

संख्या/No.L-14014/303/2020-EP(1)

भारत सरकार

Government of India

आयुर्वेद, योग व प्राकृतिक चिकित्सा, यूनानी, सिद्ध एवं होम्योपैथी मंत्रालय (आयुष)
Ministry of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)

“आयुष भवन”/“AYUSH BHAWAN”

“बी” ब्लॉक, जी.पी.ओ. कॉम्प्लेक्स, 'B' Block, GPO Complex,

आई.एन.ए., नई दिल्ली-110 023/INA, New Delhi-110 023

दिनांक/Dated: 13 .04.2021

To,

**The Principal,
Desh Bhagat Ayurvedic College & Hospital,
Post Box No.5, Amloh Road, Mandi,
Gobindgarh, Distt. Fatehgarh Sahib-147203, Punjab.
Email- directordbach@deshbhagatuniversity.in**

Sub: **Grant of Conditional Permission to “Desh Bhagat Ayurvedic College & Hospital, Post Box No.5, Amloh Road, Mandi, Gobindgarh, Distt. Fatehgarh Sahib-147203, Punjab” for admission with 60 seats in UG (BAMS) course and denial of permission for admission with 10 seats in 02 PG courses namely (i) Kayachikitsa -05 seats, and (ii) Rasa Shastra & Bhaishajya Kalpana- 05 seats for the academic session 2020-21 under section 13A/13C of the IMCC Act, 1970, in view of representation of the Principal of said college dated 21.03.2021 to re-consider their case in compliance of Order dated 17.03.2021 of Hon'ble High Court of Delhi - reg.**

Sir/Madam,

I am directed to refer to your letter dated 21.03.2021 and the Ministry's letter of even no dated 19.03.2021 vide which conditional permission was conveyed to the said college for 30 seats instead of 60 seats in UG (BAMS) course and denial of permission to conduct 10 seats in 02 PG courses namely (i) Kayachikitsa and (ii) Rasashastra & Bhaishajya Kalpana with 05 seats in each courses for the A.Y. 2020-21, due to the deficiencies related to (i) teaching faculties (25 eligible teachers are available against the minimum requirement of 34 eligible teachers and 10 Higher faculty in 06 departments are available against the minimum requirement of 17 Higher faculty in 14 departments as per RMS, 2016).

2. Whereas, as per the direction of the Hon'ble High Court of Delhi at Delhi vide its order dated 17.03.2021 in WP (C) 3542/2021 para 18 to 20 which is reproduced below:

“.....It may be observed, at the outset, that such a position cannot be sustained where the denial orders of the Union have been set aside by the High Court under Article 226 of the Constitution of India.

Further, I am prima facie of the view that even where the matters remain pending in the High Court and the High Court has granted permission to the petitioner/ institutions to admit students, it is not permissible for the Union to take the view that the institution is not entitled to the benefit of paragraph 3 (a) of the same Status Note. Interim orders are passed by the Court on a prima facie finding with regard to the entitlement of the petitioner to the relief sought. In the present case, the



denial order for the year 2016-17 has been stayed, pending disposal of the writ petition by the Bombay High Court.....”.

Therefore, the said college is found eligible for grant of permission for the A.Y. 2020-21 in compliance of para [4 (3) (a)] of court order WP 2110/2021 & connected matters and W.P. (C) 2271/2021 dated 01.03.2021.

3. Further, in compliance of order [4 (3) (a)] dated 01/03/2021 in 2110/2021 & connected matters dated 01.03.2021 of Hon'ble High Court of Delhi the said college though didn't received permission continuously for the preceding 05 years for 60 seats in UG (BAMS) Course and 10 seats in 02 PG courses by the Ministry of AYUSH, however, it has received permission continuously for preceding 05 years with following intake capacity, the details are given as under:

Name of the College	Academic Year	Permission/ denial issued	Details of Court case
Desh Bhagat Ayurvedic College & Hospital, Post Box No.5, Amloh Road, Mandi, Gobindgarh, Distt. Fatehgarh Sahib-147203, Punjab	2015-16	Ministry's letter No. R-17011/173/2015-EP(IM-I) dt. 30/07/2015 (Conditional permission).	Nil
	2016-17	Ministry's letter No. R-17011/173/2016-EP(IM-I) dt. 30/11/2016 (Denial of permission).	Granted relief from the Hon'ble High court of Punjab & Haryana at Chandigarh in CWP No. 1127 of 2017, order dated 23.10.2017.
	2017-18 (CP)	Ministry's letter No. R-1701/173/2017EP (IM-I) for 2017-18 dt. 04/08/2017. conditional permission	Nil
	2018-19 (CP to UG and Denial permission for PG)	Ministry letter No. R-173/2018-EP (IM-I) dt. 17/10/2018 & 11.03.2019. (Conditional Permission to conduct 60 UG seats and Denied permission for conducting 10 seats in 02 PG courses)	In compliance of Court order of Hon'ble High court of Punjab & Haryana at Chandigarh in CWP no. 27613 of 2018, order dated 28.02.2019 the case was re considered and denied for conducting 02 PG courses vide Ministry's letter dated 11.03.2019.
	2019-20 (CP to UG and Denial permission for PG)	Ministry's letter L-14014/314/2019-EP (IM-1) dated 06.07.2019 and 3.10.2019 (Denial of permission)	In compliance of Court order of Hon'ble High Court of Punjab & Haryana at Chandigarh in CWP no. 22711 Of 2019, vide its order dated 27.09.2019, Ministry has withdrawn denial order dated 03.10.2019 vide Ministry's letter dated 06.11.2019 .

Therefore, the said college is found eligible for grant of permission for the A.Y. 2020-21 in compliance of Court order dated 17/03/2021, however, with respect to permission for total number of seats in UG & PG courses, it is found eligible for only 60 UG seats in BAMS course for the A.Y. 2020-21 and not for 2 PG courses, as the college was denied permission for 02 PG course with 10 seats in Kayachikitsa -05 seats, and (ii) Rasa Shastra & Bhaisajya Kalpana- 05 seats for the A.Y. 2016-17.

3. Therefore, as detailed above, the college under reference has been examined in compliance of Court order dated 17.03.2021 passed by the Hon'ble High Court of Delhi at Delhi and is found eligible for grant of Conditional Permission for conducting **60 seats in UG (BAMS) course** for the A.Y. 2020-21 as the college has received permission for the preceding 5 (five) academic years. Further, the said college is **not found eligible for grant of Conditional Permission for 02 PG**

courses i.e. (i) Kayachikitsa -05 seats, and (ii) Rasa Shastra & Bhaisajya Kalpana- 05 seats as the college was denied permission for 02 PG course for the Academic Year 2018-19.

4. It has, therefore, been decided by the Central Government to **grant Conditional Permission** to “**Desh Bhagat Ayurvedic College & Hospital**, Post Box No.5, Amlah Road, Mandi, Gobindgarh, Distt. Fatehgarh Sahib-147203, **Punjab**” for conducting **60 seats in UG (BAMS) course and denial of permission for conducting 02 PG courses** namely (i) Kayachikitsa - 05 seats, and (ii) Rasa Shastra & Bhaisajya Kalpana- 05 seats for the **academic session 2020-21** under Section 13C/13A of the IMCC Act, 1970, in compliance of Order dated 01.03.2021 and 17.03.2021 of Hon’ble High Court of Delhi, subject to final outcome of Court cases and subject to the following:

- i. The fulfillment of conditions as specified in the Undertaking/Indemnity bond submitted by the college.
- ii. The college shall submit an undertaking in form of affidavit duly notarized within one month explaining the details of providing EPF and ESI facilities to the teaching, nonteaching staff of the Colleges/Hospitals and regularly paying the same as per the provisions of Employees' Provident Funds and Miscellaneous Provident Act, 1952 & ESI Act, 1948 and relevant Rules and Regulations.
- iii. CCTV system along with live streaming to be installed in, one each at one of the classroom (lecture theatre), Pathology lab, OPD Registration with waiting area and the place where Biometric attendance is taken, with access to CCIM (as communicated vide Ministry's OM dated 02.03 .2020 to all ASU colleges).
- iv. Implementation of Geo fencing for ensuring physical presence of Teaching faculty, Students and Hospital staff in the respective ASU College /hospital which is an up gradation of existing required criteria of Biometric Attendance as per 9(3) regulation of IMCC, MSR, 2016. (CCIM will issue detailed instructions in this regard)
- v. Maintenance of Web based computerized central registration system for maintaining the records of patients as per regulation 3 of IMCC, MSR, 2016. (CCIM will issue detailed instructions in this regard)

5. It is further informed that minimum of **15% of undergraduate seats** of the permitted intake capacity of **60 UG seats shall be treated as all India quota**. The counseling for seats under all India quota shall be conducted by respective counseling authority of State/UT Government as designated by Central Government vide letter F.No.L.11011/02/2020-EP (1) dated 26.10.2020 for A.Y. 2020-21 and counseling for the remaining 85% seats or as the case may be, shall be conducted by the concerned Counseling Authority of that State/UT. **The permission of the college stands withdrawn if the college fails to comply with the aforesaid direction of the Central Government for all India quota or the students admitted thereunder.**

6. Admissions made in violation of the above conditions will be treated as invalid and action will be initiated under IMCC Act & Regulations made thereunder.

7. Discrepancies, if any, may be immediately brought to the notice of Board of Governors, CCIM and the Central Government.



8. As per clause 3(1)(a) of IMCC, MSR Regulations, 2016, the following requirements which are required to be fulfilled by the college by 31st December, 2020, will be examined for considering the permission for the session 2021-22:

- (i) All the Minimum Standards Requirements of infrastructure and teaching & training facilities as specified in Regulation 3 of the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016;
- (ii) All the Requirements of "Indian Medicine Central Council (Requirements of Minimum Standard of Educations in Indian Medicine) Amendment Regulations, 2016 (for Ayurveda college); and
- (iii) All the requirements of the Indian Medicine Central Council (Post Graduate Ayurveda Education) Regulations, 2016 for grant of permission to PG courses, and
- (iv) All the requirements under the provisions of the IMCC Act, 1970 and relevant Regulations made there under should be fulfilled *in toto*.

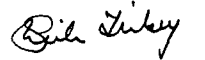
9. The fulfillment of the conditions given above may be made within the time period specified and compliance report should be submitted by the college to CCIM under intimation to this Ministry. The CCIM will verify that the conditions have been fulfilled by means of an inspection and submit a report along with its assessment in this matter to the Ministry of AYUSH for considering the permission matter from the academic session 2021-22.

10. The Ministry's letter of even no. dated 15.02.2021 and 19.03.2021 stands Modified.

11. Further, the college has been provided 05 (Five) working days' time to admit the NEET-2020 qualified candidates from issuance of this letter. The admission process shall be completed through respective state Govt. counseling authority and only NEET-2020 qualified candidates, who are having eligibility for admission as per relevant CCIM regulations shall be considered for admission. This is a onetime measure and should not be treated as precedent.

12. This issues with the approval of Competent Authority.

Yours faithfully,



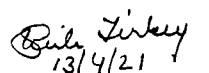
(Shiela Tirkey)

Under Secretary to Government of India

Ph. No.: 011-24651976

Copy to:

- i. The Board of Governors, CCIM, 61-65 Institutional Area, Opp. 'D' Block, Janakpuri, Delhi-110 058 for information and necessary action for the next academic session.
- ii. The Principal Secretary to Government of Punjab, Department of Medical Education and Research (Health-III, Branch), Mini Secretariat, Sector-9, Chandigarh-160 009, Punjab for information and necessary action.
- iii. The Registrar, Punjabi University, NH- 64, next to Urban Estate Phase II, Patiala- 147002, Punjab for information and necessary action



(Shiela Tirkey)

Under Secretary to Government of India