

संख्या/No.O-14014/54/2020-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: ३।.03.2021

To,

The Principal,
Aligarh Unani Medical College & ACN Hospital,
AUAMC campus, Kasimpur, ACN City,
Aligarh-202002, Uttar Pradesh.
E E-mail:- auamc@rediffmail.com

Sub: **Grant of Conditional Permission to “Aligarh Unani Medical College & ACN Hospital, AUAMC campus, Kasimpur, ACN City, Aligarh-202002, Uttar Pradesh” for admission with 60 seats in UG (BUMS) course and 08 seats in 02 PG courses namely (i) Moalajat-4 seats and (ii) Kulliyat-Umoor-e-Tabiya -04 seats, academic session 2020-21 under section 13A/13C of the IMCC Act, 1970 in compliance of Order in W.P. (C) 2110/2021 dated 01.03.2021 and W.P. (C) 2927/2021 dated 04.03.2021 passed by Hon’ble High Court of Delhi - reg.**

Sir/Madam,

I am directed to refer to the Ministry’s letter no. O-14014/54/2020 EP-1 dated 04.02.2021 conveying denial of Permission to the said college with 60 seats in (UG) BUMS course and 08 PG seats in 02 PG course namely (i) Moalajat-4 seats and (ii) Kulliyat-Umoor-e-Tabiya -04 seats for the Academic year. 2020-21, as the said college was not fulfilling the notified and approved criteria for Higher faculty, eligible teachers, herbal garden, Hospital staff, Part time teachers and college website as per IMCC RMS, 2016.

2. Further, the said college has filed a Writ Petition at Hon’ble High Court of Delhi at Delhi in 2110/2021 & connected matters with W.P. (C) 2927/2021. As per the order dated 01.03.2021 and 04.03.2021, passed by Hon’ble High Court of Delhi at Delhi in the said Writ petition, the case has been examined and it has been observed that college under reference didn’t receive permission continuously for 60 UG seats in BUMS course and 08 seats in 02 PG courses from Ministry of AYUSH for the preceding 5 (five) academic years.

3. In view of the Court order dated 01/03/2021 in 2110/2021 & connected matters, if a college has not received permission continuously from Ministry of AYUSH for the preceding 5 (five) academic years, a fresh show cause notice has to be issued to the said college. Accordingly, a fresh show cause notice has been issued to the college vide Ministry’s letter dated 09.03.2021 clarifying the deficiencies mentioned in the earlier show cause/hearing notice and denial letter dated 14/01/2021 and 04/02/2021 respectively, to present the case through virtual mode.

Richa Sanyal
31/3/21 ✓

4. The observations of hearing committee based on submission made by the college representatives during hearing and recommendations & assessment report of the CCIM dt. 24/12/2020 and the council's letter dated 12.01.2021, vide which revised status of the teachers have been conveyed, have been carefully examined in terms of Regulation 3 of the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Unani Colleges and attached Hospitals) Regulations, 2016", provisions under the IMCC Act, 1970, relevant regulations made thereunder and it is observed that the college has not rectified the deficiencies, particularly related to Higher faculty, as communicated vide show cause notice dated 09.03.2021. Therefore, it is found that the institution has failed to establish that their faculty members have complied with the requirement of Regulation 26 of the Practitioners of Indian Medicine (Standards of Professional Conduct, Etiquette and Code of Ethics) Regulations, 1982. The college also failed to produce Valid Registration certificates of the teaching faculties for the State in which the faculty member is presently employed and who were earlier not certified by CCIM. Therefore, the said college is **not** fulfilling following shortcoming as notified and approved criterion for granting Conditional Permission for **60 seats** in UG (BAMS) course and **08 seats** in 02 PG courses.

- I. Shortage of 01 higher faculty in the 02 dept. i.e. Kulliyat and Moalajat against the requirement of 01 in each as per RMS, 2016 (PG regulation).
- II. Professor is not available in Kulliyat against the requirement of 01 as per RMS, 2016 (PG regulation).
- III. Shortage of 01 Higher faculty in the 05 dept. i.e. Kulliyat, Munafeul Aza, Ilmul Advia, Ilmul Saidla and Jarahat against the requirement of 01 in each as per RMS, 2016 (UG regulation).
- IV. Shortage of 01 Lower Faculty in Kulliyat and Moalajat against the requirement of 01 in each as per RMS, 2016 (PG regulation).
- V. Shortage of 01 Lower faculty in the dept. i.e. Munafeul Aza, Mahiyatul Amraz, Jarahat, Ain-Uzn-Anf-Halaq wa Asnan, Amraze Jild wa tazeeniyat and Ilaj Bit tadbeer against the requirement of 01 in each as per RMS, 2016 (UG regulation).
- VI. Shortage of 02 LF in the department of Tahaffuzi-wa Samaji Tib against the requirement of 02 as per RMS, 2016 (UG regulation).
- VII. Shortage of 01 staff nurse in IPD, 03 ward boy, 01 pharmacist, 01 Anaesthesiologist, 01 lab technician, 01 Pharmacy incharge and 01 Pharmecogonosist in hospital staff against the requirement as per RMS, 2016 (UG & PG regulation).
- VIII. Arabic Teacher is not available as per RMS, 2016 (UG regulation).
- IX. College website is not available as specified in sub-regulation (2) of regulation 9 of RMS.
- X. Laboratory assistant is not available in Munafeul Aza department against the requirement of 01 as per RMS, 2016 (UG regulation).
- XI. Only 17 eligible teachers are available against the requirement of 34 as per RMS, 2016 (UG) regulations.
- XII. Only 10 eligible higher faculties available in 07 departments against the requirement of 17 HF in 14 departments, as per RMS, 2016 (UG) regulations.
- XIII. Herbal Garden is not available as specified in schedule III of RMS, 2016.

5. As detailed in above paras, it is observed that the said college is not fulfilling the notified and approved criteria for grant of 60 seats in UG (BUMS) course and 08 seats in 02 PG courses for the A.Y. 2020-21. However, in compliance of order [4 (3) (a)] dated 01/03/2021 in 2110/2021 & connected matters and W.P. (C) 2927/2021 dated 4.03.2021 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 08 seats in 02 PG courses, however, it has received permission continuously for preceding 05 years with following intake capacity, the details are given as under:

Dr. J. K. Singh
31/3/21

Name of the College	Academic Year	Permission/ denial issued
Aligarh Unani Medical College & ACN Hospital, AUAMC campus, Kasimpur, ACN City, Aligarh-202002, Uttar Pradesh.	2015-16	Ministry's letter No. R-17012/34/2015-EP (IM-1) & Ministry's letter No. R-14012/03/2014-EP (IM-1) and R. 13.012/03/2014- EP (IM-I) dated 17.09.2015 conditional permission 40 UG seats and LoP to increase intake capacity from 40 seats to 60 seats in UG (BUMS) and LoP for 02 new PG courses
	2016-17	Ministry's letter No. R-17012/34/2016-EP(IM-I) dt. 27/10/2016 (letter of permission for a period not exceeding 5 years) form the academic year 2016-17 to 2020-21 conditional permission for 60 UG seats and 08 seats in 02 PG courses
	2017-18	
	2018-19	
	2019-20 (Denial permission)	Ministry's letter O-14014/50/2019-EP(1) dated 17.07.2019 denial of permission for 60 UG seats and 08 seats in 02 PG courses and withdraw permission for a period of five year. The college has file W P with MISC Single No. 21175 of 2019 at Hon'ble Allahabad High Court, Lucknow Bench vide dated 01.8.2019 and permitted to admit students for the A.Y. 2019-20.

B. S. Verma
31/3/21 ✓

6. 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) 2927/2021 dated 4.03.2021.

7. Further, as detailed above, the college under reference has been examined in compliance of order dated 01.03.2021 and 04.03.2021 passed by the Hon'ble High Court of Delhi at Delhi and said college is found eligible for grant of Conditional Permission for conducting **60 seats in UG(BUMS) course and 08 seats in 02 PG courses namely (i) Moalajat-4 seats and (ii) Kulliyat-**

B. S. Verma
31/3/21 ✓

Umoor-e-Tabiya -04 seats for the A.Y. 2020-21 as the college has permission for the preceding 5 (five) academic years.

8. It has, therefore, been decided by the Central Government to **grant Conditional Permission** to “**Aligarh Unani Medical College & ACN Hospital, AUAMC campus, Kasimpur, ACN City, Aligarh-202002, Uttar Pradesh**” for conducting **60 seats in UG (BUMS) course and 08 seats in 02 PG courses** namely (i) **Moalajat-4 seats** and (ii) **Kulliyat-Umoor-e-Tabiya -04 seats** for the **academic session 2020-21** under Section 13C/13A of the IMCC Act, 1970, in compliance of Order dated 01.03.2021 of Hon’ble High Court of Delhi, 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.

9. It is further informed that minimum of **15% of undergraduate seats** and **15% of postgraduate seats** of the permitted intake capacity of **60 UG seats and 08 PG 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.**

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

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

12. 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 Unani 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 Unani college); and

B. S. Jaiswal
31/3/21 ✓

(iii) All the requirements of the Indian Medicine Central Council (Post Graduate Unani Education) Regulations, 2016 for grant of permission to PG courses, *and*

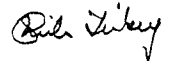
(iv) All the requirements under the provisions of the IMCC Act, 1970 and relevant Regulations made there under should be fulfilled *in toto*.

13. 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.

14. The Ministry's letter of even no. dated 04.02.2021 stands withdrawn.

15. This issues with the approval of Competent Authority.

Yours faithfully,



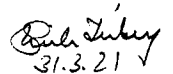
(Shiela Tirkey)

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 (Medical Education and AYUSH Section-I), Department of Medical Education, Secretariat of Government of Uttar Pradesh, 3rd Floor, Vikas Bhawan, Janpath Market, Vidhan Sabha Road, Hazarat Ganj, Lucknow-226001, Uttar Pradesh for information and necessary action.
- iii. The Registrar, Dr. Bhim Rao Ambedkar University, Uttar Pradesh, for information and necessary action for information and necessary action.



(Shiela Tirkey)

Under Secretary to Government of India