



**KARNATAKA LEGISLATIVE COUNCIL
ONE HUNDRED AND FIFTY SEVENTH SESSION**

**THE KARNATAKA PRIVATE MEDICAL ESTABLISHMENTS (AMENDMENT) BILL, 2025
(LA Bill No. 87 of 2025)**

(As passed by the Karnataka Legislative Assembly with Amendment)

A Bill further to amend the Karnataka Private Medical Establishments Act, 2007.

Whereas it is expedient further to amend the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy sixth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Private Medical Establishments (Amendment) Act, 2025.

(2) It shall be deemed to have come into force with effect from 29th day of September 2025.

2. Amendment of section 2.- In the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) (hereinafter referred to as the Principal Act), in section 2, in clause (n), after the word “dispensary” the words “or mental health establishment” shall be inserted.

3. Amendment of section 4.- In the principal Act, in section 4, in the table for item (d) and the entries relating thereto, the following shall be substituted, namely:-

“(d) one member from Indian Medical Association and one member representing Association of registered medical establishment or Ayush Medical Practitioners-Members.”

4. Amendment of section 5.- In the Principal Act, in section 5,-

- (i) for the heading “Application for Registration” the heading “Application for provisional Registration and Renewal of Registration” shall be substituted; and
- (ii) after the words “Redressal Authority” the words “for a provisional registration and renewal of registration ” shall be inserted.

5. Insertion of new sections 5A, 5B and 5C.- In the Principal Act, after section 5, the following shall be inserted, namely:-

“5A. Grant or renewal of provisional registration.- (1) On receipt of applications the registration and grievance redressal authority shall within period of ten days grant to the applicant a provisional registration certificate in such Form, containing such particulars, as may be prescribed without any inquiry. The

provisional certificate of registration shall be valid for six months subject to renewal thereafter.

(2) An application for renewal of provisional registration may be made to the registration and grievance redressal authority in such form along with such fees as may be prescribed.

(3) On receipt of application for renewal of provisional registration the registration and grievance redressal authority, in respect of which standards have been notified or specified by the Government, shall not renew provisional registration beyond, the period of one year from the date of notification of standards or from the date of commencement of the Karnataka Private Medical Establishments (Amendment) Act, 2025 whichever is later.

5B. Publication of list of expired registration of provisionally registered private medical establishments.-The registration and grievance redressal authority shall publish the list of expired Private Medical Establishments which were provisionally registered.

5C. Application for Permanent registration or renewal .-(1) Every Private medical establishment willing to have permanent registration or renewal of registration shall make an application to the registration and grievance redressal Authority along with valid provisional registration, in such Form along with such fees as may be prescribed subject to fulfilment of pre requisites and standards specified in section 6.

(2) All registered Private medical establishments existing on the date of commencement of the Karnataka Private Medical Establishments (Amendment) Act, 2025 shall be deemed to be provisionally registered establishment and their registration shall be valid for a period till the expiry of its validity.

(3) Application for renewal of registration shall be made ninety days before the expiry of the validity of the certificate.”

6. Substitution of section 6.- In the Principal Act, for section 6, the following shall be substituted, namely:-

“6. Pre-requisites for Permanent Registration or Renewal of Private Medical Establishments.- The Registration and Grievance Redressal Authority shall before granting the permanent registration or renewal consider whether the following prerequisites for registration of a Private Medical Establishment are satisfied that,-

- (i) its premises is located in hygienic surroundings and otherwise suitable for the purpose for which it is established or sought to be established;
- (ii) it is adequately staffed with qualified doctors, qualified and trained para medical personnel;
- (iii) it has the necessary buildings with adequate space for performing its various functions, equipments and other infrastructure facilities;

- (iv) it confirms to the standards referred to in section 9;
- (v) it has valid provisional registration certificate;
- (vi) it has registered on the e-DAR portal, for furnishing Data and medical reports of patients in the event of a reported Road Accident; and
- (vii) such other factors as may be prescribed:

Provided that, no new Private Clinical Laboratory shall be permitted within a radius of 200 meters from the Government Hospital or from the Hospital promoted or managed by a society or trust or autonomous organization owned or controlled by the State Government or Central Government or Local Bodies with effect from the date of commencement of the Karnataka Private Medical Establishments (Amendment) Act, 2017.”

7. Substitution of section 7.- In the Principal Act, for section 7, the following shall be substituted, namely:-

“7.Disposal of applications.- (1) On receipt of an application under section 5-C, the Registration and Grievance Redressal Authority may having regard to the provisions of sections 6 and 9 and after such enquiry as may be necessary, by an Inspection Committee, having satisfied that the Private medical establishment fulfils the conditions required, either grant registration within ninety days subject to the conditions as may be prescribed or reject the application within ninety days from the date of receipt of the application in all respects:

Provided that, in case the Private medical establishment ready to under go third party inspection by the Quality Council of India (QCI) for having fulfilled the conditions specified in sections 6 and 9 and brings certificate to that effect the registration and grievance redressal authority shall sanction registration or renewal within ten days from the date of receipt of the application, without any inspection as specified in sub-section (1).

Provided further that, in case the Private medical establishment brings accreditation certificate for having fulfilled the conditions specified in sections 6 and 9 from any of the three accreditation agencies viz., National Quality Assurance Standards (NQAS), National Accreditation Board For Hospital and Health Care / National Accreditation Board for Laboratories (NABH/NABL) or Quality and Accreditation Institute (QAI), then the registration and grievance redressal authority shall sanction registration or renewal within ten days from the date of the application, without any inspection as specified in sub-section (1).

(2) Every order passed under sub-section (1) shall be communicated to the applicant forthwith.

(3) Every registration or renewal granted under sub-section (1) shall be valid for a period of five years and may be renewed once in five years on an application made in such Form, in such manner and on payment of such fees, as may be prescribed.

(4) For the purpose of sub-section (1), the Registration and Grievance Redressal Authority may constitute the Inspection Committee consisting of such members as may be prescribed.

(5) The Registration and Grievance Redressal Authority shall not reject the application for registration or renewal without giving an opportunity of being heard to the applicant and without recording the reasons for such rejection.

(6) The Registration and Grievance Redressal Authority, on its own or based on any written complaint, may cause inspection or direct the Inspection Committee constituted under sub-section (4) of section 7 to inspect, at a reasonable time, any private medical establishment, to satisfy itself that the conditions of registration are being duly observed and complied with.

(7) In case the Registration and Grievance Redressal Authority finds that the private medical establishment is not being run in accordance with the conditions of registration, the Authority shall direct the establishment to remedy the same within the reasonable time specified by the State Government.”

8. Amendment of section 19.- In the principal Act, in section 19, in sub-section (1),-

(i) for the words and figure “granted under section 7” the words, letter and figures “granted under sections 5A and 7” shall be substituted; and

(ii) after sub-section (1) as so amended, the following shall be inserted, namely:-

“(1-A) In case a private medical establishment employs or appoints any unqualified medical officer or paramedical staff such private medical establishment shall on conviction be liable for an imprisonment for a term which may extend to three years and with a fine which may extend to one lakh rupees.”

9. Repeal and savings.- (1) The Karnataka Private Medical Establishments (Amendment) Ordinance, 2025 (Karnataka Ordinance 07 of 2025) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

(As appended to at the time of introduction)

It is considered necessary further to amend the Karnataka State Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) to,-

- (1) include the “Mental Health establishment” within the definition of “Private medical establishment”;
- (2) nominate one member from the Indian Medical Association and one member representing Association of Registered Medical Establishments or Ayush Medical Practitioners as member of Registration and Grievances Redressal Authority.
- (3) provide procedure for,-
 - (i) grant or renewal of provisional registration Certificate by the registration and grievance redressal authority;
 - (ii) publication of list of expired registration of provisionally registered Private Medical establishments;
 - (iii) application for permanent registration or renewal of registration, to prescribe pre-requisites for grant of permanent registration or renewal by the Private Medical Establishments and to prescribe procedure for disposal of applications;
- (4) certain other consequential amendments are also made.

As the matter was urgent and both Houses of the State Legislature were not in session, the Karnataka Private Medical Establishments (Amendment) Ordinance, 2025 (Karnataka Ordinance 07 of 2025) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no financial implication involved in the proposed Legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5:	(i) section 5A proposed to be inserted,- (a) sub-section (1) empowers the State Government to prescribe such Form containing such particulars of provisional registration certificate; and (b) sub-section (2) empowers the State Government to prescribe such section Form and such fees for renewal of provisional registration. (ii) sub-section (1) of section 5C proposed to be inserted, sub-section (1), empowers the State Government to prescribe such Form and such fees for permanent registration or renewal of registration.
Clause 6:	section 6 proposed to be substituted clause (vii), empowers the State Government to prescribe the factors of Pre-requisites for granting Permanent Registration or renewal of Registration of Private Medical Establishments other than factors specified in clauses (i) to (vi).
Clause 7:	section 7 proposed to be substituted,- (i) sub-section (1) empowers the State Government to prescribe the conditions for grant registration for Private Medical Establishments ; (ii) sub-section (3) empowers the State Government to prescribe the application Form, manner and payment of fee for renewal of registration once in five years by the Private Medical establishment; and (iii) sub-section (4) empowers the State Government to prescribe the manner for consisting of members in the Inspection committee.

The proposed delegation of legislative power is normal in character.

DINESH GUNDU RAO

Minister of Health and
Family Welfare Department

K.R. MAHALAKSHMI

Secretary
Karnataka Legislative Council

EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 77 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE KARNATAKA LEGISLATIVE COUNCIL.

It is considered necessary further to amend the Karnataka State Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) to,-

- (1) include the “Mental Health establishment” within the definition of “Private medical establishment”;
- (2) nominate one member from the Indian Medical Association and one member representing Association of Registered Medical Establishments or Ayush Medical Practitioners as member of Registration and Grievances Redressal Authority.
- (3) provide procedure for,-
 - (iv) grant or renewal of provisional registration Certificate by the registration and grievance redressal authority;
 - (v) publication of list of expired registration of provisionally registered Private Medical establishments;
 - (vi) application for permanent registration or renewal of registration, to prescribe pre-requisites for grant of permanent registration or renewal by the Private Medical Establishments and to prescribe procedure for disposal of applications;
- (4) certain other consequential amendments are also made.

As the matter was urgent and both Houses of the State Legislature were not in session, the Karnataka Private Medical Establishments (Amendment) Ordinance, 2025 (Karnataka Ordinance 07 of 2025) was promulgated to achieve the above object.

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ANNEXURE

THE EXTRACT OF THE KARNATAKA PRIVATE MEDICAL ESTABLISHMENTS ACT, 2007 (KARNATAKA ACT 21 OF 2007)

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2. Definitions.- XXX

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(n) "Private Medical Establishment" means a hospital or dispensary with beds or without beds, a Nursing Home, Clinical Laboratory, Diagnostic Centre, Maternity Home, Blood Bank, Radiological Centre, Scanning Centre, Physiotherapy Centre, Clinic, Polyclinic, Dental Clinic or Dental Polyclinic Consultation Centre and such other establishments by whatever name called where investigation, diagnosis and preventive or curative or rehabilitative medical treatment facilities are provided to the public and includes Voluntary or Private Establishments as may be notified by the State Government by notification but does not include Medical Establishments run or maintained or sponsored by,-

(i) the State Government or a Local Authority or other Statutory body;

(ii) the Public Sector undertakings owned or controlled by the State or Central Government;

(iii) autonomous institutions owned or controlled by the State or Central Government;

(iv) a Co-operative Society registered under the Karnataka Co-operative Societies Act, 1959 in which more than fifty per cent of shares are held by the State or Central Government or both;

(v) a Society registered under the Karnataka Societies Registration Act, 1960 and which is owned or controlled by the State or Central Government;

(vi) a trust owned or managed by the State or Central Government or any Local Authority.

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4. Registration and Grievance Redressal Authority.- There shall be a Registration and Grievance Redressal Authority in each district consisting of the following members nominated in such manner with such qualification as may be prescribed, namely:-

(a)	The Deputy Commissioner of the District	Chairman
(b)	District Health and Family Welfare Officer	Member Secretary
(c)	District AYUSH Officer	Member
(d)	One member each from Indian Medical Association and one more association	Members
(e)	One woman representative when the Authority is dealing with a grievance redressal.	Member

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5. Application for Registration.- (1) Every person desiring to establish, run, maintain or continue to run and maintain a Private Medical Establishment shall make an application to the concerned Registration and Grievance Redressal Authority in such form, in such manner and along with such fees as may be prescribed and different amount of fees may be prescribed, for different class or classes of Private Medical Establishments.

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6. Pre-requisites for Registration of Private Medical Establishments.- The Registration and Grievance Redressal Authority shall before granting the registration consider whether the following prerequisites for registration of a Private Medical Establishment are satisfied, namely:-

(i) that the premises housing the Private Medical Establishment is located in hygienic surroundings and otherwise suitable for the purpose for which it is established or sought to be established;

(ii) that the Private Medical Establishment is adequately staffed with qualified doctors, qualified and trained para medical personnel;

(iii) that the Private Medical Establishment has the necessary buildings with adequate space for performing its various functions, equipments and other infrastructure facilities;

(iv) that the Private Medical Establishment conforms to the standards referred to in section 9;

(v) such other factors as may be prescribed.

Provided that no new Private Clinical Laboratory shall be permitted within a radius of 200 meters from the Government Hospital or from the Hospital promoted or managed by a society or trust or autonomous organization owned or controlled by the State Government or Central Government or Local Bodies with effect from the date of commencement of the Karnataka Private Medical Establishments (Amendment) Act, 2017.

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7. Disposal of applications.- (1) On receipt of an application under section 5 the Registration and Grievance Redressal Authority may having regard to the provisions of section 6 and after such enquiry as may be necessary, by an Inspection Committee, either grant registration subject to the conditions as may be prescribed or reject the application within ninety days from the date of receipt of the complete application in all respects:

Provided further that in case of any delay beyond ninety days the registration shall be deemed to have been granted.

(2) Every order passed under sub-section (1) shall be communicated to the applicant forthwith.

(3) Every registration granted under sub-section (1) shall be valid for a period of five years and may be renewed once in five years on an application made in such form, in such manner and on payment of such fees, as may be prescribed.

(4) For purpose of sub-section (1), the Registration and Grievance Redressal Authority may constitute the Inspection Committee consisting of such members as may be prescribed.

(5) On receipt of application for renewal of registration, the Registration and Grievance Redressal Authority may having regard to the provisions of section 6 and after such enquiry as may be necessary by the Inspection Committee constituted under sub-section (4) either grant renewal subject to the condition as may be prescribed or reject the application within ninety days from the date of receipt of the complete application in all respect; in case of any delay beyond ninety days the renewal shall be deemed to have been granted.

(6) The Registration and Grievance Redressal Authority shall not reject the application for registration or renewal without giving an opportunity of being heard to the applicant and without recording the reasons for such rejection.

(7) The Registration and Grievance Redressal Authority, on its own or based on any written complaint, may cause inspection or direct the Inspection Committee constituted under sub-section (4) to inspect, at a reasonable time, any private medical

establishment, to satisfy itself that the conditions of registration are being duly observed and complied with.

(8) In case the Registration and Grievance Redressal Authority finds that the private medical establishment is not being run in accordance with the conditions of registration, the Authority shall direct the establishment to remedy the same within the reasonable time as may be specified in the order.

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19. Penalties.- (1) Where any person establishes, runs or maintains a Private Medical Establishment without registration granted under section 7 he shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend upto one lakh rupees.

(2) When a person is convicted under sub-section (1), the Registration and Grievance Redressal Authority shall direct immediate closure of the unregistered Private Medical Establishment, except where a registration is cancelled or suspended and an appeal filed against such cancellation or suspension is pending.

(3) Every order made under sub-section (1) shall contain a direction that the inpatients of such unregistered Private Medical Establishment shall be transferred to such other Private Medical Establishment as may be specified in that order and it shall also contain such other provisions as to the care and custody of such inpatients pending such transfer.

(4) Where any person runs or maintains a Private Medical Establishment in contravention of the conditions of registration or contravenes the provisions of section 12 or 13, or fails to comply with the direction issued under sub-section (2). he shall, on conviction, be punished with a fine which may extend to twenty five thousand rupees and in the case of a second or subsequent offence with a fine which may extend to fifty thousand rupees.

(5) Where a person contravenes any other provision of this Act or the rules made thereunder he shall, on conviction, be punishable with a fine which may extend to one lakh rupees.

(6) Notwithstanding anything contained in this Act, whoever makes any false and frivolous or vexatious complaint under this Act shall be punishable by the Registration and Grievance Redressal Authority with a fine which may extend to ten thousand rupees.

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21. Power of entry, inspection etc.- (1) Subject to such rules as may be prescribed, the State Government may, specially authorise any officer of the State Government (hereinafter in this section and section 22 referred to as authorised officer) to,-

(a) enter, at all reasonable times, and with such assistants if any, being persons in the service of the State Government as he thinks fit, any place which is, or which he has reason to believe is being used as a Private Medical Establishment.

(b) Make such examination of the premises of a Private Medical Establishment and of any register, record, equipment, article or document found therein and seize any document or record as he may deem necessary for the purpose of examination, analysis or investigation and retain them as long as he thinks it necessary to do so for such purpose, provided the authorised officer after seizing documents and records shall intimate the reason for such seizure to the Manager of the Private Medical Establishment as early as is practicable.

(c) Make such enquiry and take on the spot or otherwise the statement of any person as he deems necessary:

(d) Exercise such other powers as may be necessary; for carrying out the purposes of this Act.

Provided that, no person shall be required under this sub-section to answer any question or give any evidence tending to incriminate himself:

Provided further that, no residential accommodation (not being a Private Medical Establishment-cum-residence) shall be entered into and searched by the authorised officer except on the authority of a search warrant issued by a Magistrate having jurisdiction over the area and all searches and seizures under this section shall so far as may be, made in accordance with the provisions of the Code of Criminal Procedure , 1973 (Central Act 2 of 1974).

(2) The authorised officer shall make a report to the Registration and Grievance Redressal Authority regarding the result of the inspection, searches and seizure made by him under sub-section (1), and the Registration and Grievance Redressal Authority shall take necessary action on the said report under this Act.

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