

BY SPEED POST

No.U.12012/134/2015-ME - I [FTS.3114018]

Government of India

Ministry of Health & Family Welfare  
(Department of Health & Family Welfare)

Nirman Bhawan, New Delhi-11

Dated the 30<sup>th</sup> August, 2017.

**ORDER**

Subject: Establishment of new medical college at Saharsa (Sri Narayan Medical Institute & Hospital) by Shree Narayan Foundation, Saharsa, Bihar with an annual intake of 100 MBBS students u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Whereas the Shree Narayan Foundation, Saharsa, Bihar made application for establishment new medical college at Saharsa in the name & style of Sri Narayan Medical Institute & Hospital for the academic session 2017-18 to the Ministry. The Ministry forwarded the application to MCI for evaluation and making recommendation to the Ministry u/s 10 A of IMC Act, 1956 for the academic session 2017-18;

2. Whereas the Medical Council of India (MCI) vide its letter dated 06.09.2016 returned the application to the Central Government recommending disapproval of the scheme of establishment of new Medical College at Saharsa by Shree Narayan Foundation, Saharsa, Bihar since following papers were not submitted by the applicant:-

- i. Form-5
- ii. Copy of Balance Sheet
- iii. Year-wise time bound programme

3. Whereas, u/s 10 A (4) of IMC, Act, 1956, the Ministry afforded an opportunity of hearing to the college before a Hearing Committee on 17.10.2016 and since the college submitted the documents, the Hearing Committee recommended <sup>the</sup> case for review by MCI. Accordingly the case was referred back to MCI for review;

4. Whereas, an assessment to the proposed College was carried out by the Council's Assessors on 04<sup>th</sup> & 05<sup>th</sup> January, 2017. The assessment report (04<sup>th</sup> & 05<sup>th</sup> January, 2017) was considered by the Executive Committee at its meeting held on 13.1.2017 and noted the following:-

1. Deficiency of faculty is 63.79 % as detailed in the report.
2. Shortage of Residents is 42.22 % as detailed in the report.
3. College building is under construction. Preclinical departments of Anatomy, Physiology & Biochemistry are not functional.
4. There was NIL Normal Delivery & 1 Caesarean Section on day of assessment.

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5. Radiological & Laboratory investigations workload is less.
6. Histopathology & Cytopathology workload is NIL.
7. Casualty: Crash Cart is not available.
8. ICUs: There was NIL patient in SICU, NICU/PICU, only 1 patient in ICCU & only 2 patients in MICU on day of assessment.
9. Blood Bank: It is not functional.
10. Paramedical & Non-teaching Staff: 80 Paramedical & Non-teaching staff are available against requirement of 101.
11. Lecture Theaters: As yet they are not ready and are non-functional.
12. Central Library: As yet it is not ready and functional. Available books are 1,600 against requirement of 3,000. Other staff is not available.
13. Residents' Hostel: It is not available.
14. Residential Quarters: 14 rooms are available against requirement of 14 quarters for the faculty. 20 rooms are available against requirement of 20 quarters for the non-teaching staff.
15. Website: Information uploaded is sketchy as detailed in the report.
16. UHC is not identified.
17. College Council; Pharmaco Vigilance Committee; Gender Harassment Committee are not constituted.
18. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar under B.N. Mandal University, Bihar to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010

5. Whereas the above decision of MCI was communicated by MCI vide letter dated 30.01.2017.
6. Whereas, on request of the College another hearing was granted to on 15.03.2017 by the Hearing Committee and compliance submitted during hearing was sent to the MCI for review as recommended by the Hearing Committee;
7. Whereas, MCI vide letter dated 20.04.2017 reiterated its earlier decision of disapproval of the scheme of establishment of new Medical College at Saharsa by Shree Narayan Foundation, Saharsa, Bihar;

8. Whereas the Ministry accepted the recommendation of MCI and disapproved the application of the college for establishment of new college at Saharsa by the Shree Narayan Foundation, Saharsa, Bihar for the academic session 2017-2018 vide letter dated 31.05.2017;

9. Whereas the college filed W.P (C) No. 695 of 2017 in the Hon'ble Supreme Court of India and the Hon'ble Court on 14.08.2017 directed as under:-

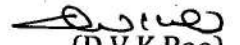
*".....Having heard learned counsel for the parties, it is directed that the Central Government shall offer an opportunity of hearing to the representatives of the Institutions and take assistance of the newly constituted Committee as per the judgment passed by the Constitution Bench in Amma Chandravati Educational and Charitable Trust and Others V. Union of India and Another [Writ Petition (C) No. 408 of 2017], within then days hence and pass a reasoned order by end of August, 2017...."*

10. Now, in compliance with the above direction of Hon'ble Supreme Court, the Ministry granted hearing to the college on 24.08.2017. The representative of Oversight Committee could not attend the Hearing committee meeting. The Hearing Committee after considering the records and submission of the college submitted its report to the Ministry with the following conclusion:-

" The Hearing Committee does not recommend for permission for starting of a new Medical College"

A Copy of the Hearing Committee report containing their observations is enclosed.

11. Accepting the recommendations of the Hearing Committee, the Ministry reiterates its earlier decision dated 31.05.2017 to disapprove the scheme of establishment of new Medical College at Saharsa by Shree Narayan Foundation, Saharsa, Bihar for the academic year 2017-18;

  
(D V K Rao)

Under Secretary to the Govt. of India  
Telefax: 011-23062959

To

The Chairman/Secretary,  
J M Institute of Speech & Hearing,  
H.No.4, Road No.5, Indrapuri, PO-Keshri Nagar,  
Patna-800024, Bihar.

Copy to:

1. The Secretary, Medical Education, Department of Health & Family Welfare, 1st Floor, Vikas Bhawan, Bailey Road, Patna -800 015.
2. The Secretary, Medical Council of India, Pocket-14, Sector-8, Dwarka, New Delhi-75.
3. The Registrar, Aryabhatta Knowledge University, Chanakya National Law University Campus, Near Mithapur Bus Stand, Mithapur, Patna, Bihar-800001
4. The Director, Medical Education, Government of Bihar, Patna
5. The ADG (ME), Dte.GHS, Nirman Bhawan, New Delhi.

3. Shri Narayan Medical Institute & Hospital, Saharsa

Deficiencies in first rejection by MCI	Comments of Hearing Committee	Deficiencies in assessment	Hearing Committee findings (24.08.2017)
MCI has reiterated its earlier decision to return the Application on documentary ground.	Recommended for review by MCI.	<ol style="list-style-type: none"> <li>1. Deficiency of faculty is 63.79 % as detailed in the report.</li> <li>2. Shortage of Residents is 42.22 % as detailed in the report.</li> <li>3. College building is under construction. Preclinical departments of Anatomy, Physiology &amp; Biochemistry are not functional.</li> <li>4. There was NIL Normal Delivery &amp; 1 Caesarean Section on day of assessment.</li> <li>5. Radiological &amp; Laboratory investigations workload is less.</li> <li>6. Histopathology &amp; Cytopathology workload is NIL.</li> <li>7. Casualty: Crash Cart is not available.</li> <li>8. ICUs: There was NIL patient in SICU, NICU/PICU, only 1 patient in ICCU &amp; only 2 patients in MICU on day of assessment.</li> <li>9. Blood Bank: It is not functional.</li> <li>10. Paramedical &amp; Non-teaching Staff: 80 Paramedical &amp; Non-teaching staff are available against requirement of 101.</li> <li>11. Lecture Theaters: As yet they are not ready and are non-functional.</li> <li>12. Central Library: As yet it is not ready and functional. Available books are 1,600 against requirement of 3,000. Other staff is not available.</li> <li>13. Residents' Hostel: It is not available.</li> <li>14. Residential Quarters: 14 rooms are available against requirement of 14 quarters for the faculty. 20 rooms are available against requirement of 20 quarters for the non-teaching staff.</li> <li>15. Website: Information uploaded is sketchy as detailed in the report.</li> <li>16. UHC is not identified.</li> <li>17. College Council; Pharmacovigilance Committee; Gender Harassment Committee are not constituted.</li> </ol>	<p><b>Points 1 &amp; 2:</b> The college authorities have not disputed the gross shortage of Faculty and Residents at the time of inspection.</p> <p><b>Points 3 to 7:</b> Shows gross deficiency of infrastructure and College Authorities have claimed to have taken measures to improve most of the deficiencies in infrastructure. But no authentic documentary proof of their claim was submitted.</p>

Conclusion: The Hearing Committee does not recommend for permission for starting of a new Medical College.





