

NOTE ON POSITION OF RAJYA SABHA
IN REGARD TO MONEY BILL (NMC BILL 2019)

The National Medical Commission Bill, 2019 was moved by the Government of India, as a Money Bill in the context of provisions included at Article 110 read with 117 of the Constitution of India.

The Bill so adopted by the Lok Sabha was moved in the Rajya Sabha. The position of Rajya Sabha in regard to Money Bill under the Constitution is as under:

“A Money Bill can be introduced only in Lok Sabha. After it is passed by that House, it is transmitted to Rajya Sabha for its concurrence or recommendation. The power of Rajya Sabha in respect of such a Bill is limited. Rajya Sabha has to return such a Bill to Lok Sabha within a period of fourteen days from its receipt. If it is not returned to Lok Sabha within that time, the Bill is deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by Lok Sabha. Again, Rajya Sabha cannot amend a Money Bill; it can only recommend amendments and Lok Sabha may either accept or reject all or any of the recommendations made by Rajya Sabha.”

In terms of the aforesaid position the Rajya Sabha upon the transmission of a Money Bill to its ‘concurrence or recommendations’ has to do so within 14 days from the receipt of the same.

The NMC Bill 2019 upon its adoption by the Lok Sabha and remitted to Rajya Sabha was considered by it on 1st August, 2019 within the stipulated time limit constitutionally available to it. It has concurred with it along with recommendations with reference to amendments to Clause 4 and Clause 37 respectively.

These recommendations in terms of the constitutional provision are required to be accepted totally or partially or rejected by the Lok Sabha at its sitting and then it is not required to be sent to Rajya Sabha for further concurrence or recommendation.

In view of the above, the NMC Bill, 2019 as adopted by the Lok Sabha along with the recommendations in the form of amendments to Section 4 and Section 37

recommended by the Rajya Sabha will have to be placed before the Lok Sabha for its total acceptance, or partial acceptance or rejection as would be decided by the Lok Sabha, upon which the same would be sent to the Hon'ble President of India for his ascent whereupon the said Bill would get converted into National Medical Commission Act, 2019 and would come into force from the date of its issuance by an appropriate Gazetted Notification thereto.