

क्रमांक/Ref. No.- 3/2022/MARB/General Matters

दिनांक/Dated:31.08.2022

Public Notice

Subject:- Submission of application for establishment of a New Medical College, Opening of New/Higher Course of Study or training and Increase of admission capacity under Section 29 of NCISM Act, 2020-reg.

It is observed by the undersigned that many applicants are submitting the new proposals under section 29 of NCISM Act – 2020 (13A of erstwhile IMCC Act – 1970) **for establishing a new medical college or starting a new PG course or increase in intake capacity in UG & PG within the last date of submission of application without fulfilling the basic eligibility criteria as mentioned in the Establishment of New Medical College Opening of New or Higher Course of Study or Training and Increase of Admission Capacity by a Medical College Regulations, 2019 like No Objection Certificate (NOC) in Form -4 from the concerned State Government or the Union Territory Administration and Consent of Affiliation (COA) in Form-5 from the concerned University established under any Central or State Statute.**

This has led to the rejection of applications as per rules and subsequently the applicants have submitted the NOC or/and COA well beyond the last date of submission of application and asked either the Commission or the concerned High Courts to condone the delay **stating that the delay in submission of NOC or/and COA is due to the delay in issuance of the same by the concerned authorities viz., State Government and University and applicant has no role in that.**

However, It is pertinent to mention here that the Section 3 to 6 of Establishment of New Medical College Opening of New or Higher Course of Study or Training and Increase of Admission Capacity by a Medical College Regulations, 2019 (copy enclosed) clearly mandates the eligibility criteria for applying under said regulation as under-

6. Eligibility for making an application – (1) For making an application under sub-regulation (1) of regulation 4, a person shall be eligible if, -

(c) has obtained 'No Objection Certificate' in Form- 4 from the concerned State Government for establishing a new medical college at the proposed site;

(d) has obtained a 'Consent of Affiliation' in Form- 5 for establishing a new medical college from a university established under any Central or State statute;

Similar in the case of application for new PG course in Section 6 (2) (a) (b) and for increase in intake capacity in Section 6 (3) (a) (b).

Further the Section 7 of the same regulation clearly directs to reject and return the ineligible application viz.:-

"...after receipt of the applications the same shall be scrutinized on the basis of eligibility criteria like Application Fee, No Objection Certificate of the State Government and Consent of Affiliation of the University etc and ineligible and incomplete applications shall be rejected and returned to the applicants"

Therefore, no applicant is eligible to apply without the requisite NOC and COA and the responsibility of obtaining the same rests with the applicant and if not received in time for the current academic year the applicant may apply in the subsequent year during the prescribed time period.

Hence, all the stakeholders are hereby informed to follow the concerned acts and regulations passed by the Parliament and published in the Gazette of India and submit the application/scheme under section 29 of NCISM Act (regulation 13A of erstwhile IMCC Act) after obtaining all the required documents to fulfill the eligibility criteria.

The general flow chart for submission and process of the application to start new Ayurveda College is as under: –

- At the time of submission of application, minimum two years old fully developed Ayurveda Hospital building with complete functioning Ayurveda Hospital having appropriate number of beds, bed occupancy and Out-Patient Department attendance corresponding to the annual students intake capacity as specified in the sub-regulation (2) of regulation 7 of MSR 2016 should be available as the pre-requisite for submitting the application. The two years in this regard shall be completed on or before the last date of application.
- Has obtained "No objection Certificate" in Form-4 from the concerned State Government or the Union Territory Administration.
- Has obtained a "Consent of Affiliation" in Form -5 from the concerned University established under any Central or State Statute.
- Application along with all the necessary documents shall be accompanied with the non-refundable application fee by way of a demand draft or online payment NEFT/RTGS (National Electronic Funds Transfer /Real Time Gross Settlement) payable to the National Commission Fund for Indian System of Medicine.
- Application/Scheme shall be scrutinized on the basis of eligibility criteria like Application Fee, No Objection Certificate of the State Government and Consent of Affiliation of the University etc. and only eligible applications fulfilling all the criteria will be accepted for further consideration and the ineligible and incomplete applications shall not be accepted and shall be rejected and returned to the Person/Trust/Institution.
- Accepted scheme will be further scrutinized and if any defects/shortcomings found it will be intimated to the applicant and an opportunity to rectify the defects shall be given to the person concerned.
- If the defects are rectified an opportunity to fill the proforma for LOI will be given to the college and after submitting the proforma for LOI, visitation for LOI will be conducted.
- After LOI inspection, visitation report will be assessed and if college complies with the Acts & Regulations then Letter of Intent will be issued and if not an opportunity of hearing will be given to the college before denying the Letter of Intent.
- The colleges who have received the Letter of Intent will be given an opportunity to fill the visitation proforma for LOP and after submitting the proforma for LOP, visitation for Letter of Permission will be conducted.
- After LOP visitation, visitation report will be assessed and if college fulfills the criteria, Letter of Permission will be issued and if not an opportunity of hearing will be given to the College before denying the Letter of Permission.
- After Hearing, re-assessment will be carried out and if college fulfills all the required criteria, Letter of Permission will be issued, if not Denial of Letter of Permission will be issued to the college.

President, Medical Assessment and Rating Board for Indian System of Medicine

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Copy to:-

- Chairperson, National Commission for Indian System of Medicine, New Delhi-110058
- All the Registrars of Affiliating Universities.
- Guard file.

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