

BY SPEED POST

No.V.11013/10/2021-ME-I [FTS No. 8114849]

Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare

Nirman Bhawan, New Delhi-11
Dated the 03rd January, 2022.

ORDER

Subject: Appeal dated 07.09.2021 from Dr. Sridhar Rao President National M.Sc Medical Teachers' Association (NMMTA) Shahdara, Delhi under section 9(6) of the National Medical Commission act, 2019 against the decision of the National Medical Commission conveyed to them vide letter dated 26.07.2021- reg.

Whereas Dr. Sridhar Rao President National M.Sc Medical Teachers' Association (NMMTA) Shahdara, Delhi has prayed against the Notification dated 28.10.2020 of National Medical Commission (NMC) published in official Gazette on 29.10.2020 titled "Minimum Requirements for Annual MBBS Admissions Regulations, 2020".

2. Whereas the NMC has made 'Minimum Requirements for Annual MBBS Admissions Regulations, 2020' vide Notification dated 28.10.2020 published in official Gazette on 29.10.2020, wherein among others number of faculty of M.Sc., Ph.D. degree holders and non-medical teachers in the Departments of Anatomy and Physiology have been reduced from the 30% to 15% and in Biochemistry from 50% to 15%.

3. Whereas the appellant preferred an appeal dated 28.02.2021 to Chairman, NMC u/s 22(3) of NMC Act, 2019 against the reduction of number of faculty of M.Sc., Ph.D. degree holders and non-medical teachers in the Departments of Anatomy and Physiology have been reduced from the 30% to 15% and in Biochemistry from 50% to 15%.

4. Whereas the subject matter is sub-judice before the Hon'ble High Court of Delhi in WP(C) 9115/2020.

5. Whereas the NMC vide letter No. NMC/Legal-(19509)-016503 dated 26.07.2021 informed the appellant that the appeal of the NMMTA is disposed off subject to pending adjudication in Delhi High Court and indicated that an appeal can be filed to Central Government under section 9(6) of NMC Act, 2019 against the decision of NMC.

6. Whereas Dr. Sridhar Rao President National M.Sc Medical Teachers' Association (NMMTA), Shahdara has preferred an appeal dated 07.09.2021 to Central Government under section 9(6) of the National Medical Commission Act, 2019 against the decision of the National Medical Commission (NMC) conveyed to them vide Commission's letter dated 26.07.2021. The appellant submitted that the reduction in the appointment of non-medical teachers in the departments mentioned is arbitrary, discriminatory and violation of the rights of the members of the Appellant association. Thus, reduction of the number of non-medical teachers that can be appointed in the departments of Anatomy, Physiology, Biochemistry, Microbiology and Pharmacology is ultra vires to the Constitution and also at loggerheads with the objects of the National Medical Commission Act, 2019. Further, it would be detrimental to the qualitative and quantitative growth of medical education in India. Hence, the percentage of non-medical teachers that can be appointed in Medical colleges be retained as per the IMC regulations.

7. The documents and submission made by the appellant have been considered by Central Government and is of a considered view that the NMC may continue to adopt the old pattern of permissible percentage of non-medical teachers for the time being subject to outcome of the pending court case.

8. Accordingly, the appeal under section 9(6) of NMC Act, 2019 preferred by Dr. Sridhar Rao, President, National M.Sc. Medical Teachers Association (NMMTA), Shahdara, Delhi stands disposed off.



(Dr. Sanjay Roy)

Director (ME)

Tel: 011-23061656

To

Dr. Sridhar Rao President National M.Sc Medical Teachers' Association (NMMTA) Shahdara, Delhi.

Copy to:

1. The Secretary, National Medical Commission, Pocket-14, Sector-8, Dwarka, New Delhi-75 for necessary action.
2. PS to Hon'ble HFM, Nirman Bhawan, New Delhi for information.
3. The ADG (ME), Dte.GHS, Nirman Bhawan, New Delhi for information.