



॥ आयुषे सर्वनोकरानाम् ॥

भारतीय चिकित्सा पद्धति राष्ट्रीय आयोग
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National Commission for Indian System of Medicine
Ministry of Ayush, Govt. of India
Office: 61-65, Institutional Area, Janakpuri, D-Block New Delhi-110058

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क्रमांक/ Ref. No.- 3-4/MARB/2023-Ay(96).

दिनांक/Dated: 15.09.2023

To,

The President,

Sardar Patel Institute of Ayurvedic Medical Sciences and Research Centre,
Mohanlalganj, Sardarpatel Marg, Lucknow- 226002,
Uttar Pradesh
E-mail ID: -spiamsr@gmail.com

Subject:- Grant of Conditional Permission to Sardar Patel Institute of Ayurvedic Medical Sciences and Research Centre, Lucknow, Uttar Pradesh (Inst. Id- AYU0512) for intake capacity in UG (BAMS) course with 90 seats (instead of 100 seats) for the academic session 2023-24 under section 28 of NCISM Act, 2020-regarding.

Sir/Madam,

With reference to the subject mentioned above, I am directed to inform you that in pursuance of the provision of National Commission for Indian System of Medicine Act, 2020, the Indian Medicine Central Council Act, 1970 (48 of 1970) has been repealed with effect from the 11th day of June, 2021. With effect from the said date, the Central Council of Indian Medicine constituted under sub-division (1) of section 3 of the Indian Medicine Central Council Act, 1970 (48 of 1970) shall stand dissolved. Now, in exercise of the powers conferred by sub-section (3) of the section 1 of the said Act, the Central Government hereby notifies that all the provisions of the National Commission for Indian System of Medicine Act, 2020 has been come into force with effect from the 11th day of June, 2021.

- Further, to assess the available facilities of teaching, non-teaching, Hospital staff, practical training and other infrastructure facilities at your college namely **Sardar Patel Institute of Ayurvedic Medical Sciences and Research Centre, Lucknow, Uttar Pradesh (Inst. Id- AYU0512)**, inspection of your College was conducted on **22.05.2023 & 23.05.2023 on Hybrid mode** as a part of annual visitation by the visitation team of Medical Assessment and Rating Board, NCISM to process of **Conditional Permission for intake capacity in UG (BAMS) course with 100 seats for the academic session 2023-24 under section 28 of NCISM Act, 2020 and relevant regulations thereunder.**
- Further, six faculties of your institution in the academic year 2022-23 were proven to be physically absent but working only on paper teacher and in accordance with **section 28(1) (f) of NCISM Act 2020. Regulation 3(1)(f) of RMS, 2016 as per the letter of MARBISM vide letter no: Teacher Verification/MARB/2023 dated 07.07.2023, a penalty of rupees 1,50,00,000/- (One Crore Fifty Lakhs) was imposed on your institution as six faculties namely 1) Dr. Rajeev Singh (AYST00741) 2) Dr. Ajay Kumar Upadhyay (AYRB00734) 3) Dr. Ajay Kumar Singh (AYRB01252) 4) Dr. Binod Kumar Patel (AYKB00191) 5) Dr. Tanuja Kumar (AYDG00645) 6) Dr. Manoj Kumar Sinha (AYST01230) was proven to be physically not present but working only on paper teacher and same was communicated to you vide letter no. Teacher Verification/MARB/2023 dated 16.08.2023.**
- Further, in view of above, the visitation report and all other related documents were assessed in terms of enforced regulation namely, the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016", and provisions under the NCISM Act, 2020 and relevant Regulations there under. On examining the case in light of above notified and approved criteria and on perusal of the visitation report, it was observed that the college was not fulfilling the basic eligibility criteria due to following shortcomings: -

1. Teaching staffs:-

S. No.	Department	Minimum Requirement as per Regulations (for UG upto 60 seats)	No. Of Existing Teachers					Shortcomings of HF and LF
			Professor	Asso. Prof. / Reader	Asst. Prof. / Lecturer	Total	Excess	
1.	Ayurved Samhita & Siddhant	1P and 1R+2L	1	1	2	4	-	-
2.	Rachana Sharir	1P and 1R +1L	2	0	1	3	-	-
3.	Kriya Sharir	1P and 1R +1L	2	0	1	3	-	-
4.	Dravyagun Vigyan	1P and 1R +1L	1	1	1	3	-	-
5.	Rasa Shastra & Bhaishajya Kalpana	1P and 1R +1L	2	0	1	3	-	-

6.	Rog Nidanavum Vikriti Vigyan	1P and 1R +1L	1	1	1	3	-	-
7.	Swasthavritta & Yoga	1P and 1R +1L	1	0 +1 (VO)	1	2	-	-
8.	Agad Tantra Avum Vidhi Vaidyaka	1P and 1R +1L	2	0	1	3	-	-
9.	Prasuti & Stri Roga	1P and 1R +2L	1	2	1	4	-	-
10.	Kaumarbhritya Bala Roga	1P and 1R +1L	1	1	1	3	-	-
11.	Kayachikitsa	1P and 1R +2L	1	1	2	4	-	-
12.	Shalyatantra	1P and 1R +1L	2	0	1	3	-	-
13.	Shalakyatantra	1P and 1R +1L	2	0	1	3	-	-
14.	Panchkarma	1P and 1R +1L	2	0	1	3	-	-
	Total	14P + 14R +15L	21	8	16	45	-	-

- a) Yoga teacher is available.
b) Bio-statistician is available.
c) Sanskrit teacher is available.

d) **Availability of total teaching staff for 100 seats in UG is** $\frac{\text{Available}}{\text{Required}} \times 100 = \frac{45}{45} \times 100 = 100\%$.

e) **As per visitor observation Dr PriyankaGudisaRai (AYSV00128) was linked with the institute after Part-1 filling as Assistant Professor, and promoted to Associate Professor. On verification in OTMS it is observed that the teacher is linked with the institute and the promotion order is uploaded in the promotion tab; but the application for promotion is not submitted. The faculty has completed 05 years of work experience and may be considered.**

f) **Meanwhile, hearing was conducted on 11.07.2023 for the aforementioned college in respect of verification of regularity of teachers and as per the observations of the hearing committee the following teachers are not considered as regular teachers:-**

- (i) Dr Rajeev Singh (AYST00741) Professor in the department of Prasuti & StriRoga.
(ii) Dr Ajay Kumar Upadhyay (AYRB00734)- Professor in the department of Rasa Shastra & Bhaishajya Kalpana.
(iii) Dr Ajay Kumar Singh (AYRB01252)- Professor in the department of Rasa Shastra & Bhaishajya Kalpana.
(iv) Dr Binod Kumar Patel (AYKB00191)- Associate Professor in the department of Dravyaguna Vigyana.
(v) Dr Tanuja Kumar (AYDG00645)- Professor in the department of Dravyaguna Vigyana.
(vi) Dr Manoj Kumar Sinha (AYST01230)- Professor in the department of ShalayaTantra.

g) **Availability of total teaching staff for 100 seats in UG after considering the observations of Hearing Committee is** $\frac{\text{Available}}{\text{Required}} \times 100 = \frac{39}{45} \times 100 = 86.66\%$.

4. In view of above, the assessment report was placed in the **58th Board meeting** of Medical Assessment and Rating Board for Indian System of Medicine (NCISM) on **19.06.2023**. On careful examination of the assessment report, considering the deficiencies observed therein as mentioned above the college was given an opportunity of Physical hearing vide MARBISM letter (Hearing notice) of **even no. dated 15.09.2023** to appear on **15.09.2023** before the designated Hearing Committee to present their case and to show cause as to **why not the Conditional Permission to your college for intake capacity in UG BAMS course with 100 seats for the academic session 2023-24 under section 28 of NCISM Act, 2020 be denied.** The college was directed to make written submission in respect of the case and produce all relevant valid documents/records/proof against all the deficiencies/shortcomings as indicated above. The representatives of the college submitted submissions against the deficiencies conveyed to them.
5. Whereas, the college through its representative, by **Mr. Shlok Singh, Vice Chairman**, appeared before the Hearing Committee on **15.09.2023** and made their submission physically as well as written submission against the shortcomings communicated to the college. The shortcomings communicated to the college, submission made by the representatives of the Ayurveda college and observations made by the Hearing Committee are as under:-

S. No.	College Name	Shortcomings	Clarification given by the college	Observation of the hearing committee																							
1.	Sardar Patel Institute of Ayurvedic Medical Sciences and Research Centre,	<p>2. Teaching staffs:-</p> <table border="1"> <thead> <tr> <th rowspan="2">S. No.</th> <th rowspan="2">Department</th> <th rowspan="2">Minimum Requirement as per Regulations (for UG upto 60 seats)</th> <th colspan="5">No. Of Existing Teachers</th> <th rowspan="2">Shortcomings of HF and LF</th> </tr> <tr> <th>Professor</th> <th>Asso. Prof. / Reader</th> <th>Asst. Prof. / Lecturer</th> <th>Total</th> <th>Excess</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	S. No.	Department	Minimum Requirement as per Regulations (for UG upto 60 seats)	No. Of Existing Teachers					Shortcomings of HF and LF	Professor	Asso. Prof. / Reader	Asst. Prof. / Lecturer	Total	Excess										The college submitted that, it will take necessary action immediately to appoint	The Hearing was attended physically by Mr. Shlok Singh, Vice Chairman
S. No.	Department	Minimum Requirement as per Regulations (for UG upto 60 seats)				No. Of Existing Teachers						Shortcomings of HF and LF															
			Professor	Asso. Prof. / Reader	Asst. Prof. / Lecturer	Total	Excess																				

Lucknow, Uttar Pradesh (Inst. Id- AYU0512) with 100 seats in UG (BAMS) course, under section 28 of the NCISM Act, 2020 for the academic session 2023-24.

1.	Ayurved Samhita & Siddhant	1P and 1R+2L	1	1	2	4	-	-
2.	Rachana Sharir	1P and 1R +1L	2	0	1	3	-	-
3.	Kriya Sharir	1P and 1R +1L	2	0	1	3	-	-
4.	Dravyagun Vigyan	1P and 1R +1L	1	1	1	3	-	-
5.	Rasa Shastra & Bhaishajya Kalpana	1P and 1R +1L	2	0	1	3	-	-
6.	Rog Nidanavum Vikriti Vigyan	1P and 1R +1L	1	1	1	3	-	-
7.	Swasthavritta & Yoga	1P and 1R +1L	1	0 +1 (VO)	1	2	-	-
8.	Agad Tantraavum Vidhi Vaidyaka	1P and 1R +1L	2	0	1	3	-	-
9.	Prasuti&Stri Roga	1P and 1R +2L	1	2	1	4	-	-
10.	Kaumarbhrit ya-BalaRoga	1P and 1R +1L	1	1	1	3	-	-
11.	Kayachikitsa	1P and 1R +2L	1	1	2	4	-	-
12.	Shalyatantra	1P and 1R +1L	2	0	1	3	-	-
13.	ShalakyaTantra	1P and 1R +1L	2	0	1	3	-	-
14.	Panchkarma	1P and 1R +1L	2	0	1	3	-	-
	Total	14P + 14R +15L	21	8	16	45	-	-

necessary staff within one week so as to fulfill the deficiency

n. The hearing committee observed that the shortcoming of teaching faculty persists.

- h) Yoga teacher is available.
i) Bio-statistician is available.
j) Sanskrit teacher is available.

k) Availability of total teaching staff for 100 seats in UG is $\frac{\text{Available}}{\text{Required}} \times 100 = \frac{45}{45} \times 100 = 100\%$.

l) As per visitor observation DrPriyankaGudisaRai (AYSV00128) was linked with the institute after Part-1 filling as Assistant Professor, and promoted to Associate Professor. On verification in OTMS it is observed that the teacher is linked with the institute and the promotion order is uploaded in the promotion tab; but the application for promotion is not submitted. The faculty has completed 05 years of work experience and may be considered.

m) Meanwhile, hearing was conducted on 11.07.2023 for the aforementioned college in respect of verification of regularity of teachers and as per the observations of the hearing committee the following teachers are not considered as regular teachers:-

- (vii) Dr Rajeev Singh (AYST00741) Professor in the department of Prasuti&StriRoga.
(viii) Dr Ajay Kumar Upadhyay (AYRB00734)- Professor in the department of Rasa Shastra & Bhaishajya Kalpana.
(ix) Dr Ajay Kumar Singh (AYRB01252)- Professor in the department of Rasa Shastra & Bhaishajya Kalpana.
(x) Dr Binod Kumar Patel (AYKB00191)- Associate Professor in the department of Dravyaguna Vigyana.
(xi) Dr Tanuja Kumar (AYDG00645)- Professor in the department of Dravyaguna Vigyana.
(xii) DrManoj Kumar Sinha (AYST01230)- Professor in the department of ShalayaTantra.

n) Availability of total teaching staff for 100 seats in UG after considering the observations of Hearing Committee is $\frac{\text{Available}}{\text{Required}} \times 100 = \frac{39}{45} \times 100 = 86.66\%$.

In view of above, assessment report was placed in the 58th Board meeting of Medical Assessment and Rating Board for Indian System of Medicine (NCISM) on 14.09.2023. On careful examination of the assessment report, Board discussed the same and decided to provide an opportunity of hearing to your college.

6. The observation of hearing committee based on the submission made by the college representatives during hearing and assessment report of the NCISM have been carefully re-examined in terms of Regulation 3 of the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016", and provisions under the NCISM Act, 2020 and relevant regulations thereunder.
7. In view of the observation of Hearing Committee based on the submission made by the college representatives during hearing and assessment report has been carefully examined in terms of concerned Regulation and provisions under the NCISM Act, 2020 and relevant regulations thereunder, and it was found that the college is **not fulfilling the basic eligibility criteria for issuance of conditional permission with 100 seats in UG (BAMS) Course under section 28 of NCISM Act 2020 for the Academic Session 2023-24, but Board decided to issue Conditional Permission as per the approved Seat Reduction Policy in accordance of Section 28 (1) (f) of NCISM Act 2020 for failing to maintain the minimum essential standards for the Academic year 2023-24, wherein it is mentioned that:-**
- a. "For deficiency of **every one teacher**, seat reduction in the intake capacity shall be considered by reducing the intake strength by 10 % of total intake capacity."
- Accordingly as per Schedule-V Note (iii) of MSR 2016 the deficiency of teacher for up to hundred intake capacity shall not exceed more than ten percent of total requirement. As per the Hearing Committee observation, college is having only **39** total eligible Teaching faculties.
- There is deficiency of 01 teacher for issuance of Conditional Permission for academic session 2023-24 as per Schedule-V Note (iii) of MSR 2016. **Therefore, in accordance of Reduction Policy 2023-2024, for deficiency of one teacher, seat reduction in the intake capacity shall be considered by reducing the intake strength by 10% of total intake capacity.**
- Hence, after applying the seat reduction policy 2023-24 under section 28 (1) (f) of NCISM Act 2020, the college is fulfilling the basic eligibility criteria for issuance of conditional permission with **90 seats (instead of 100seats) in UG (BAMS)course** for the academic session 2023-24 under section 28 of NCISMAct, 2020.
8. Therefore, in view of shortcomings and deficiencies mentioned as above,**Conditional Permission is issued to Sardar Patel Institute of Ayurvedic Medical Sciences and Research Centre, Lucknow, Uttar Pradesh (Inst. Id- AYU0512) for intake capacity in UG (BAMS)course with 90 seats (instead of 100 seats) for the academic session 2023-24 under section 28 of NCISM Act, 2020 and relevant regulations thereunder and subject to the following conditions,**
- (i) The college shall submit an undertaking in the form of affidavit duly notarized within one month explaining the details of providing EPF and ESI facilities to the teaching, non-teaching staff of the Colleges/Hospitals and regularly paying the same as per the provisions of Employees' Provident Funds and Miscellaneous Provisions Act, 1952 & ESI Act, 1948 and relevant Rules and Regulations.
- (ii) It is further informed that 15% of undergraduate seats of the permitted intake capacity of **90 seats (instead of 100 seats)** shall be treated as all India quota. The Counseling for seats under all India quota shall be conducted by respective counseling authority as designated by Central Government for and counseling for the remaining 85% seats or as the case may be, shall be conducted by the concerned Counseling Authority of that State/UT. **The permission of the college stands withdrawn if the college fails to comply with the aforesaid direction of the Central Government/NCISM for all India quota or the students admitted thereunder**
- (iii) It is also informed that determination of fee and all other charges in respect of 50% of seats in private Medical Institutions and deemed to be University should be as per the guidelines issued by NCISM vide ref no.BUSS/Fee/ASU/2022-23 dated 16.09.2022. Fees of the remaining 50% of seats are to be fixed as per the guidelines of Fee Fixation/Regulatory Committee (FRC) of respective State/UT/Deemed to be University.
9. Admissions made in violation of the above conditions will be treated as invalid and action will be initiated under NCISM Act & Regulations thereunder.
10. Discrepancies, if any, may be immediately brought to the notice of Medical Assessment and Rating Board for Indian System of Medicine, NCISM.
11. The following requirements should be fulfilled by the college by 31st December, 2023 **and send a compliance report to get permission for the academic session 2024-25:**
- (i) All the requirements of Minimum Standard of infrastructure and teaching & training facilities as specified in Regulation 3 of the "Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016;
- (ii) All the requirements of the Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2016 (for Ayurveda);
- (iii) all the requirements under the provisions of the NCISM Act, 2020 and relevant Regulations made thereunder should be fulfilled in toto;
12. Further, as per Sub-section (7) of Section 29 of NCISM Act, 2020, The Medical Assessment and Rating Board for Indian System of Medicine may conduct evaluation and assessment of any University or medical institution at any time, either directly or through any other expert, having integrity and experience in medical profession, without any prior notice and assess and evaluate the performance, standards and benchmarks of such University or medical institution and if the college is found to be not maintaining the Minimum Essential standards as specified in the concerned Acts & Regulations then **in accordance of Section 28 (1) (f) of NCISM Act, 2020 the issued permission of the college shall deemed to be withdrawn and denial of permission shall be issued by MARBISM for stoppage of admission for that particular or the subsequent academic year.**

13. The fulfillment of the conditions given above may be made within the time period specified and compliance report should be submitted by the college to President, Medical Assessment and Rating Board for Indian System of Medicine. The Medical Assessment and Rating Board for Indian System of Medicine will verify that the conditions have been fulfilled for considering the permission for the academic session 2024-25.
14. Please acknowledge the receipt of this letter.

डॉ. रघुराम भट्ट उ.
Dr. Raghurama Bhatta U.
President, Medical Assessment and Rating Board for Indian System of Medicine,
(NCISM)

Copy to:-

- (i) The Chairperson, NCISM, 61-65 Institutional Area, Opp. 'D' Block, Jansakpur, Delhi-110058 for information
- (ii) Secretary to the Govt. of India, Ministry of AYUSH, Ayush Bhawan, B-Block GPO Complex, INA, New Delhi 110023.
(secy-ayush@nic.in, ep1section-ayush@gov.in)
- (iii) The Principal Secretary, AYUSH Vibhag, Uttar Pradesh Shashan, Third floor, Lal Bahadur Shastri Bhawan, Lucknow-226001, Uttar Pradesh for information.
- (iv) The Director, 2, Nabiullah road Near City Station, Lucknow, Uttar Pradesh 226018 **(ayushup2015@gmail.com)**
- (v) The Registrar, Mahayogi Gurugorakhnath AYUSH University Pipari, Bhatat, Gorakhpur-273306, Uttar Pradesh
(vc@mggauqkp.ac.in) (vc.ayushuniversitygkp@gmail.com).
- (vi) Guard file.

(Dr. Raghurama Bhatta U.)
President, Medical Assessment and Rating Board for Indian System of Medicine,
(NCISM)