

**URGENT/ MOST IMPORTANT**

F. No. U-12012/38/2022-NE  
Government of India  
Ministry of Health & Family Welfare  
(NE Section)

Nirman Bhawan, New Delhi  
Dated the 01.12.2023

**NOTICE**

**Subject: Draft of the Bill (The Health Institutions of National Importance Bill, 2023) -reg.**

Ministry of Health and Family Welfare proposes for Introduction of a Bill known as Health Institutions of National Importance Bill, 2023. The draft bill (copy enclosed) is for declaration of NEIGRIHMS, Shillong and NAMO Medical Education and Research Institute, Dadra and Nagar Haveli & Daman and Diu as an Institute of National Importance (INI) and granting autonomy to NAMO Medical Education and Research Institute by introduction of a bill in the Parliament.

2. It has been decided to solicit suggestions/comments/objections from the General Public/ Stakeholders in order to enrich the proposed legislation. Comments may be forwarded within 30 days from the date of issue of this Notice by email to [anuradha.ramakrishnan@nic.in](mailto:anuradha.ramakrishnan@nic.in).

Encl.: As above.

*Anuradha.R.K*  
*01/12/23*

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	<p style="text-align: center;">THE HEALTH INSTITUTIONS OF NATIONAL IMPORTANCE BILL, 2023</p>	
	<p style="text-align: center;">A  BILL</p>	
	<p>to declare certain Regional Institutes of health to be institutions of national importance and to provide for its incorporation and matters connected therewith or incidental thereto.</p>	
	<p>BE it enacted by Parliament in the Seventy- fourth Year of the Republic of India as follows: –</p>	
	<p><b>1.</b> (1) This Act may be called Health Institutions of National Importance Act, 2023.</p>	
	<p>(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.</p>	<p>Short title and commencement.</p>

Declaration of certain Institutions as institutions of national importance.	<b>2.</b> Whereas the objects of the Institutes known as the North-Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong and NAMO Medical Education and Research Institute, Silvasa, are such as to make them institutions of national importance, it is hereby declared that each institution specified in the Schedule is an institution of national importance.	
Definitions.	<b>3.</b> In this Act, unless the context otherwise requires: —	
	(a) “existing Institute” means the Institutes mentioned in column (2) of the Schedule;	
	(b) "Fund" means the Fund of the Institute referred to in section 16;	
	(c) "Governing Body" means the Governing Body of the Institute;	
	(d) “Institute” means the Institutes mentioned in column (3) of the Schedule and incorporated under this Act;	
	(e) "member" means a member of the Institute;	
	(f) “notification” means a notification published in the Official Gazette;	
	(g) "prescribed" means prescribed by rules made under this Act;	
	(h) "regulation" means a regulation made by the Institute;	
	(i) “Schedule” means the Schedule appended to this Act.	
Establishment and incorporation of Institute.	<b>4.</b> (1) On and from the commencement of this Act, every existing Institute shall be a body corporate by the same name as mentioned in column (3) of the Schedule:	
	Provided that the Central Government may, by notification in the Official Gazette, establish such other Institutes at such other places as it may specify in the said notification and every such institution shall deemed to be an Institution of national importance.	
	(2) Each Institute shall be located at the place mentioned in column (3) of the Schedule.	
	(3) Every Institute shall be a body corporate by the name aforesaid and shall have perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by that name, sue and be sued.	
	<b>5.</b> (1) On and from the commencement of this Act, —	Effect of incorporation of Institutes.
	(a) any reference to an existing Institute in any law, other than this Act, or in any contract or other instrument, shall be deemed as a reference to the corresponding Institute;	

	(b) all property, movable and immovable, of or belonging to an existing Institute shall vest in the corresponding Institute;	
	(c) all rights and liabilities of an existing Institute shall be transferred to, and be the rights and liabilities of, the corresponding Institute.	
	(d) Every person (including Director, officers and other employees) who is employed in an existing Institute, immediately before the commencement of this Act, shall, on and from such commencement, become an employee of the corresponding Institute and shall hold his office or service therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same on the date of commencement of this Act, as if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by regulations:	
	Provided that the tenure, remuneration and terms and conditions of service of any such person shall not be altered to his disadvantage without the previous approval of the Central Government.	
	(e) the Board of Governors or the Governing Council of an existing Institute, shall, from the date of its incorporation under this Act, stand dissolved and no Chairperson or other person shall be entitled to any compensation for the premature termination of the term of his office or of any contract of service;	
	(f) the executive committee or the executive council of an existing Institute, shall, from the date of constitution of the Governing Body under sub-section (1) of section 10, stand dissolved and no Chairperson or other person shall be entitled to any compensation for the premature termination of the term of his office or of any contract of service;	
	(g) all committees (including standing committee, if any) of an existing Institute shall stand dissolved;	
	(h) any examination conducted by an existing Institute for admission of candidates for award of medical degrees and diplomas shall be valid examination and be deemed to have been conducted by the corresponding Institute.	
	(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or in any other law for the time being in force, absorption of any employee by the Institute in its regular service under this section shall not entitle such employee to any	14 of 1947.

	compensation under this Act or any other law and no such claim shall be entertained by any court, tribunal or other authority.	
Composition of Institute.	<b>6. (1)</b> Every Institute shall consist of the following members, namely: —	
	(a) in the case of existing institute, namely, —	
	(i) North- Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong, the Vice-Chancellor of a University situated in the State in which Institute is established, to be nominated by the Central Government in such manner as may be prescribed;	
	(ii) NAMO Medical Education and Research Institute, Silvassa, the Administrator of Dadra and Nagar Haveli and Daman and Diu, <i>ex officio</i> ;	
	(b) Secretary to the Government of India in the Department of Health and Family Welfare, Ministry of Health and Family Welfare or his representative not below the rank of Joint Secretary, <i>ex officio</i> ;	
	(c) the Director-General of Health Services, Government of India, <i>ex officio</i> ;	
	(d) the Director of the Institute, <i>ex officio</i> ;	
	(e) Secretary to the Government of India in the Department of Higher Education, Ministry of Education or his representative not below the rank of Joint Secretary, <i>ex officio</i> ;	
	(f) Secretary to the Government of India in the Department of Expenditure, Ministry of Finance or his representative not below the rank of Joint Secretary, <i>ex officio</i> ;	
	(g) five persons of whom one shall be a non-medical scientist representing the Indian Science Congress Association, to be nominated by the Central Government in such manner as may be prescribed;	
	(h) four representatives of the medical faculties of Indian Universities to be nominated by the Central Government in such manner as may be prescribed;	
	(i) two Members of Parliament of whom one shall be elected from among themselves by the Members of the	

	House of the People and one from among themselves by the Members of the Council of States.	
	(2) It is hereby declared that the office of member of the Institute shall not disqualify its holder for being chosen as, or for being, a Member of either House of Parliament.	
	<b>7.</b> (1) Save as otherwise provided in this section, the term of office of the member shall be five years from the date of his nomination or election:	Term of office of, and vacancies among members.
	Provided that the term of office of a Member of Parliament elected under clause (i) of sub-section (1) of section 6 shall come to an end as soon as he ceases to be Member of the House from which he was elected.	
	(2) The term of office of an <i>ex-officio</i> member shall continue so long as he holds the office by virtue of which he is such a member.	
	(3) The term of office of a member nominated or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he is nominated or elected.	
	(4) An outgoing member other than a member elected under clause (i) of sub-section (1) of section 6 and <i>ex-officio</i> members shall, unless the President of the institute otherwise directs, continue in office until another person is nominated as a member in his place.	
	(5) An outgoing member shall be eligible for re-nomination or re-election.	
	(6) A member may resign his office by writing under his hand addressed to the Central Government but he shall continue in office until his resignation is accepted by that Government.	
	(7) The manner of filling vacancies among members shall be such as may be prescribed.	
	<b>8.</b> (1) There shall be a President for every Institute who shall be nominated by the Central Government from among the members other than the Director of the Institute.	Powers and functions of President.
	(2) The President shall exercise such powers and discharge such functions as are laid down in this Act or as may be prescribed or specified by regulations.	
	<b>9.</b> The President and members (except elected Members of Parliament) shall receive such allowances from the Institute as may be prescribed:	Allowances of President and members.

	Provided that in case a person is the President of two or more Institutes, the allowances shall be borne by the Institutes in such proportion as may be prescribed.	
	<b>10.</b> Every Institute shall hold its first meeting at such time and place as may be appointed by the Central Government and shall observe such rules of procedure in regard to the transaction of business at the first meeting as may be laid down by that Government; and thereafter, every Institute shall meet at such times and places and observe such rules of procedure in regard to the transaction of business including quorum at its meetings as may be specified by regulations.	Meetings of Institute.
	<b>11.</b> (1) There shall be a separate Governing Body for every Institute which shall be constituted by that Institute in such manner as may be specified by regulations:	Governing Body and other committees of Institute.
	(2) The Governing Body shall be the executive committee of every Institute and shall exercise such powers and discharge such functions as that Institute may specify by regulations in this behalf.	
	(3) The President of every Institute shall be the Chairperson of the Governing Body and as Chairperson thereof he shall exercise such powers and discharge such functions as may be specified by regulations.	
	(4) The procedure to be followed in exercise of its powers and discharge of its functions by the Governing Body, and the term of office of, and the manner of filling vacancies among the members of the Governing Body shall be such as may be specified by regulations.	
	(5) Subject to such control and restrictions as may be prescribed, every Institute may constitute as many standing committees and as many <i>ad hoc</i> committees as it thinks fit for exercising any power or discharging any function of such Institute or for inquiring into, or reporting or advising upon, any matter which the Institute may refer to them.	
	(6) The Chairperson and members of the Governing Body and the Chairperson and the members of a standing committee or an <i>ad-hoc</i> committee shall receive such allowances, as may be specified by regulations.	
	<b>12.</b> (1) There shall be a chief executive officer of every Institute who shall be designated as the Director of such Institute and subject to such rules as may be prescribed, be appointed by the Institute:	Staff of Institute.
	Provided that the first Director of the Institute shall be appointed by the Central Government:	

	Provided further that any person holding office as a Director immediately before the commencement of this Act who has been appointed by the Central Government, such Director shall be deemed to be the first Director of the concerned Institute.	
	(2) The Director shall act as the Secretary to the Institute as well as the Governing Body.	
	(3) The Director shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.	
	(4) The Director shall exercise such powers and discharge such functions as may be specified by regulations or as may be delegated to him by the Institute or the President of the Institute or by the Governing Body or the Chairperson of the Governing Body.	
	(5) Subject to such rules as may be prescribed, the Institute may appoint such number of other officers and employees as may be necessary for the exercise of its powers and discharge of its functions and may determine the designations and grades of such officers and employees.	
	(6) The Director and other officers and employees of the Institute shall be entitled to such salary and allowances and shall be governed by such conditions of service in respect of leave, pension, provident fund and other matters as may be specified by regulations.	
Objects of Institute.	<b>13.</b> The objects of every Institute shall be—	
	(a) to provide advanced and specialised medical facilities of the highest level in selected specialties and to serve as a regional referral centre for comprehensive health care and provide management consultancy in preventive, promotive, diagnostic, curative, rehabilitative services for the entire region;	
	(b) to provide and impart practical job-oriented training including refresher courses in selected specialties to medical and paramedical personnel sponsored by the State or Union territories of the region;	
	(c) to encourage, guide and assist in training and making available adequate number of requisite categories of skilled manpower at primary, secondary and higher levels of health care.	
Functions of Institute.	<b>14.</b> With a view to the promotion of the objects specified in section 13, every Institute may—	
	(a) provide for undergraduate and postgraduate teaching in the science of modern medicine and other allied sciences, including physical and biological sciences;	



	(b) provide facilities for research in the various branches of such sciences;	
	(c) provide for the teaching of humanities;	
	(d) conduct experiments in new methods of medical education, both undergraduate and postgraduate, in order to arrive at satisfactory standards of such education;	
	(e) specify by regulations the courses and curricula for both undergraduate and postgraduate studies;	
	(f) notwithstanding anything contained in any other law for the time being in force, establish and maintain, —	
	(i) one or more medical colleges with different departments, including a department of preventive and social medicine, sufficiently staffed and equipped to undertake undergraduate and postgraduate medical education in different subjects;	
	(ii) one or more well-equipped hospitals;	
	(iii) a dental college with such institutional facilities for the practice of dentistry and for the practical training of students as may be necessary;	
	(iv) a nursing college sufficiently staffed and equipped for the training of nurse;	
	(v) rural and urban health organisations which will form centres for the field training of the medical, dental and nursing students of the Institutes and for research into community health problems; and	
	(vi) other institutions for the training of different types of health workers, such as physiotherapists, occupational therapists, pharmacists, drug analysts and medical technicians of various kinds;	
	(g) train teachers from different medical colleges in India;	
	(h) hold examinations and grant such degrees, diplomas and other academic distinctions and titles in undergraduate and postgraduate medical education as may be specified by regulations;	
	(i) institute, and appoint persons to, professorships, readerships, lectureships and posts of any description in accordance with regulations;	
	(j) receive grants from the Government and gifts, donations, benefactions, bequests and transfers of properties, both movable and immovable, from donors, benefactors, testators or transferors, as the case may be;	

		(k) deals with any property belonging to, or vested in, the Institute in any manner which is considered necessary for promoting the objects specified in section 13;	
		(l) demand and receive, with the prior approval of the Central Government, such fees and other charges as may be specified by regulations;	
		(m) provide free treatment to the poor patients in the same manner as are being provided by a medical Institute of the Central Government;	
		(n) construct quarters for its staff and allot such quarters to the staff in accordance with such regulations as may be made in this behalf;	
		(o) borrow money, with the prior approval of the Central Government, on the security of the property of the Institute;	
		(p) do all such other acts and things as may be necessary to further the objects specified in section 13.	
Payment to Institute.		<b>15.</b> The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to every Institute in each financial year such sums of money and in such manner as may be considered necessary by that Government for the exercise of its powers and discharge of its functions under this Act.	
Fund of Institute.		<b>16.</b> (1) Every Institute shall maintain a Fund to which shall be credited— (a) all moneys provided by the Central Government; (b) all fees and other charges received by the Institute; (c) all moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; and (d) all moneys received by the Institute in any other manner or from any other source:	
		Provided that the Fund of every Institute maintained by the existing Institutes, before the commencement of this Act, shall be deemed to be the Fund maintained under this Act.	
		(2) All moneys credited to the Fund of every Institute shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.	
		(3) The Fund of every Institute shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions under section 14.	
Budget of Institute.		<b>17.</b> Every Institute shall prepare in such form and at such time every year a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure of concerned	

	Institute and shall forward to the Central Government such number of copies thereof as may be prescribed.	
Accounts and audit.	<b>18. (1)</b> Every Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet in such form as may be prescribed, and in accordance with such general directions as may be issued by that Government, in consultation with the Comptroller and Auditor-General of India.	
	(2) The accounts of every Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by concerned Institute to the Comptroller and Auditor-General of India.	
	(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of every Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of every Institute as well as of the institutions established and maintained by it.	
	(4) The accounts of every Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.	
	<b>19.</b> Every Institute shall prepare for every year a report of its activities during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed and a copy of this report shall be laid before both Houses of Parliament within one month of its receipt.	Annual report.
	<b>20.(1)</b> Every Institute shall constitute for the benefit of its officers, teachers and other employees in such manner and subject to such conditions as may be specified by regulations, such pension and provident funds as it may deem fit:	Pension and provident funds.
	Provided that the pension and provident fund constituted by the existing Institutes before commencement of this Act shall be deemed to be the pension and provident fund under this Act.	
	(2) Where any such pension or provident fund has been constituted, the Central Government may declare that the	

19 of 1925.	provisions of the Provident Funds Act, 1925, shall apply to, such fund as if it were a Government Provident Fund.	
	<b>21.</b> All orders and decisions of every Institute shall be authenticated by the signature of the Director or any other member authorised by such Institute in this behalf and all other instruments shall be authenticated by the signature of Director or such officers as may be authorised by that Institute.	Authentication of orders and instruments of Institute.
Acts and proceedings not to be invalidated by vacancies, etc.	<b>22.</b> No act done or proceeding taken by every Institute, Governing Body or any standing or <i>ad-hoc</i> committee under this Act shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, such Institute, Governing Body or such standing or <i>ad-hoc</i> committee.	
Grant of medical degrees, diplomas, etc., by Institute.	<b>23.</b> Notwithstanding anything contained in any other law for the time being in force, every Institute shall have the power to grant medical, dental, nursing degrees, diplomas and other academic distinctions and titles under this Act.	
Recognition of medical qualifications granted by Institute.	<b>24.</b> Notwithstanding anything contained in the National Medical Commission Act, 2019, the Dentist Act, 1948 (16 of 1948) and the Indian Nursing Council Act, 1947 and the University Grants Commission Act, 1956, the medical degrees, diplomas, dental degrees and nursing degrees granted by every Institute under this Act shall be recognised medical qualifications for the purposes of the Acts aforesaid and shall be deemed to be included in the Schedules to the respective Acts.	30 of 2019. 48 of 1947. 16 of 1948. 3 of 1956.
Control by Central Government.	<b>25.</b> Every Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.	
Resolution of differences.	<b>26.</b> If in, or in connection with, the exercise of its powers and discharge of its functions by every Institute under this Act, any dispute or difference arises between such Institute and the Central Government, the decision of the Central Government thereon shall be final.	
	<b>27.</b> Every Institute shall furnish to the Central Government such reports, returns and other information as that Government may require from time to time.	Returns and information.
	<b>28.</b> (1) The Central Government, after consultation with all Institutes may, by notification, make rules to carry out the provisions of this Act.	Power to make rules.
	(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: -	
	(a) the manner of nomination of members under clauses (a), (g) and (h) of sub-section (1) of section 5;	

	(b) the manner of filling vacancies among members under sub-section (7) of section 7;	
	(c) the powers and functions of the President of the Institute under sub-section (2) of section 8;	
	(d) the allowances to be paid to the President and members (except elected Members of Parliament) and the proportion of allowances to be borne by the Institutes under section 9;	
	(e) the control and restrictions for constitution of standing and ad-hoc committees by the Institutes under sub-section (5) of section 11;	
	(f) the manner of appointment of the chief executive officer of the Institute under sub-section (1) of section 12;	
	(g) the number of officers and employees that may be appointed by the Institute and the manner of such appointment, their powers and functions and their designations and grades under sub-section (5) of section 12;	
	(h) the form in which and the time at which the budgets and reports shall be prepared by the Institute and the number of copies thereof to be forwarded to the Central Government under section 17;	
	(i) the form in which and the time at which the annual statement of accounts including balance-sheet shall be prepared under sub-section (1) of section 18;	
	(j) the form in which and the date before which the annual report shall be prepared and submitted under section 19;	
	(k) any other matter which has to be or may be prescribed by rules.	
Power to make regulations.	<b>29.</b> (1) Every Institute, with the previous approval of the Central Government, may, by notification, make regulations consistent with this Act and the rules made thereunder, to carry out the provisions of this Act, and without prejudice to the generality of this power, such regulations may provide for —	
	(a) the summoning and holding of meetings, other than the first meeting, of the Institute, the time and place where such meetings are to be held, the conduct of business at such meetings and the number of members necessary to form a quorum under section 10;	
	(b) the manner of constituting the Governing Body and standing and <i>ad hoc</i> committees, the term of office of, and the manner of filling of vacancies among, the members of, the Governing Body and standing and <i>ad hoc</i> committees, the allowances to be paid to the Chairperson and the members of the Governing Body and of standing and <i>ad hoc</i> committees, the	

	procedure to be followed by the Governing Body and standing and <i>ad hoc</i> committees in the conduct of their business, exercise of their powers and discharge of their functions, under section 11;	
	(c) the powers and duties of the Director and other officers and employees, and the salary and allowances and other conditions of service of the Director and other officers and employees of the Institute, under section 12;	
	(d) the courses and curricula for undergraduate and postgraduate studies in the Institute; the degrees, diplomas and other academic distinctions and titles which may be granted by the Institute; the professorships, readerships, lecturerships and other posts which may be instituted and persons who may be appointed to such professorships, readership, lecturerships and other posts by the Institute; the fees and other charges which may be demanded and received by the Institute and construction of quarters for its staff and allotment of such quarters to the staff of the Institute, under section 14;	
	(e) the manner in which, and the conditions subject to which, pension and provident funds may be constituted for the benefit of officers, teachers and other employees of the Institute under sub-section (1) of section 20;	
	(f) any other matter under this Act for which provisions may be made by regulations.	
	(2) Notwithstanding anything contained in sub-section (1), the first regulations under this Act shall be made by the Central Government; and any regulations so made may be altered or rescinded by every Institute in exercise of its powers under sub-section (1):	
	Provided that every Institute shall, within three months of the date of the commencement of this Act, make regulations.	
Rules and regulations to be laid before Parliament.	<b>30.</b> Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment	

	shall be without prejudice to the validity of anything previously done under that rule or regulation.	
Power to remove difficulties.	<b>31.</b> (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:	
	Provided that no such order shall be made under this section, after the expiry of a period of two years from the date of commencement of this Act.	
	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.	

#### THE SCHEDULE

[See sections 3 (a) and 4(2)]

#### [LIST OF INSTITUTES INCORPORATED UNDER THIS ACT]

Sl. No.	Names of existing Institutes	Names and location of Institutes incorporated under this Act
(1)	(2)	(3)
1.	North- Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong, a society registered under the Society Registration Act, 1860 (21 of 1860).	North-Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong
2.	NAMO Medical Education and Research Institute, Silvasa, a medical college established by the Central Government.	NAMO Medical Education and Research Institute, Silvasa