

No.U-12012/128/2014-ME.I  
Government of India  
Ministry of Health & Family Welfare  
Department of Health & Family Welfare

Nirman Bhawan, New Delhi-11  
Dated the 22 September, 2015

ORDER


Subject: Renewal of permission for admission of 3<sup>rd</sup> batch of 150 MBBS students at DM Wayanad Institute of Medical Sciences, Wayanad, Kerala for the academic year 2015-16-Reg.

Whereas, this Ministry vide its letter dated 15.06.2015 disapproved the renewal of permission for admission of 3<sup>rd</sup> batch of 150 MBBS students at DM Wayanad Institute of Medical Sciences, Wayanad, Kerala for the academic year 2015-16 on the basis of recommendation made by Medical Council of India under the provisions of IMC Act, 1956 and Regulations made thereunder.

2. And whereas, aggrieved by the decision of disapproval of the scheme by this Ministry, a W.P.(c) No. 21098/2015 was filed by the college in the High Court of Kerala. The Hon'ble High Court vide its interim order dated 21.08.2015 has directed the MCI to conduct either surprise or regular inspection as they deem fit and proper and file a report. The MCI filed an SLP in the Hon'ble Supreme Court against the said interim direction dated 21.08.2015 of Hon'ble High Court. The SLP is pending.

3. And whereas, a W.A. No.1872/2015 was filed by the College in the Hon'ble High Court of Kerala for compliance of interim direction dated 21.08.2015 of High Court. Having regard to the factual position, the High Court of Kerala on 15.09.2015 was of the view that necessary interim orders are to be passed during the pendency of appeal as under:

- (i) That the Central Government shall grant provisional permission to the appellants to conduct the course for the academic year 2015-16, which will be subject to further orders to be passed by us.
- (ii) That the State Government shall start the process of allotment and the admission shall be made by the respective colleges subject to the result of the writ appeal.
- (iii) The allotment and admission shall be made after giving information to the subjects regarding the pendency of the appeals and that the admission will be subject to the result of the writ appeal.



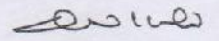


4. And whereas, the next date of hearing for W.A. No.1872/2015 in Hon'ble High Court and for SLP in Hon'ble Supreme Court is fixed on 22.09.2015.

5. Now therefore, in compliance of the interim direction of Hon'ble High Court, it has been decided to provisionally permit the DM Wayanad Institute of Medical Sciences, Wayanad, Kerala to conduct the MBBS course with 150 MBBS seats (3<sup>rd</sup> year) for the academic year 2015-16, subject to following terms and conditions:

- (i) This permission is valid for one year and for admitting only one batch of 150 MBBS seats during the academic year 2015-16. Admission in next batch of students for the year 2016-17 will be made only after renewal permission of the Central Government.
- (ii) Admissions made in violation of the above conditions will be treated as irregular and shall be liable for action under IMC Act, 1956 & Regulations made thereunder.

6. However, the aforesaid permission is subject to the outcome of SLP filed by the Medical Council of India in Hon'ble Supreme Court and W.A. No.1872/2015 in Hon'ble High Court of Kerala.



(D.V.K. Rao)

Under Secretary to the Govt. of India

Ph.011-23062959

Copy to:

1. The Dean/Principal, DM Wayanad Institute of Medical Sciences, Wayanad, Kerala-673577.
2. The Secretary, Medical Council of India, Pocket-14, Sector-8, Dwarka, New Delhi - 75.
3. The Secretary, Health & Family Welfare, Government of Kerala, State Secretariat, Thiruvananthapuram, Kerala.
4. The Registrar, Kerala University of Health Sciences, Thrissur, Kerala.
5. ADG(ME), Dte.GHS, Nirman Bhawan, New Delhi.