

No. V.11013/90/2024-ME-I
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare
(Medical Education-I)

Nirman Bhawan, New Delhi-11
Dated the 30 September, 2024

ORDER

Subject: 2nd appeal filed before the Central Government u/s 28(6) of NMC Act, 2019 by Government Medical College Jalna, Maharashtra regarding establishment of new medical college with annual intake of 100 MBBS seats for the academic year 2024-2025

This is regarding 2nd appeal filed before the Central Government u/s 28(6) of NMC Act, 2019 by Government Medical College Jalna, Maharashtra regarding establishment of new medical college with annual intake of 100 MBBS seats for the academic year 2024-2025 vide their letter dated 19/08/2024 against the decision of NMC vide letter dated 07/08/2024.

2. The Section 28(6) of the National Medical Commission Act, 2019, provide for the following:-

"28(6) The Commission shall decide the appeal received under sub-section (5) within a period of forty-five days from the date of receipt of the appeal and in case the Commission approves the scheme, such approval shall be the permission under sub-section (1) to establish a new medical college and in case the Commission disapproves the scheme, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within thirty days of communication of such disapproval or, as the case may be, lapse of specified period."

3. In pursuance to provisions of the NMC Act, 2019, revised internal guidelines to deal with the 2nd Appeals preferred to this Ministry, have been issued. The time line for disposing off the appeals preferred under Section 28(6) of the NMC Act, 2019 is 45 days from the date of receipt.

4. Show Cause notice issued by MARB: Not issued

5. Compliance by Institute: Not applicable

6. Letter of Disapproval by MARB: MARB had issued letter of disapproval vide letter dated 04/07/2024 for establishment of new medical college with annual intake of 100 MBBS seats for the academic year 2024-2025 citing the following:-

"...Medical Assessment and Rating Board along with the group of experts and review committee have reviewed the Standard Assessment Form (SAF) on the basis of MARB regulations 2023 published on 2nd June, 2023, UG- MSR 2023 issued on 16th August, 2023 and has observed the following:

| Detailed of Parameters | Remark by Experts |
|------------------------|-------------------|
|------------------------|-------------------|

| | |
|---|--|
| Number of Units in the department as per the relevant UG MSR UG-Medical Education Regulation 2023, issued on 16.08.2023 | No data is available in assessor's report |
| Functional Essential equipment of respective discipline/ Departments as per the relevant UG MSR UG-Medical Education Regulation 2023 issued on 16.08.2023 | No data is available in assessor's report |
| Blood Bank (Available/Not Available) | No data is available in assessor's report |
| Blood Component (Available Not Available) | No data is available in assessor's report |
| No. of faculties as per the relevant UG MSR UG-Medical Education Regulation 2023 issued on 16 August, 2023 | Registered faculty on AEBAS-on the day of assessment i. Professors: 00 ii. Assoc Professors: 00 iii. Assist Professors: 00 iv. Tutors: 00 v. SR: 00 |
| Clinical Material | No data is available in assessor's report |
| Compliance Report given by the college (from scrutiny from - 1) | No data is available in assessor's report |
| Any Other Department Specific observations | No data is available in assessor's report |
| Review committee remarks | 1. No faculty including, principal 2. No building for medical College. 3. No hospital in the name of Medical College Only MOU has been signed. |

Final Remarks by committee: Committee Reviewed the Standard Assessment form (SAF) and Scrutiny form of Expert and all relevant parameters found not satisfactory so decided to disapprove the establishment of new medical college/institution on dated 28.06.2024."

7. First Appeal order by NMC: Whereas aggrieved of the decisions of the MARB the institute filed a First Appeal dated 18/07/2024 which was disposed of by NMC dated 07/08/2024 citing the following:

Decision of 1st Appeal Committee:

"Appeal Committee heard the college authority and re-verified documents and records.

- Gross faculty deficiency remains even today.
- The Dean/Principal admitted that besides him only 14 Assistant Professors 19 SRs and 01 Tutor present as of today.
- No faculty available in the department of Anatomy, Biochemistry and Physiology.
- Committee on the above observation and the observation made by the assessor decided to uphold the decision of the MARB."

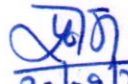
8. The facts and observations of the Committee during in-person hearing:- The matter was deliberated in detail in the combined meeting of TEG and COO & the Committee observed the following:

- The College applied for establishment of new Government Medical College, Jalna with 100 MBBS seats for the academic year 2024-2025.
- MARB conducted an inspection of the college. Based on the inspection report dated 24/06/2024, MARB issued a Letter of Disapproval dated 04/07/2024 on the basis of following deficiencies:
 - Details of number of Units in the department as per the relevant UG MSR, 2023 is not available.
 - Functional Essential equipment of respective discipline/ Departments are not available
 - Details of Blood Bank is not available
 - No faculty is registered on AEBAS
 - No data is available with respect to clinical material
 - College building is not ready
 - No hospital in the name of Medical College Only MOU has been signed.
- College filed 1st appeal against the order of MARB before NMC. In 1st appeal, NMC vide order dated 07/08/2024 decided to uphold the decision of the MARB.
- Thereafter, the college has filed second appeal dated 02.09.2024 against the order dated 07.08.2024 passed by the National Medical Commission in first appeal requesting for permission to start the College with 100 MBBS seats for the Academic Year 2024-25.
- The College in its second appeal informed that at present there are 30 faculty (Prof - 3, Assoc. Prof. - 1, Assist. Prof. - 26), 19 Residents and 25 Tutor/Demonstrator are available in the College. These available faculty has been registered on AEBAS.
- Further, the College informed that the Government of Maharashtra, is taking all necessary steps for recruitment of teaching staff through Maharashtra public service commission (MPSC), transfers, contractual appointments and by promotions.
- The College also submitted that Blood bank, component separation facility with valid Licence of FDA, Modular O.T., Casualty is available and necessary equipment for patient care are available.
- The College further informed that College building is rented in a built up area of more than 55000 sq.ft.
- As regards the Hospital, it was informed that a well equipped with 437 bedded fully functional civil hospital, functioning since 30 years, with all supporting technical/paramedical/Nursing/Administrative staff is attached with the medical college.
- The State Government Official has assured during the meeting that the recruitment process will be completed expeditiously and the faculty as per norms of NMC will be made available before start of Academic Session 2024-25.
- The State Government has also given an undertaking/ affidavit dated 20/08/2024 in this regard.
- The Committee noted that the hospital is already running in the district, hence clinical material will further increase with appointment of new faculty.

- As per MSR 2020 the requirement of faculty and SR/Tutor for 100 seat is 88 (50 faculty and 38 SR/ Tutor) against which the College already has 30 faculty (Prof - 3, Assoc. Prof. - 1, Assist. Prof. - 26) and 44 Residents/Tutors) and the process of recruitment of faculty is underway.
- The Committee also observed that as per MSR 2020, the College requires an average OPD/ day of 400 for LoP and 800 for recognition of 100 seats. The College has submitted that the average daily OPD attendance of the teaching hospital is 900 with average bed occupancy of 80%.
- The College has submitted documents and records in support and justification for their plea for meeting the Minimum Standards laid down by the NMC. The Committee further opines that if the NMC carries out inspections of the College at any stage and finds that the College is deficient in availability of faculty, infrastructure etc., the permission for starting the college may be withdrawn by NMC.

9. The documents and submissions made by the appellant have been considered by the Central Government. The Central Government after due examination has decided to direct National Medical Commission to issue Letter of Permission to Government Medical College, Jalna, Maharashtra for starting with 100 MBBS seats for academic year 2024-25.

10. Accordingly, the 2nd Appeal dated 19/08/2024 of Government Medical College Jalna, Maharashtra stands disposed of.


30/09/24
(Dr. Poonam Meena)
Deputy Secretary (ME)
Tel: 011-23062205

To

The Dean/Principal,
Government Medical College Jalna,
Maharashtra

Copy to:

1. The Secretary, National Medical Commission, Pocket- 14, Sector-8, Dwarka, New Delhi-75 for necessary action.
2. PS to Hon'ble HFM, Nirman Bhawan, New Delhi for information.
3. The DDG (ME), Dte.GHS, Nirman Bhawan, New Delhi for information.