



भारतीय चिकित्सा पद्धति राष्ट्रीय आयोग आयुष मंत्रालय, भारत सरकार

कार्यालय: टी-19, पहली और दुसरी मंजिल, ब्लॉक-IV, धन्वन्तरि भवन,
मार्ग नं०-66, , पंजाबी बाग(पश्चिम), नई दिल्ली -110026

National Commission for Indian System of Medicine

Ministry of AYUSH, Govt. of India

Office: T-19, 1st & 2nd Floor, Block-IV, Dhanwantri Bhawan, Road No.-66, Punjabi Bagh (West), New Delhi-110026

दूरभाष / Phone

सभापति / Chairman: 25221001

सचिव / Secretary: 25221006

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क्रमांक/ Ref. No. - 4-130/MARB/KA/2024-25-Ay.

दिनांक/Dated:02.09.2024

To,

The Principal,

YET's Sri Siddhrameshwar Ayurvedic Medical College,

Hospital & Research Centre,

Naubad, Bidar-585402,

Karnataka

E-mail ID: - yetssamc@gmail.com

Subject:-Grant of Conditional Permission to YET's Sri Siddhrameshwar Ayurvedic Medical College, Hospital & Research Centre, Naubad, Bidar-585402, Karnataka (Inst. ID AYU0101) with intake capacity 60 seats in UG (BAMS) course for the academic session 2024-25 under section 28 of NCISM Act, 2020 and relevant regulations thereunder-reg.

Sir/Madam,

With reference to the subject mentioned above, I am directed to inform you that in pursuance of the provision 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commission for Indian System of Medicine Act, 2020, the Indian Medicine Central Council Act,1970 (48 of 1970) has been repealed with effect from the 11th day of June, 2021.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-division (1) of section 3 of the Indian Medicine Central Council Act, 1970 (48 of 1970) shall stand dissolved. Now, in exercise of the powers conferred by sub-section (3) of the section 1 of the said Act, the Central Government hereby notifies 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 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 there under shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made there under. Further, the provision of concerned regulations which are inconsistent with the provision of NCISM Act, 2020 shall not be applicable.

- Further, to assess the available facilities of teaching, non-teaching, hospital staff, practical training and other infrastructure facilities at your college namely **YET's Sri Siddhrameshwar Ayurvedic Medical College, Hospital & Research Centre, Naubad, Bidar-585402, Karnataka (Inst. ID AYU0101)**, inspection of your College was conducted on **18.04.2024 & 19.04.2024 in hybrid mode** as a part of annual visitation by the visitation team of Medical Assessment and Rating Board, NCISM to process **the Conditional Permission with 60 seats in UG (BAMS) course, under section 28 of NCISM Act, 2020 for the academic session 2024-25.**
- Further, the visitation report and all other related documents were assessed in terms of the enforced regulations namely, the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016", Minimum Standards of Undergraduate Ayurveda Education regulation, 2022 provisions under the NCISM Act, 2020 and relevant Regulations there under.
- Therefore, the assessment report was placed in the **99th Board meeting** of Medical Assessment and Rating Board for Indian System of Medicine (NCISM) held on **26.07.2024** and it was found that your college is not fulfilling the notified & approved criteria for issuance of Conditional Permission with **60 seats in UG (BAMS) course** for the academic session 2024-25 and **the Board discussed and decided to provide an opportunity of virtual hearing** vide the MARB-ISM letter (Hearing notice) of **even number** dated **05.08.2024** to appear before the designated Hearing Committee on **10.08.2024**, to present their case and to show cause as to **why not the Conditional permission**

to the college with 60 seats in UG (BAMS) under section 28 of NCISM Act, 2020 be denied for the academic year 2024-25.

4. Further board is in receipt of an **email dated 09.08.2024** enclosing **letter of ref no. SSAMC/BDR/BAMS/136/24 dated 09.08.2024** regarding the request to postpone of hearing scheduled on **10.08.2024**. Accordingly, hearing is **rescheduled** to appear before the designated Hearing Committee **on 24.08.2024**. The college was directed to make written submission in respect of the case and produce all relevant valid documents/records/proof to substantiate the claims against all the deficiencies/shortcomings. The representatives of the college submitted written submissions **vide letter no. SSAMC/BDR/BAMS/2024 dated 23.08.2024** against the deficiencies conveyed to them.
5. 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 enforced regulations namely, the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016", Minimum Standards of Undergraduate Ayurveda Education regulation, 2022 and relevant regulations thereunder, and the recommendation of Hearing Committee was placed in the **104th Board meeting** of Medical Assessment and Rating Board for Indian System of Medicine (NCISM) held on **28.08.2024**. On careful examination the Board found that **your college is fulfilling the notified & approved criteria.**
6. **Therefore, as per regulation 3(3) of MSR, 2016, the college is fulfilling the basic eligibility criteria for conditional permission for the academic year 2024-25. Hence the Board decided to issue the Conditional Permission with 60 seats in UG (BAMS) course for the academic session 2024-25.**
7. **Therefore Conditional Permission is granted to YET's Sri Siddhameshwar Ayurvedic Medical College, Hospital & Research Centre, Naubad, Bidar-585402, Karnataka (Inst. ID AYU0101) with 60 seats in UG (BAMS) course, under section 28 of NCISM Act, 2020 for the academic session 2024-25 subject to the condition that aforementioned shortcoming shall be fulfilled along with the following requirements: -**
 - 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. 2024-25 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 no.BUSS/Fee/ASU/2022-23 dated 16.09.2022. Fees of the remaining 50% of seats are to be fixed as per the guidelines of Fee Fixation/Regulatory Committee (FRC) of respective State/UT/Deemed to be University.
8. Admissions made in violation of the above conditions will be treated as invalid and action will be initiated under NCISM Act & Regulations thereunder.
9. Further, **as per Sub-section (7) of Section 29 of NCISM Act, 2020**, The Medical Assessment and Rating Board for Indian System of Medicine may conduct evaluation and assessment of any University or medical institution at any time, either directly or through any other expert, having integrity and experience in medical profession, without any prior notice and assess and evaluate the performance, standards and benchmarks of such University or medical institution and if the college is found to be not maintaining the Minimum Essential standards as specified in the concerned Acts & Regulations then **in accordance of Section 28 (1) (f) of NCISM Act, 2020 the issued permission of the college shall deemed to be withdrawn and denial of permission shall be issued by MARBISM for stoppage of admission for that particular academic year or the subsequent year.**

10. Discrepancies, if any, may be immediately brought to the notice of Medical Assessment and Rating Board for Indian System of Medicine, NCISM.
11. **The following requirements should be fulfilled by the college by 31st December, 2024 and compliance report should be submitted to MARB-ISM, in order to be considered for the grant of Permission for the academic session 2025-26:-**
- All the requirements under the provisions of the NCISM Act, 2020 and relevant Regulations made thereunder should be fulfilled in toto.
 - All the requirements of Minimum Standard of infrastructure and teaching & training facilities as specified in NCISM (Minimum essential standards, assessment and rating for undergraduate Ayurveda colleges and attached teaching hospitals) Regulations, 2024.
 - All the requirements of the National Commission for Indian System of Medicine (Minimum Standards of Undergraduate Ayurveda Education) Regulations-2022.
12. 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 for the academic session 2025-26.
13. **Please acknowledge the receipt of this letter.**

25/12/24

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

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
पंजाबी बाग (पश्चिम), नई दिल्ली-110026
Punjabi Bagh (West), New Delhi-110026

Copy to:

- The Chairperson, NCISM, T-19, 1st& 2nd Floor, Block-IV, Dhanwantari Bhawan, Road No.66, Punjabi Bagh (West), New Delhi-110026 for information.
- The Secretary to the Govt. of India, Ministry of AYUSH, Ayush Bhawan, B-Block GPO Complex, INA, New Delhi 110023. (secy-ayush@nic.in, aaccc-admin-ayush@gov.in, ep1section-ayush@gov.in)
- The Principal Secretary (H&FW), Department of health & Family Welfare Government of Karnataka Room No. 104 1st Floor, Vikas Souda, Bangalore-560001, Karnataka for information and necessary action (prs-hfw@karnataka.gov.in)
- The Director Department of AYUSH, Ayurveda Yoga & Naturopathy, Unani, Siddha & Homoeopathy), Dhanwantri Road, Near Ananda Rao Circle Bengaluru-560009, Karnataka. (directorayush@gmail.com, jdayushme@gmail.com) for information.
- The Registrar, Rajiv Gandhi University of Health Sciences, 4th 'T' Block, Jayanagar, Bangalore-560041, Karnataka. (registrar@rguhs.ac.in) for information.
- Guard file.

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



**IN THE HIGH COURT OF KARNATAKA,
KALABURAGI BENCH**

DATED THIS THE 12TH DAY OF NOVEMBER, 2024

BEFORE

**THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR
WRIT PETITION NO. 203010 OF 2024 (EDN-AD)**

BETWEEN:

1. YELLALING EDUCATION TRUST'S
NAUBAD, BIDAR 585 404,
REPRESENTED BY ITS PRESIDENT MURALIDHAR
EKLARKAR
2. SRI SIDDHARAMESHWARAYURVEDIC MEDICAL COLLEGE,
HOSPITAL AND RESEARCH CENTRE,
NAUBAD BIDAR 585404 REPRESENTED BY ITS PRINCIPAL
DR. ROOPESH EKLARKAR

...PETITIONERS

(BY SRI. VIKRAM HUILGOL, SENIOR COUNSEL FOR
SRI. V K NAYAK, ADVOCATE)

AND:

1. MINISTRY OF AYURVEDA,
YOGA AND NATUROPATHY, UNANI, SIDDHA AND
HOMOEOPATHY (AYUSH) AYUSHBHAVAN 'B' BLOCK,
GPO COMPLEX INA, NEW DELHI 110 023
REPRESENTED BY ITS UNDER SECRETARY
2. NATIONAL COMMISSION FOR INDIAN SYSTEM OF
MEDICINE, MINISTRY OF AYUSH,
GOVERNMENT OF INDIA OFFICE T-19,

Digitally signed
by SUMITRA
SHERIGAR
Location: HIGH
COURT OF
KARNATAKA



1ST AND 2ND FLOOR, BLOCK-IV,
DHANWANTARI BHAWAN,
ROAD NO 66, PUNJABI BAGH (WEST)
NEW DELHI-110026 REP BY ITS PRESIDENT.

3. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES,
4TH T BLOCK JAYANAGAR BENGALURU 560 041
REP BY ITS REGISTRAR
4. DEPARTMENT OF AYUSH,
DHANWANTARI ROAD, NEAR ANAND RAO CIRCLE
BENGALURU 560 009
REPRESENTED BY ITS DIRECTOR
5. KARNATAKA EXAMINATION AUTHORITY,
18TH CROSS, SAMPIGE ROAD MALLESHWARAM
BENGALURU 560 012 REPRESENTED BY ITS EXECUTIVE
DIRECTOR

...RESPONDENTS

(SRI. SUDHIRSINGH R. VIJAPUR, DSGI FOR R1;
SRI. DEEPAK BARAD, ADV. FOR R2;
SRI. R.J.BHUSARE, ADV. FOR R3;
SRI. G.B.YADAV, HCGP FOR R4;
SRI. BASAVARAJ MATH, ADV. FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, BY THE ADVOCATE FOR PETITIONER PRAYING TO, A) QUASH THE ORDER DATED 11-09-2024 BEARING REF NO.4-130/MARB/KA/2024-25-AY DATED 11-09-2024 AT ANNEXURE-H PASSED BY THE 2ND RESPONDENT DENYING THE PERMISSION FOR INCREASED INTAKE FROM 60 STUDENTS TO 100 STUDENTS, ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR



ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR)

1. Heard learned Senior Counsel Sri. Vikram Huilgol, for the petitioner, learned DSGI for respondent No.1, learned counsel for respondent No.2, learned counsel for respondent No.3, as well as learned counsel for respondent Nos.4 and 5 and perused the material on record.

2. In this petition, the petitioners seek the following reliefs:

(a) Quash the order dated 11.09.2024 bearing Ref. No.4-130/MARB/KA/2024-25-AY dated 11.09.2024 at Annexure-H passed by the 2nd respondent denying the permission for increased intake from 60 students to 100 students;

(b) Issue writ in the nature of order or direction or mandamus to the respondent No.2 to grant permission to the petitioner college for increase intake from 60 students to 100 students as the petitioner college is having all the required infrastructure and faculty for imparting education for the academic year 2024-25.

3. In addition to reiterating various contentions raised in the petition and referring to the material on



record, learned Senior Counsel for the petitioner invited my attention to the recommendation/NOC issued by the State Government at Annexure-G, whereby, the State Government gave a NOC in favour of the petitioner-college for the purpose of increasing of intake of students from 60 seats to 100 seats.

4. It is submitted that, subsequently despite the petitioner-college complying with all infrastructural requirements and inducting sufficient faculty for the purpose of increased intake from 60 students to 100 students, the respondent No.2 has proceeded to pass the impugned order rejecting the request of the petitioner for increase in intake, aggrieved by which the petitioner college preferred an appeal before the Chair person of respondent No.2 vide Annexure-J dated 18.09.2024 and has put forth various contentions in this regard and the said appeal is pending consideration. It is also pointed out that, the detailed submissions and compliance report were filed by the petitioner, despite which the respondent No.2 has rejected the request of



the petitioner and as such, he is before this court by way of the present writ petition.

5. Per contra, learned DSGI for respondent No.1 submits that, if reasonable time is granted, the Chair person of respondent No.2 commission shall consider and dispose of the appeal at Annexure-J submitted by the petitioner in accordance with law.

6. In view of the aforesaid facts and circumstances and undisputed fact, that the appeal against the impugned order at Annexure-H has already been filed by the petitioner before the Chair person of the respondent No.2 vide Annexure-J dated 18.09.2024, I deem it just and proper to dispose of this petition directing the Chair Person of the respondent No.2/appellate authority to consider and dispose of the appeal already filed by the petitioner vide Annexure-J dated 18.09.2024 in accordance with law, on or before 19.11.2024 bearing in mind the various contentions urged in the memorandum of appeal and this petition,



as well as the various documents produced by the petitioner.

7. Subject to the aforesaid directions, the petition stands disposed of.

**Sd/-
(S.R.KRISHNA KUMAR)
JUDGE**

Svh/-
List No.: 1 SI No.: 85