

With reference to the news report with the caption 'Another DMK minister courts controversy' which appeared in the Times of India, New Delhi on 14th January, 2011, the Ministry of Health & Family Welfare clarifies the position as under: -

2. The news report relates to the grant of permission to existing Ayurveda, Siddha and Unani Medical Colleges for conducting Under Graduate courses under section 13C of the Indian Medicine Central Council Act, 1970 in the system concerned. The news report is based on inadequate appreciation of facts and circumstances and is exaggerated and appears motivated.

3. The said news report alleges violation of the recommendations made by the Central Council of Indian Medicine (CCIM) with respect to norms, which have reportedly been approved by the Supreme Court, and grant of permission to Ayurveda and Unani colleges to continue admission despite not fulfilling the Minimum Requirements. The allegation is incorrect.

4. The factual position is in the succeeding paragraphs: -

(i) The Central Government in the Ministry of Health & Family Welfare has been deciding the question of grant or denial of permission for fresh admission to existing medical colleges on the basis of **four major basic parameters** since 2008-09. These four parameters are existence of at least 80% of eligible teaching faculty in the college, existence of a functional attached hospital with the requisite bed strength of 100, average OPD attendance of 100 patients per day and at least 40% bed occupancy in the IPD of the attached hospital.

(ii) The CCIM had proposed draft regulations in October, 2009 for laying down the Minimum Standard Requirements of Ayurveda, Siddha and Unani Colleges and Attached Hospitals. These were reviewed in a meeting held on 24th November, 2009 at the level of the Union Minister of Health & Family Welfare with all concerned including the CCIM. Based on this, the Department of AYUSH had advised the Central Council of Indian Medicine on 27th January, 2010 to follow the norms proposed in the draft regulations with certain modifications agreed upon for the academic year 2010-11.

(iii) The CCIM, however, through its letter dated 25th March, 2010 intimated that according to its estimate about 80% of the existing colleges were not fulfilling the 100% requirement of teaching staff and if the criteria of 100% teaching staff were followed, **only about 20% colleges would be in a position to get permission for the session 2010-11.** In the said communication, the CCIM further mentioned that if relaxed norms of 80% were followed, as in the past previous two years, more than 80% of the colleges would get permission for the

session 2010-11. The CCIM further brought to the notice of the Government that appointment of Graduate/Post Graduate personnel have taken place in various organizations including the National Rural Health Mission (NRHM), and therefore, there is an overall shortage of teaching staff.

(iv) However, the CCIM was advised by the Department on 4th May, 2010 to send the cases of such colleges as were fulfilling 100% requirement in the first instance.

(v) However, again in a further communication dated 11th May, 2010 the **CCIM pointed out that out of 195 colleges visited by them till that time, only 11 colleges would be eligible for permission and furthermore position of remaining 57 colleges would also be the same as that of 195 colleges.** Therefore, the CCIM suggested *inter alia* that 80% of the teaching staff in a college, average attendance in the OPD as 100 patients per day and 40% bed occupancy in the IPD should be followed for the purpose of grant of permission for 2010-11.

(vi) Therefore, considering the ground realities reported by the CCIM, the Department agreed and communicated to the CCIM on 2nd June, 2010 that at least 90% (not 80% as suggested by the CCIM) of the teaching staff alongwith average OPD attendance of 100 patients per day and IPD bed occupancy of 40% should be the criteria for considering grant of permission for 2010-11.

(vii) Subsequently, the CCIM through its letter dated 31st May, 2010 mentioned the observations made by the Supreme Court during the course of hearing of a matter relating to CCIM vs. the Association of Management of Ayurveda Colleges of Maharashtra and withdrew its previous recommendations made under letter dated 11th May, 2010.

(viii) The observations of the Supreme Court as reported by the Counsel of CCIM and forwarded by the CCIM under its letter dated 31st May, 2010 was with the following conclusion: -

“The impression thus generated by the Hon’ble Court was that dilution of standards ought to be impermissible, however, instead of granting relaxations, minimum standards being prescribed must be made practical and realistic, otherwise dilution of standards would become the order of the day”

(ix) The Ministry is not aware of any orders of the Hon’ble Supreme Court approving the norms and standards proposed by the CCIM. In fact, these norms have not been notified as yet, and therefore the question of approval by any Court does not arise. The final orders dated 27.09.2010 of the Supreme Court in Civil Appeal No. 8319-8320 of 2010 [arising out of SLP(c) No. 3505-3506/2009] do not mention any approval of the Supreme Court of the norms and standards laid down

by the CCIM. A copy of the said order dated 27th September, 2010 of the Hon'ble Supreme Court is also enclosed.

(x). The factual position is that minimum standard requirements of medical colleges imparting education in UG courses in Indian Systems of Medicine have not yet been notified. The basic minimum criteria, the Department and CCIM have been following since 2008-09 are the existence of at least 80% of eligible teaching faculty; existence of a functional hospital with requisite bed strength of 100, average OPD attendance of 100 patients per day and 40% bed occupancy in the IPD of the attached hospital.

(xi) Although CCIM opted to withdraw its previous recommendations sent under its letter dated 11th May, 2010, the fact remains that there could not have been any material change within a short span of about 20 days in the ground realities as reported over and over again by the CCIM during the previous six months. Therefore, in the light of the letters of CCIM, the decision of July, 2010 to continue with the existing criteria of 80% of the teaching faculty, which had been followed in the previous two years, was in accordance with the prevailing circumstances in the sector. It can also be said that the adoption of realistic criteria for the decision making process was in consonance with the spirit (as had been reported by the Counsel of CCIM) of the observations of the Hon'ble Supreme Court.

5. The Press Report is factually incorrect that the IPD requirement was 100% ever. It is further incorrect that the decision of July, 2010 reverses the process of de-recognition initiated by CCIM. De-recognition is distinct from grant of permission for admission in a particular academic year. Withdrawal of recognition or de-recognition under section 13B of the IMCC Act relates to a 'medical qualification' and not to a college imparting medical education and training. There is no case of de-recognition forwarded by CCIM to the Department which has not been pursued further in terms of the provisions of the Act.

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