



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग III—खण्ड 4
PART III—Section 4

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 41] नई दिल्ली, बुधवार, दिसम्बर 21, 1994/अग्रहायण 30, 1916
No. 41] NEW DELHI, WEDNESDAY, DECEMBER 21, 1994/AGRAHAYANA 30, 1916

भारतीय आयुर्विज्ञान परिषद्
अधिसूचना

नई दिल्ली, 21 दिसम्बर, 1994

एम.सी.आई. 34 (41)/94-मैड (एन) :- भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 33 के खण्ड (द) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद्, केन्द्रीय सरकार की पूर्वानुमति से एतद्द्वारा शिक्षा शुल्क तथा अन्य शुल्क देने और चिकित्सा कालेजों में छात्रों के प्रवेश संबंधी मार्गदर्शी सिद्धान्त तथा मानक निर्धारण करने के लिए निम्नलिखित विनियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम तथा प्रारम्भ : (1) इन विनियमों की भारतीय आयुर्विज्ञान परिषद् (शुल्क संबंधी मानदण्ड एवं मार्गदर्शी सिद्धान्त तथा चिकित्सा कालेजों में प्रवेश संबंधी मार्गदर्शी सिद्धान्त) विनियम, 1994 कहा जाएगा।

(2) ये सरकारी राजपत्र में प्रकाशित होने की तारीख से प्रवृत्त होंगे।

2903 GI/94

2. प्रयोजनीयता :- ये विनियम एम.बी.बी.एस. पाठ्यक्रम प्रदान करने वाले निम्नलिखित प्रकार के चिकित्सा कालेजों पर लागू होंगे :-

- (क) गैर-सरकारी शिक्षा संस्थानों द्वारा स्थापित और/अथवा संचालित चिकित्सा कालेज, और
- (ख) ऐसे अन्य चिकित्सा कालेज जिन पर सरकार, मान्यता देने वाले और/अथवा संशोधन प्राधिकरण द्वारा ये विनियम लागू किए जाएं।

अपवर्जन :- उच्चतम न्यायालय के दिनांक 18-8-1993 के अधिनियम में उल्लिखित निर्देशों के अनुसरण में, निम्नलिखित चिकित्सा कालेजों को इन विनियमों के क्षेत्र से बाहर रखा जाएगा :-

- (क) क्रिश्चियन मेडिकल कॉलेज, बेंगलूर
- (ख) सेंट जॉन मेडिकल कॉलेज, बंगलूर

ये दो कालेज छात्रों की अपेक्षा द्वारा आयोजित प्रवेश परीक्षा के आधार पर उसी प्रकार प्रवेश देंगे जिस प्रकार उक्त चिकित्सा कालेजों में शैक्षिक वर्ष 1992-93 में प्रवेश दिए गए थे। प्रवेश कार्य पूरा करने के बाद ये कालेज प्रवेश दिए

(1)

MEDICAL COUNCIL OF INDIA

NOTIFICATION

New Delhi, the 21st December, 1994

MCI-34(41)/94-Med.(N).—In exercise of the powers conferred by clause (n) of Section 33 of the Indian Medical Council Act, 1956 (102 of 1956), the Medical Council of India, with the previous sanction of the Central Government, hereby makes the following regulations fixing norms and guidelines for charging tuition fee and other fees and providing guidelines for admission of students to medical colleges, namely :—

1. Short title and commencement.—(1) These regulations shall be called the Medical Council of India (Norms and Guidelines for Fees and Guidelines for Admissions in Medical Colleges) Regulations, 1994.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Applicability.—These regulations cover the M.B.B.S. course imparted by :—

- (a) Medical colleges established and/or run by private educational institutions; and
- (b) Such other medical colleges to which these regulations are made applicable by the Government, recognising and/or affiliating authority.

Exceptions :

The following medical colleges shall be kept out of the purview of these regulations in pursuance of the directions of the Supreme Court in its judgment dated 18-8-1993 :—

- (a) Christian Medical College, Vellore.
- (b) St. John's Medical College, Bangalore.

These two colleges will admit students on the basis of entrance test conducted by them and on the same basis on which admissions were made by them in the said medical colleges in the academic year 1992-93. After completing admissions these colleges shall furnish full particulars of the students admitted, the categories, if any, whereunder they were admitted and all other particulars relating to their admission to the competent authority, to the University to which it is affiliated and to the concerned Government. The

competent authority shall ensure that the admissions are made in accordance with the scheme devised by the Supreme Court.

3. Definitions.—In these regulations, unless the context otherwise requires :—

- (a) "Act" means the Indian Medical Council Act, 1956 (102 of 1956).
- (b) "Competent Authority" means a Government or University or any other authority as may be designated by the Government or the University or by law to allot students for admissions to various medical colleges in a State or Union Territory.
- (c) "Appropriate Authority" means the Government, University or other authority as is competent to grant permission to establish or to grant recognition to a medical college.
- (d) "Council" means the Medical Council of India established under Section 3 of the Act.
- (e) "Fees" in relation to free seats and payment seats, means all the institutional fees and includes tuition fee;
- (f) "Free seats" means the seats on which the fee payable is the same as prescribed for the Government colleges/institutions in the concerned State or Union Territory;
- (g) "Payment seats" are seats other than free seats for which fee payable will not exceed the limits prescribed under these regulations.

4. Condition for establishment of a medical college.—(a) Only a Society registered under the Societies Registration Act, 1860, or a Public Trust, Religious or Charitable, registered under the Trust Act, Wakfs Act or the Corresponding Act, legislation, if any, shall be eligible to establish a college imparting the M.B.B.S. course as referred to in clause 2 and no college shall start a new or higher course of study and shall also not increase its admission capacity without the previous permission of the appropriate authority.

(b) The competent authority should not make admissions to any course and institution which have been started in violation of any law and these regulations.

5. Admission procedure.—(a) The number of seats for fresh admission shall be fixed by the appropriate authority in consultation with the Medical Council of India.

(b) Only the competent authority shall call for applications for admission to all seats available in private medical colleges alongwith the applications for admission to Govt. University colleges of similar nature.

(c) The competent authority shall issue a brochure on payment of appropriate charges, alongwith the application form for admission giving full particulars of the courses and number of seats available, the names of colleges and their location. The brochure will also specify the minimum eligibility conditions, the method of admission (whether by entrance test or otherwise) and other relevant particulars. The application form shall contain a column or a separate part wherein an applicant shall indicate whether he wishes to be admitted against a payment seat and the order of preference upto three medical colleges.

(d) The competent authority shall prepare a merit list on the basis of a common entrance examination from amongst the successful candidates where common entrance examination is held or in absence of an entrance examination by such criteria as may be determined by the competent authority.

(e) The result of the entrance examination, if any, held shall be published in at least two leading newspapers, one in English and other in vernacular.

6. The seats in institutions (if any), which are affiliated to an out of State affiliating body, shall be included in "all the seats" available in the host state (the State in which the institution is actually located) and, admission shall be made by the competent authority, in accordance with procedure as per para 5 above.

7. Allotment of seats.—(a) At least 50 per cent of seats in every private medical college shall be "free seats" and remaining 50 per cent of seats may be "payment seats".

2903 GI/94—2

(b) After the free seats in medical colleges are filled up, atleast 10 days' time will be given to the candidates (students) to opt to be admitted against payment seats.

(c) All allotments made shall be published in two leading newspapers, one in English and other in vernacular and on the notice board of the respective colleges and at such other places as the competent authority may direct alongwith the marks obtained by each candidate in the relevant entrance test or qualifying examination.

(d) The competent authority shall also prepare and publish a waiting list of candidates alongwith the marks. The said list shall be followed after the last date for allotment is over for filling any casual vacancies or 'drop-out' vacancies arising after the admissions are finalised. These vacancies shall be filled until such date as may be prescribed by the competent authority. Any vacancies still remaining after such date can be filled by the management.

8. Fee structure.—(a) The term "fees" as applicable to "free seats" and "payment seats" shall cover all the institutional fees including tuition fee.

(b) The fee payment for payment seats in private medical colleges shall be fixed by the Government of India from time to time. The fee structure fixed by the Govt. of India shall be binding on institutions covered under clause 2 of these regulations.

9. Miscellaneous.—(a) Regulation of admission in minority institutions.

(i) 50 per cent of seats in minority educational institutions shall be filled on the basis of merit list prepared by the competent authority. Out of these seats half shall be payment seats and other half shall be free seats. The remaining 50 per cent of seats shall be filled by the management from amongst the candidates belonging to the concerned minority out of which half will be payment seats and other half will be free seats.

(ii) After completing the admission, each minority college shall submit to the competent authority, the concerned University and the concerned State

Government, a statement containing full particulars of the students admitted against 50 per cent filled up by the management from amongst the candidates belonging to the concerned minority.

(b) Admission of NRIs|Foreign students.—Private medical colleges shall be permitted to admit the NRIs|foreign students upto a maximum of 10 per cent of the total sanctioned intake capacity from the academic year 1994-95. This 10 per cent will be out of "payment seats". The NRIs|foreign students shall be admitted on the basis of merit. But in view of different backgrounds they come from, it is for the management of the college concerned to judge the merit of these candidates, having regard to the relevant factors.

(c) No quota for Management.—There shall be no quota of seats for the management or for any family, caste or community which may have established such a college or institution. However,

the Management may fill at their discretion any seats that remain unfilled in the 10 per cent quota under clause (b) above.

(d) Reservation.—It shall be open to a private medical college to provide for reservation of seats for constitutionally permissible classes with the approval of the affiliating University. Such reservations, if any, shall be made and notified to the competent authority and the appropriate authority atleast one month prior to the issuance of notification calling for applications for admission to such category of colleges. In such a case, the competent authority shall allot students keeping in view the reservations provided by a medical college. The rule of merit shall be followed even in such reserved categories.

(e) Interpretation of regulations.—In case of a dispute of interpretation of these regulations the decision of the Central Government shall be final and binding on all concerned.

DR. M. SACHDEVA, Secy.
Medical Council of India