, **Dr Radha Kumud Mookerji**, nominated Member of Parliament, sought clarifications on Clause 5 of the Bill which says that **“AIIMS will be an Institute of National Importance”**. There is a clause in the Constitution where it is stated that if a subject is a State subject, it might be centralized for treatment by the Union Government, if it is declared a subject of National Interest. He felt that the scope of National importance must be wide enough to cover all systems of medicine prevailing in the country – systems of medicine which have survived the onslaught of the ages. Similar views were expressed by **H.P.Saksena** Member of Parliament from Uttar Pradesh on clause 5. He said that the Institute of National Importance should demonstrate a high standard of medical education to all other medical colleges and other allied institutions in India. **Dr. W.S.Barlingay** Member of Parliament from Madhya Pradesh said that the Institute was really conceived in 1945 when Dr. Hill came to India and the Bhole Committee was sitting. A sub-committee of the Bhole Committee went to UK, USA and Canada to visit various Universities and study medical education system which could best suit India’s needs. Dr Barlingay laid emphasis on the Objects of the Institute to Develop Patterns of Teaching in Medical Education as a critical component of the Institute’s focus areas. He felt that the Institute could be attached to Delhi University which could grant diplomas and degrees as also get grants from University Grants Commission.

In her reply to the debate, Rajkumari Amrit Kaur provided answers to the concerns expressed by Members of Rajya Sabha. She argued that the Institute shall have the power to grant medical degrees, diplomas and other academic distinctions and titles under the Act of 1956. She maintained that Dentistry has been a very neglected science in India and dentists have to go abroad to get first class qualifications. Hence a Dental College was attached to the Institute. Similarly she said, Nursing was the most neglected limb of the medical profession though it was an important hub. She said she had consulted UPSC on the recruitment to faculty posts. UPSC was of the view that because AIIMS will be a statutory non-government institution, recruitment will be outside the purview of the Union Public Service Commission. With regard to excessive delegated legislation being taken by Executive authority, she said that Parliament should give as much autonomy as it can to this Institute, which is going to be a pioneer venture. **“Let us have elasticity and let us have autonomy...after all you are going to have an extremely good Governing Body which will lay down the policies which will be followed by the Institute and the regulations must be left to the discretion of the Institute itself...the Government will be in very close touch with the Governing Body. Trust your Government, Trust your Scientific People...”** She promised to develop an All India Institute for Ayurveda at Jamnagar and an All India Institute for Homeopathy in future as also a chair for History of Medicine.

The Bill was put to vote on the 4th day of the debate on 9th May 1956. Clearly the Health Minister was exhausted by the 4th day of the debate. Even as the Bill was about to be passed Members continued to press for amendments in the clauses and it appears from a reading of the debates that the Health Minister showed some irritation in the House. Dr. Seeta Parmanand Member of Parliament from Madhya Pradesh said that *“Sir, after all it is the right of this House, if at all they feel that something should be done by the Ministry, to criticize the Ministry. She called herself the Chief Servant of her Ministry. She is there to reply.”* Despite these moments of moments of acrimony, the Bill received support from all the Members of the House.

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