



BY SPEED POST

No.U.12012/118/2015-ME - I
Government of India
Ministry of Health & Family Welfare
(Department of Health & Family Welfare)

Nirman Bhawan, New Delhi
Dated the 28th September, 2015

ORDER

Subject: Renewal of permission by Central Government for admission of 4th batch (100 seats) of Hi-Tech Medical College & Hospital, Rourkela, Odisha for the academic year 2015-16 – reg.

Whereas Hi-Tech Medical College & Hospital, Rourkela, Odisha had applied for permission for renewal for admission of 4th batch (100 seats) for the academic year 2015-16.

2. And whereas the assessment of the college was conducted by the assessors of the MCI on 1st & 2nd December, 2014. Further, the Executive Committee of the MCI in its meeting held on 13.01.2015 considered the assessors' report and recommended to the Central Government not to renew the permission for admission of 4th batch (100 seats) of the College for the academic year 2015-16.

3. And whereas as per the provisions in section 10(A)(4) of IMC Act, 1956, an opportunity of personal hearing was granted to the college in the Ministry before the Hearing Committee constituted for the purpose in the matter. ~~The case was referred to MCI for making appropriate recommendations to the Ministry.~~

4. And whereas the MCI informed this Ministry that the Executive Committee (EC) of the Council in its meeting held on 27.03.2015 decided to reiterate its earlier decision not to renew the permission for admission of 4th batch (100 seats) of the college for the academic year 2015-16. This EC decision was conveyed to the Central Government on 01.04.2015, which was accepted and conveyed to the College by the Ministry vide letter dated 15.06.2015.

5. And whereas the institution filed a W.P (C) No. 16395/2015 in the Hon'ble High Court of Orissa and the Hon'ble High Court in its direction dated 14.09.2015 was pleased to pass the following orders:

"...we direct quashing of the impugned order dated 15th June and direct the Principal Secretary, Ministry of Health & Family Welfare Government of India and/or any other appropriate officer as may be deputed, to grant an opportunity of hearing to the petitioner-Institution on 18th September, 2015 at 11:00 A.M and after affording an opportunity of hearing pass necessary orders as vested in the Union of India under section 10-A of the IMC Act, 1956.

We make it clear that if the petitioner satisfies the Union of India either of the steps taken by it to remedy the situation and/or offer appropriate undertaking before the authority concerned, we hope and trust that a decision shall be taken forthwith, especially since admission to the MBBS Course is now in progress in the State of Odisha and in terms of the directions of the Hon'ble Supreme Court of India, the admission are to concluded on or before 30th September, 2015. Consequently we hope and trust that the officer concerned shall act forthwith and communicate their decision of the authority before this Court by 22nd September 2015....".

6. And whereas, the institution was granted hearing on 18.09.2015 at 11:00 AM in the Ministry by the Hearing Committee constituted for this purpose. The Committee after considering the oral and written submission made by the college the Hearing Committee recommended to accept the recommendation of MCI. The Central Government accepted the recommendation of hearing committee for acceptance of MCI recommendation for not to renew the permission for admission of 4th batch (100 seats) at the institute for the academic year 2015-16. The said decision was conveyed to the College on 24.09.2015.

[Handwritten signature]

7. And whereas, the Hon'ble High Court of Orissa passed an another order on 25.09.2015 in W.P. No.16395/2015. The operative para of the said order is as under:

- I. That the Central Government shall grant provisional permission to the petitioner to conduct the course for the academic year 2015-16, which will be subject to further orders to be passed by us.
- II. That the State Government/Institution shall start the process of allotment and the admission shall be made by the respective colleges subject to the result of the Writ petition.
- III. The allotment and admission shall be made after giving information to the students regarding the pendency of the writ petition and that the admission will be subject to result of the writ petition.

8. Now therefore, in compliance of direction dated 25.09.2015 passed by Hon'ble High Court of Orissa, the Central Government has decided to grant provisional permission to the College to conduct the MBBS Course for the academic year 2015-16 subject to following conditions:

- I. This permission is valid for one year and for admitting only one batch of 100 MBBS seats during the academic year 2015-16. Admission in next batch of students for the year 2016-17 will be made only after renewal permission of the Central Government.
- II. Admissions made in violation of the above conditions will be treated as irregular and shall be liable for action under IMC Act, 1956 & Regulations made thereunder.
- III. the Institute / College shall make it clear to the Students, who are admitted, that their admission is subject to the result of this writ petition.
- IV. The aforesaid permission shall be subject to further orders to be passed by the Hon'ble High Court of Orissa in W.P. No.16395/2015 and SLP filed by MCI in the Hon'ble Supreme Court.


(D.V.K Rao)

Under Secretary to the Govt. of India
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To

The Principal/Dean,
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Odisha 751025

Copy to:

1. The Secretary, Medical Council of India, Pocket-14, Sector-8, Dwarka, New Delhi - 75.
2. Principal Secretary (Health & FW), Department of Health & Family Welfare, Government of Odisha, Secretariat Building, Bhubaneswar -751 001; Odisha
3. Registrar, Sambalpur University, Jyoti Vihar, Sambalpur, Odisha 768019
4. ADG(ME), Dte.GHS, Nirman Bhawan, New Delhi.