



प्राणाभिसरः प्राणायतनानाम्

भारतीय चिकित्सा पद्धति राष्ट्रीय आयोग
आयुष मंत्रालय, भारत सरकार
कार्यालय: 61-65, संस्थानिक क्षेत्र, जनकपुरी, डी.ब्लॉक नई दिल्ली - 110058
National Commission for Indian System of Medicine
Ministry of AYUSH, Govt. of India

OFFICE: 61-65, INSTITUTIONAL AREA, JANAKPURI, D-BLOCK, NEW DELHI - 110058

Conditional Permission & Letter Of Permission

दूरभाष / Phone

अध्यक्ष / Chairman: 28525156

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secretary@ncismindia.org

क्रमांक / Ref. No.: 26-15/MARB/2022- Ay

दिनांक/Dated. 25.01.2023

To,

The Principal,
Dayanand Ayurvedic Medical College
& Hospital, siwan-841266,
Bihar (Inst. ID-AYU0016)
Email: - damedicalcollegesivan@gmail.com

Subject:- Grant of conditional permission to Dayanand Ayurvedic Medical College & Hospital, siwan-841266, Bihar (Inst. ID- AYU0016) for intake capacity with 50 seats in UG (BAMS) course & 08 seats in 02 PG Courses namely (i) Kayachikitsa- 04 seats (ii) Dravyaguna Vigyan- 04 seats under section 28 of the NCISM Act, 2020 for the academic session 2022-23 and issuance of Letter of Permission (LOP) in reference to the application vide ref. no. 172/2021 dated 23/10/2021 for increase of seats in existing Under Graduate (BAMS) course from 50 to 60 seats under section 29 of NCISM Act 2020 from the academic session 2022-23 relevant regulations thereunder-regarding.

Sir/Madam,

With reference to the subject mentioned above, I am directed to inform you that in pursuance of the provisions of National Commission for Indian System of Medicine Act, 2020, the Indian Medicine Central Council Act, 1970 (48 of 1970) has been repealed with effect from the 11th day of June, 2021. With effect from the said date, the Central Council of Indian Medicine constituted under sub-section (1) of section 3 of the Indian Medicine Central Council Act, 1970 (48 of 1970) has been dissolved. Now, in exercise of the powers conferred by sub-section (3) of the section 1 of the said Act, the Central Government notified that all the provisions of the National Commission for Indian System of Medicine Act, 2020 has been come into force with effect from the 11th day of June, 2021. In view of the above the Central Government constituted the Autonomous Boards with effect from 11th June, 2021 and as per regulation 59 (2) of The National Commission for Indian System of Medicine Act, 2020, Medical standards, requirements and other provisions of the Indian Medicine Central Council Act, 1970 and the rules and regulations made thereunder shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made thereunder. Further, the provisions of concerned regulations which are inconsistent with the provisions of NCISM Act 2020 shall not be applicable.

1. I am to refer to your application vide ref. no. **172/2021 dated 23/10/2021**, on the subject cited above and to verify the available facilities of teaching, non-teaching, hospital staff and other facilities available at your college namely **Dayanand Ayurvedic Medical College & Hospital, siwan-841266, Bihar (Inst. ID- AYU0016) seeking permission of Medical Assessment and Rating Board For Indian System of Medicine (NCISM) for increase of seats in existing Under Graduate (BAMS) course from 50 to 60 seats under section 29 of NCISM Act 2020 from the academic session 2022-23**, visitation has been carried out for issuance of Letter of Intent on **19.05.2022 and 20.05.2022 through hybrid mode** by the visitation team of Medical Assessment and Rating Board (NCISM) and Letter of Intent (LOI) was issued to your college vide letter of **even no. dated 18.10.2022 for increase of seats in existing Under Graduate (BAMS) course from 50 to 60 seats Under section 29 of NCISM Act 2020 from the academic session 2022-23**.
2. The Medical Assessment and Rating Board for Indian System of Medicine (NCISM) had carried out an inspection of your college again on **03.11.2022 and 04.11.2022 through Hybrid mode** to assess the available facilities of teaching, non-teaching, Hospital staff, practical training and other infrastructure facilities available as a part of annual visitation **for issuance of conditional permission for intake capacity with 50 seats in UG (BAMS) Course 08 seats in 02 PG Courses namely (i) Kayachikitsa- 04 seats (ii) Dravyaguna Vigyan- 04 seats under section 28 of NCISM Act, 2020 for the academic session 2022-23 and for issuance of Letter of Permission (LOP) for increase of seats in existing Under Graduate (BAMS) course from 50 to 60 seats under section 29 of NCISM Act 2020 from the academic session 2022-23**.
3. Further, in view of above assessment report and all other related documents were assessed in terms of the enforced regulations namely **"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, the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016"**, provisions under the NCISM Act, 2020 and relevant Regulations there under, visitor's report and on the basis of Relaxation policy issued by the NCISM dated 16.03.2022.
4. Meanwhile, during assessment of the visitor report it was found that **two faculties** of your institution were absent and on informed leave on the day of visitation therefore they were suspected to be on paper teachers. Further, as per the direction of the concerned authority **an opportunity of virtual hearing was given to the suspected on paper teachers as a principle of natural justice to present and make submission before the designated hearing committee on 07.11.2022 and opportunity of virtual hearing was also given to you on 11.10.2022 for clarification in the matter**. Further, the observation of hearing committee was placed in the **25th Board meeting** of Medical Assessment and Rating Board for Indian System of Medicine, NCISM held on **23.12.2022 in the office of NCISM**. Board discussed the same and decided to approve the observation of the Hearing Committee and

recommended to take required necessary action in accordance of letter no. 3/2022/MARB/General Matter, dated 17.08.2022.

5. Therefore, in view of above recommendation of the hearing committee, in accordance of section 28 (f) of NCISM act 2020, regulation 3(1)(f) of RMS, 2016, as per the circulated letter to all ASU colleges vide letter no. 26-75/2021-visitation dated 31.08.2021, letter no. 3/2022/MARB/General Matter dated 17.08.2022 by the Medical Assessment and Rating Board for Indian System of Medicine, NCISM **a penalty of rupees 25 lakh** was imposed on your institution on **one facility** namely **DR AWDHESH KUMAR SINGH (AYSS00882)** was proven to be physically not present but working only on paper teacher and same was communicated to you vide letter no. **Teacher Verification/MARB/2022 dated 18.01.2023**. Subsequently the said teacher was also not certified as a regular teacher under section 3(1) (f) of MSR 2016 and NCISM Act 2020 for the session 2022-23 and experience during the said session will not be considered and the teacher code is also withheld for one year.
6. In response of the imposed **monetary penalty letter no. Teacher Verification/MARB/2022 dated 19.01.2023** communicated to your college, **a request vide letter no. nil dated 25.01.2023** was received wherein you have requested to allow you to pay amount of penalty or make installment of penalty amount.
7. In response of the same you have furnished the imposed penalty amount **worth Rupees 25,00,000** in favour of The National Commission fund for Indian System of Medicine through RTGS vide **UTR No. BKID0005760 dated 25.01.2023 from Bank of India and informed the same vide an email dated 25.01.2023 enclosing letter ref. no. 16/23 dated 25.01.2023**.
8. Further, in view of above assessment report and all other related documents were assessed in terms of the enforced regulations namely "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 , the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016" , provisions under the NCISM Act, 2020 and relevant Regulations there under, visitor's report and on the basis of Relaxation policy issued by the NCISM dated 16.03.2022 and was placed in the **26th Board Meeting** of Medical Assessment and Rating Board for Indian System of Medicine (NCISM) dated **29.12.2022**. Board verified the same and found that college is fulfilling the basic eligibility criteria for issuance of conditional permission for intake capacity with **40 seats in UG (BAMS) Course & 08 seats in 02 PG Courses namely (i) Kayachikitsa- 04 seats (ii) Dravyaguna Vigyan- 04 seats** under section 28 of NCISM Act, 2020 for the academic session 2022-23 and Letter of Permission for increase in intake capacity in existing UG (BAMS) course from **50 to 60 seats** under section 29 of NCISM Act 2020 from the academic session 2022-23.
9. Further, in accordance of the regulation 6 (3) (j) (i) 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 vide letter of even no. dated 25.01.2023 a letter was sent to you to furnish fixed security deposit worth Rs. 25 Lakhs (Twenty Five Lakhs) in favour of National Commission fund for Indian system of Medicine for the period of five years, in response of the same college has furnished the fixed security deposit in favour of the National Commission fund for Indian system of Medicine through transaction no. **BKIDA23025620438 dated 25.01.2023** of Rs. 25 lakh transferred by Punjab National Bank, Bihar (for a period of five years) and informed the same vide an email dated 25.01.2023.
10. The observation of hearing committee based on the submission made by the college representatives during hearing and assessment report of the NCISM have been carefully re-examined in terms of 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, the Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016", and provisions under the NCISM Act, 2020 and relevant regulations thereunder, and it was found that you are fulfilling the basic eligibility criteria **for grant of Conditional permission to Dayanand Ayurvedic Medical College & Hospital, siwan-841266, Bihar (Inst. ID- AYU0016) with 50 seats in UG (BAMS) course 08 seats in 02 PG Courses namely (i) Kayachikitsa- 04 seats (ii) Dravyaguna Vigyan- 04 seats under section 28 of the NCISM Act, 2020 for the academic session 2022-23 and fulfilling the eligibility criteria for issuance of Letter of Permission for increase of seats in existing Under Graduate (BAMS) course from 50 to 60 seats under section 29 of NCISM Act 2020 from the academic session 2022-23, after deducting aforementioned 01 teachers who are not certified as a regular teachers for the session 2022-23 by the Medical Assessment and Rating Board for Indian System of Medicine, NCISM.**
11. In view of above, it has been decided by **the President, Medical Assessment and Rating Board for Indian System of Medicine to grant Conditional Permission to the Dayanand Ayurvedic Medical College & Hospital, siwan-841266, Bihar (Inst. ID- AYU0016) for intake capacity with 50 seats in UG (BAMS) course & 08 seats in 02 PG Courses namely (i) Kayachikitsa- 04 seats (ii) Dravyaguna Vigyan- 04 seats under section 28 of the NCISM Act, 2020 for the academic session 2022-23, and issuance of Letter of Permission (LOP) for increase of seats in existing Under Graduate (BAMS) course from 50 to 60 seats under section 29 of NCISM Act 2020 from the academic session 2022-23 subject to the following condition:-**
 - I. The college shall submit an undertaking in the form of affidavit duly notarized within one month explaining the details of providing EPF and ESI facilities to the teaching, non-teaching staff of the Colleges/Hospitals and regularly paying the same as per the provisions of Employees' Provident Funds and Miscellaneous Provisions Act, 1952 & ESI Act, 1948 and relevant Rules and Regulations.
 - II. It is further informed that minimum 15% of undergraduate seats of the permitted intake capacity **with 60 seats** shall be treated as all India quota. The counseling for seats under all India quota shall be conducted by respective counseling authority as designated by Central Government for A.Y. 2022-23 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/NCISM for all India quota or the students admitted thereunder.**
 - III. It is also informed that determination of fee and all other charges in respect of 50% of seats in private Medical Institutions and deemed to be University should be as per the guidelines issued by NCISM vide ref

12. Admissions made in violation of the above conditions will be treated as invalid and action will be initiated under NCISM Act & Regulations thereunder.
13. Discrepancies, if any, may be immediately brought to the notice of Medical Assessment and Rating Board for Indian System of Medicine, NCISM.
14. **The following requirements should be fulfilled by the college before opening of part-I Proforma for the academic year 2023-24 and send a compliance report to get permission for the session 2023-24:-**
 - i) all the requirements of Minimum Standard 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 the Indian Medicine Central Council (Post Graduate Ayurveda Education) Regulations, 2016
 - iii) All the requirements of the Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2016 (for Ayurveda);
 - iv) All the requirements under the provisions of the NCISM Act, 2020 and relevant Regulations made thereunder should be fulfilled in toto;
15. 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 President, Medical Assessment and Rating Board for Indian System of Medicine. The Medical Assessment and Rating Board for Indian System of Medicine will verify that the conditions have been fulfilled for considering the permission from the academic session 2023-24.
16. However, Concerned Act does not prevent any person or medical college whose scheme (application/s) has not been approved by the Medical Assessment and Rating Board to submit a fresh scheme for the permission of Medical Assessment and Rating Board in accordance with the schedule prescribed for receipt and processing of the applications under concerned Regulation. Hence, the applicant college may apply afresh
17. **Please acknowledge the receipt of this letter**

15/9/23-1-23
(Dr. Raghurama Bhatta U.)
President, Medical Assessment and Rating Board for Indian System of Medicine (NCISM)
Dr. Raghurama Bhatta U.

अध्यक्ष, भा.चि.प. चिकित्सा आकलन और रेटिंग बोर्ड
President, Medical Assessment and Rating Board for I.S.M.
भारतीय चिकित्सा पद्धति राष्ट्रीय आयोग
National Commission for Indian System of Medicine
नई दिल्ली/New Delhi-110058

Copy to:-

- (i) The Chairperson, NCISM, 61-65 Institutional Area, Opp. 'D' Block, Janakpuri, Delhi-110058 for information and necessary action
- (ii) The Secretary to the Govt. of India, Ministry of AYUSH, Ayush Bhawan, B-Block GPO Complex, INA, New Delhi 110023 for information.
- (iii) The Principal Secretary (H&FW), Department of Health & Family Welfare Government of Bihar, Vikas Bhawan, New Secretariat, Patna - 800 015., Bihar, for information and necessary action. (health-bih@nic.in)
- (iv) The Director, Directorate of AYUSH 1st Floor, Vikas Bhawan, Bailey Road, Patna - 800015. AYUSH Bihar. (dd-ayurveda-bih@nic.in)
- (v) The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga 846008, Bihar for information and necessary action.
- (vi) Guard file.

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(Dr. Raghurama Bhatta U.)
President, Medical Assessment and Rating Board for Indian System of Medicine (NCISM)

