

No.U.12012/614/2015-ME – I [FTS.3121588]

Government of India

Ministry of Health & Family Welfare

(Department of Health & Family Welfare)

Nirman Bhawan, New Delhi-11

Dated the 31st August, 2017.**ORDER**

Subject: **Kanachur Institute of Medical Sciences & Research Centre, Mangalore, Karnataka**- Confirmation of conditional Letter of Permission and Permission for the admission of student (150 seats) in MBBS Course for the academic year 2017-18.

Whereas in compliance of direction dated 01.08.2017 of Hon'ble Supreme Court in W.P (C) No. 468 of 2017, the Ministry granted a hearing to **Kanachur Institute of Medical Sciences & Research Centre, Mangalore, Karnataka** and reiterated its earlier decision to debar Kanachur Institute of Medical Sciences & Research Centre, Mangalore, Karnataka from admitting students in MBBS Course (150 seats) for two years i.e. 2017-18 & 2018-19 vide its order dated 10.08.2017;

2. Whereas the Hon'ble Supreme Court in Writ Petition (C) No.468/2017 with I.A. No.73463/2017 vide order dated 31.08.2017 directed as under:-

"...We are of the considered opinion that in view of the persistent defaults and shortcomings in the decision making process of the respondents, the petitioner's college/institution ought not to be penalised. Consequently, on an overall view of the materials available on record and balancing all relevant aspects, we are of the considered opinion that the conditional LOP granted to the petitioner's college/institution on 12.09.2016 for the academic year 2016-17 deserves to be confirmed. Having regard to the progression of events, the assertions made by the petitioner in the representations countering the deficiencies alleged, the observations/views expressed by the Oversight Committee in its communication dated 14.05.2017 and the DGHS in the hearing held on 17.01.2017, which considerably dilute/negate the findings with regard to the deficiencies as recorded by the assessors of the MCI in the inspections conducted, we hold that the petitioner's college/institution, as prayed for, is also entitled to LOP for the academic year 2017-18. We order accordingly. However, as the Act and Regulations framed thereunder have been envisioned to attain the highest standards of medical education, we consider it expedient to permit the Central Government/MCI to cause inspection of the petitioner's college/institution in case of genuine necessity and as warranted in law besides adopting other initiatives, as mandated by the Act and Regulations from time to time. In view of this determination, the date of counselling for the admissions to the course involved for the academic year 2017-18 qua the petitioner's college shall stand 30 extended till 05.09.2017. The impugned order dated 10.08.2017 is thus set aside. The writ petition is allowed. We make it clear that the decision rendered and the directions issued are in the singular facts and circumstances of the case. I.A. No. 73463 of 2017 also stands disposed of."



3. Now, therefore, in compliance of the above order of the Hon'ble Supreme Court the Ministry hereby confirms the conditional permission granted to **Kanachur Institute of Medical Sciences & Research Centre, Mangalore, Karnataka** in 2016-17 and permits the College to admit students (150 seats) in MBBS course for the academic year 2017-18;
4. The Next batch of students in 2018-19 with 150 seats will be admitted only after obtaining permission from the Central Government;
5. Admissions made in violation of above conditions will be treated as irregular and action will be taken as per provisions of IMC Act, 1956 and the Regulations made there under;
6. The Central Govt./MCI is at liberty to cause inspection of the College in case of genuine necessity and as warranted in law besides adopting other initiative, as mandated by the Act & Regulations from time to time;


(D V K Rao)

Under Secretary to the Govt. of India
Telefax: 011-23062959

To

The Principal/Dean,
Kanachur Institute of Medical Sciences & Research Centre,
University Road, Deralakatte, Naketal,
Mangalore, Karnataka-575018

Copy to:

- 1 The Secretary, Medical Council of India, Pocket-14, Sector-8, Dwarka, New Delhi.
- 2 The Secretary, Medical Education Department, Government of Karnataka State Secretariat Room No-105, Vikas Souda, Bangalore-560001.
- 3 The Registrar, Rajiv Gandhi University of Health Sciences, Bangalore-560041
- 4 The ADG (ME), Dte.GHS, Nirman Bhawan, New Delhi.
- 5 The Director, Medical Education, Govt. of Karnataka, Bangalore.