



प्राचाभिसरः प्राणाव्यवधानाम्

भारतीय चिकित्सा पद्धति राष्ट्रीय आयोग
आयुष मंत्रालय, भारत सरकार
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Ministry of AYUSH, Govt. of India
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क्रमांक / Ref. No.- 3-3/2021-Ay(115).

दिनांक / Dated: 23.03.2022

To,

The Chairman,
Rashtrasant Janardhan Swami Foundation,
At Post Bet, Tai. Kopargaon,
Dist. Ahmednagar-423601,
Maharashtra

Sub:- Matter related to appeal against Denial of letter of Permission (LOP) issued to Rashtrasant Janardan Swami Foundation, At Post Bet, Tai. Kopargaon, Dist. Ahmednagar- 423601, Maharashtra to start a new Ayurveda Medical College in the name of Rashtrasant Janardan Swami Ayurved Medical College and Research Center, at Post Kokamthan, Tal. Kopargaon, Dist. Ahmednagar, Maharashtra with 100 seats in BAMS course under Section 29 of NCISM Act, 2020.

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commission for Indian System of Medicine Act, 2020, the Indian Medicine Central Council Act, 1970 (48 of 1970) has been repealed with effect from the 11th day of June, 2021.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.

It is informed that your college was visited virtually on **15.09.2021** by the visitation team of the, **MARB, for LOI and as per direction of competent authority Letter of Intent has been issued to you vide letter No. 3-3/2021-Ay(115) Dated 05.10.2021** to establish a new Ayurveda college in the name of Rashtrasant Janardhan Swami Ayurveda Medical College and research Centre, at Post Kokamthan, Tal. Kopargaon, Distt. Ahmednagar, Maharashtra (AYU0634) under Section 29 of NCISM Act, 2020 and relevant regulations thereunder.

Further, The Medical Assessment and Rating Board for Indian System of Medicine (NCISM) had carried out an inspection of the institution virtually again on **29.11.2021** for Letter of Permission (**LOP**) and to assess the available facilities of teaching and practical training for conducting UG (BAMS) course for 100 seats and to verify the compliance of shortcomings informed by the NCISM under section 29 of NCISM Act, 2020.

On examining the visitor's report on the basis of relevant acts and regulations, it was found that the College was not fulfilling the notified and approved criteria for Issuing Letter of Permission (LOP) for 100 seats in (BAMS) course from the Academic Session 2021-22 onward due to some shortcomings as intimated earlier.

Accordingly, under section 29 of NCISM Act, 2020 and to follow the principle of natural justice as mentioned in the Constitution of India an opportunity of hearing was granted to your college on **21.01.2022** to present the case through virtual mode.

Therefore, recommendation of hearing committee and assessment report of the Medical Assessment and Rating Board was placed before President, MARB and it has been decided by the President, Medical Assessment and Rating Board for Indian System of Medicine to **not to issue letter of permission to Rashtrasant Janardhan Swami Ayurveda Medical College and research Centre, at Post Kokamthan, Tal. Kopargaon, Distt. Ahmednagar, Maharashtra with 100 seats in BAMS from the academic session 2021-22** which was informed to you vide letter dated **09.02.2022**.

Thereafter, an appeal dated 09.02.2022, has been received in the National Commission for Indian System of medicine act, 2020 against the denial order dated 09.02.2022 of Medical Assessment and Rating Board, which was placed before Chairman, NCISM and Chairman, NCISM constituted a committee to hear the appeal.

Accordingly, **letter has been sent to the college vide Commission's letter dated 17.02.2022 to appear before the designated hearing committee on dated 18.02.2022 in respect of appeal filed by the college.**

The proceedings of appeal was held on virtually on 18.02.2022 at 12 noon and on behalf of college, **Dr. Yogesh Kumar Gite, Principal & Medical Superintendent attended the hearing.** The hearing committee sought clarification from the representatives of the college regarding the order as well as shortcomings mentioned in the order dated 09.02.2022 passed by MARB Board which is as under:-

Shortcomings		1. Teaching Staff:-
		<ul style="list-style-type: none"> There is shortage of 01 Higher Faculty in the department of Ayurved Samhita Siddhanta, Kriya Sharir and Rachna Sharir Against the minimum requirement of 02. Visitor submitted 12 teachers in part 2 Performa. Out of them 04 teachers are not considered. The details are as under:-
S. No	Teachers name	Remarks
1	Dr. Narayan Vanaraj Patil	Not considered as the teacher is linked to "Jagdamba Education Society, Matoshri Asarabai Darade Ayurved College, Post. Babhulgon, Tal. Yeola, Nashik-423401, Maharashtra" for the academic session 2021-22
2	Dr. Shraddha Niranjana Dhayade	Not Included in teaching faculty for first year.
3	Dr. Yogesh Kumar Anandrao Gite	Not Included in teaching faculty for first year.
4	Dr. Avinash Shankarrao Gaikwad	Not considered as the teacher is linked to "Chhatrapati Shahu Maharaj Shikshan Sansthan Ayurved Mahavidyalaya & Rugnalaya Kanchanwadi, Paithan Road Tq. & Distt. Aurangabad- 431002, Maharashtra" for the academic session 2021-22.

Submission of the college	
	<ol style="list-style-type: none"> Dr. Narayan Vanaraj Patil (teacher code AYSSO1078) Professor in the department of Ayurveda Samahita Siddhant is not considered as a teaching faculty for the academic session 2021-22 as the teacher is linked to "Jagdamba Education Society, Matoshri Asarabai Darade Ayurved College, Post. Babhulgon, Tal. Yeola, Nashik-423401, Maharashtra". As Vd. Patil Naryan Vanaraj was appointed as an additional faculty previous institute as per MSR 2016, he was not required in the concern department for the grant of permission with intake capacity of 60 seats A.Y. 2021-22. So, we kindly request you to reconsider the appointment of concern teacher for our institute for the A.Y. 2021-22. Kindly consider the newly appointed faculty ie, Vd. Tawde Prachi Siddhesh as an associate professor in the Dept. of Smahita Siddhant. I humbly state that, Dr. Shraddha Niranjana Dhayade was appointed to Rashtrasant Janardhan Swami Ayurved Medical College, Post Kokamthan, Tal. Kopargaon, Dist. Ahmednagar, Maharashtra dated 01.01.2019 as a Yoga teacher or Expert on part time basis under Staff for Panchkarma Therapy section for out-patient and in-patient department. The appointment of said faculty was done on the basis of SCHEDULE-IV [Sr. No-29, regulation 3, regulation 5, regulation 6, regulation 7, regulation 10 and regulation 11] and SCHEDULE-V [regulation 3, regulation 6, regulation 7, regulation 10 and regulation 11] of MSR 2016. Considering the above facts and figures, the institute is humbly submitting a request to kindly consider her as a Yoga Teacher. Institute has not claimed her as first year staff. I humbly state that, Vd. Gite Yougeshkumar Anandrao was appointed on the post of Principal cum Medical Superintendent dated 02.02.2021 at Rashtrasant Janardan Swami Ayurved Medical College, Post Kokamthan, Tal. Kopargaon, Dist. Ahmednagar, Maharashtra and Shri Janardan Swami Ayurved Hospital, Post Kokamthan, Tal. Kopargaon, Dist. Ahmednagar, Maharashtra respectively. According to MSR 2016 guidance [SCHEDULE - IV; (regulation 3, regulation 5, regulation 6, regulation 7, regulation 10 and regulation 11), Sr. No-1] the above-mentioned posts require a teacher of Professor grade. The guidelines clearly indicate the eligibility of the above mentioned post. ie; The incumbent to the post of Medical Superintendent will be with qualification not less than that of Professor <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> Principal or Dean may function as ex-official Medical Superintendent. However, if there is an existing post of Medical Superintendent, it shall continue to exist. Considering the above facts and figures, the institute is humbly submitting a request to consider the appointment of Vd. Gite Yogeshkumar Anandrao in the college and hospital. Further I respectfully state that, the institute has not considered Vd. Gite Yogeshkumar Anandrao as a teaching faculty for first year. Dr. Avinash shankarrao Gaikwad (teacher code; AYRS00208) Reade in the department of Rachna Sharir is not considered as the teacher for the academic session 2021-22 as the teacher is linked to "Chhatrapati Shahu Maharaj Shikshan Sansthan Ayurved Mahavidyalaya & Rugnalaya Kanchanwadi, Paithan road Tq. & Distt. Aurangabad- 431002, Maharashtra" I humbly state that, Vd. Gaikwad Avinash Shankarrao was appointed as an Assistant Professor at Chhatrapati Shahu Maharaj Shikshan Sanstha's Ayurved Mahavidyalaya & Rugnalaya Kanchanwadi, Paithan Road Tq. & Dist. Aurangabad, Maharashtra in the department of Rachna Sharir dated 18.10.2019. Further he has submitted an Affidavit for the A.Y. 2021-22 in the month of August 2021 to NCISM. The above-mentioned college had an annual intake capacity of 100 seats. The status of appointed faculty at said institute for A.Y. 2021-22 in the Department of Rachna sharir were as follows

- i. Professor
 - ii. Associate Professor
 - iii. Associate Professor
 - iv. Associate Professor
 - v. Associate Professor (Vd. Gaikwad Avinash Shankarrao)
13. As per MSR 2016, the requirement of teaching faculty for Intake Capacity of 100 seats in the Department of Rachana Sharir is as follow.
- Professor-1
 - Associate Professor-1
 - Assistant Professor-1
14. Moreover, post graduate course in the department of Rachana Sharir was closed at Chhatrapati Shahu Maharaj Shikshan Sanstha's Ayurved Mahavidyalaya & Rugnalaya Knachanwadi, Paithan Road Tq. & Dist. Aurangabad, Maharashtra. Hence requirement of teaching staff for Under Graduate (UG) course with intake capacity for 100 seats shall be applicable to the above-mentioned college.
15. Due to closure of post graduate course in the department of Rachana Sharir at Chhatrapati Shahu Maharaj Shikshan Sanstha's Ayurved Mahavidyalaya & Rugnalaya Kanchanwadi, Paithan Road Tq. & Dist. Aurangabad, Maharashtra, the post of Assistant Professor in the college was additional and there was no scope for next promotion for Vd. Gaikwad Avinash Shankarrao. Moreover, kindly notice the fact that Maharashtra University of Health Sciences, Maharashtra to which the college is affiliated will only grant approval/recognition to teaching faculty for those who are required as per MSR 2016. Knowing the above fact, to avoid the hindrance to the career advancement, Vd. Gaikwad Avinash Shankarrao has resigned from the post of Professor from the said institute and was relived from the services dated 09.10.2021. Further, as per the norms of Hon'ble council all procedures pertinent to relieving of teaching staff were carried out by the candidate and the same was updated in the teacher's portal/database of the council.
16. After successful completion of relieving procedure Vd. Gaikwad Avinash Shankarrao came to know about the requirement of Associate Professor in the department of Rachana Sharir of newly opening Rashtrasant Janardhan Swami Ayurved Medical College, Post kokamthan, Tal. Kopargaon, Dist. Ahmednagar, Maharashtra and applied immediately for the post of Associate Professor as he is eligible for the said post as per MSR 2016 guidelines with more than five years of experience. As we had requirement in the same department as per MSR 2016, the college appointed Vd. Gaikwad Avinash Shankarrao as an Associate Professor in the department of Rachana Sharir dated 10.10.2021.
17. Considering the above facts and figures, the institute is humbly submitting requests as follows.
- a) As Vd. Gaikwad Avinash Shankarrao was appointed as an additional faculty in the previous institute as per MSR 2016, he was not required in the department concerned for the grant of permission with intake capacity of 100 seats A.Y. 2021-22. So, we kindly request you to reconsider the appointment of concern teacher for our institute for the A.Y. 2021-22
 - b) Kindly consider the newly appointed faculty ie, Vd. Kajikar Sunil Madhavrao as an associate professor in the department of Rachana Sharir.
18. As per your Letter No-3-3-/2021-Ay(115) dated 09/02/2022, Institute doesn't fulfill criteria for Teaching faculty for 100 intake capacity for the academic year 2021-22. So, we are kindly requesting you to please consider 60 intake capacity for the academic year 2021-22. Also, we give the assurance that, we will fulfill all criteria for 100 intake capacity in subsequent academic years i.e, 2022-23 and onwards.

Observation of hearing committee

- Hearing Committee observed that as NCISM not considered
1. Dr. Narayan Vanaraj Patil, Professor, Ayurveda Samhita siddhanta
 2. Dr. Shraddha Niranjana Dhayade Lecturer, Swasthavritta & Yoga
 3. Dr. Yogesh Kumar Anandrao Gite, Professor Kaya Chikitsa
 4. Dr. Avinash Shankarrao Gaikwad, Reader Rachna Sharir

In the above matter hearing committee asked about the clarification regarding the same, Principal agreed the decision of MARB not to consider the above said teacher in the college.

Further, Principal of the college submitted that College has appointed new Teacher namely Vd. Tawde Prachi Siddhesh associate professor in the Deptt. Of Samhita Sidhant dated 22-01-2022 and Dr. Sunil Kajkumar Madharao, associate professor in the Department of Rachna Sharir dated 22-01-2022.

Committee observed that both are not linked with college as per OTMS till date hence committee not considered these teachers in the college for this session 2021-22.

Principal submitted that they have 8 recognized teacher as

Sr no.	Deptt.	P	R	L
1	SamhitaSidhant	0	1	1+1(Sanskrit)
2	Rachna Sharir	1	0	1
3	Kriya Sharir	1	1	1

Principal has requested to consider the application for reduction of seats for 60 UG seats .
In the above submission committee observed that all the teachers are linked to this college as per OTMS and college has fulfilling the teaching criteria for 60 UG BAMS seats.

Hence, in view of above the committee recommends to dismiss the appeal of Rashtrasant Janardhan Swami Ayurveda Medical College and research Centre, at Post Kokamthan, Tal.Kopargaon, Distt. Ahmednagar, Maharashtra with 100 seats in BAMS course under Section 29 of NCISM Act, 2020 and relevant regulations in respect of denial order issued by Medical Assessment and Rating Board, NCISM dated 09.02.2022. **Further college has requested for reduction of seats for 60 seats in UG (BAMS) vide ref no. RJSF/AC/2022/16 dated 18/02/2022.**

Therefore, the recommendation of hearing committee and request of the college were placed before Chairman, National Commission for Indian System of Medicine and it has been decided by the Chairman, National Commission for Indian System of medicine **to dismiss the appeal of Rashtrasant Janardhan Swami Ayurveda Medical College and research Centre, at Post Kokamthan, Tal.Kopargaon, Distt. Ahmednagar, Maharashtra with 100 seats in UG (BAMS) and to issue LOP for 60 seats in UG (BAMS) instead of 100 seats as per request of the college for the academic session 2021-22** subject to the following conditions:-

- I. The fulfillment of conditions as specified in the Undertaking/Indemnity bond submitted by the college.
 - II. 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.
1. It is further informed that minimum 15% of undergraduate seats of the permitted intake capacity of **60 UG seat (BAMS)** shall be treated as all India quota. The counselling for seats under all India quota shall be conducted by respective counselling authority as designated by Central Government for A.Y. 2021-22 and counselling for the remaining 85% seats or as the case may be, shall be conducted by the concerned Counselling 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.
 2. Admissions made in violation of the above conditions will be treated as invalid and action will be initiated under NCISM Act & Regulations thereunder.
 3. Discrepancies, if any, may be immediately brought to the notice of Medical Assessment and Rating Board for Indian System of Medicine, NCISM.
 4. The following requirements should be fulfilled by the college by before opening of part-1, proforma to get permission for the session 2022-23:
 - (i) all the requirements for 100 UG (BAMS) seats as per 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 for 100 seats in UG (BAMS) course as per 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 to;
 5. The fulfilment 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 from the academic session 2022-23.
 6. Further vide commission letter ref no. **3-3/2021 Ay (115)** dated **07.03.2022** letter has been sent to the college to furnish fixed security deposit worth rupee 1 Crore in favour of National Commission fund for Indian System of Medicine, in response of the same college has furnished the fixed security deposit in favour of the National Commission fund for Indian System of Medicine through **RTGS/UTR no. MAHBR52022030711574817 dated 07.03.2022 of rupees 1 Crore transferred by Bank of Maharashtra, Kopargaon Branch (for a period of five years).**

This is issued with the approval of Competent Authority.

(Dr. Raghurama Bhatta U.)

सचिव Secretary I/c

भारतीय चिकित्सा पद्धति राष्ट्रिय आयोग (NCISM)

नई दिल्ली-110058

Copy to:-

- (i) The Chairperson, NCISM, 61-65 Institutional Area, Opp. 'D' Block, Janakpuri, Delhi-110058 for information and necessary action for the next academic session.
- (ii) Secretary to the Govt. of India, Ministry of AYUSH, Ayush Bhawan, B-Block GPO Complex, INA, New Delhi 110023.
- (iii) Guard File.

(Dr. Raghurama Bhatta U.)

Secretary I/c

(NCISM)