

**No. V.11013/55/2024-ME-I**  
Government of India  
Ministry of Health & Family Welfare  
Department of Health & Family Welfare  
(Medical Education-I)

Nirman Bhawan, New Delhi-11  
Dated the 30 September, 2024

**ORDER**

Subject: 2nd appeal filed before the Central Government u/s 28(6) of NMC Act, 2019 by Shri Gorakshnath Medical College Hospital and Research Centre, Gorakhpur, Uttar Pradesh regarding establishment of new medical college with annual intake of 100 MBBS seats for the academic year 2024-2025.

This is regarding 2nd appeal filed before the Central Government u/s 28(6) of NMC Act, 2019 by Shri Gorakshnath Medical College Hospital and Research Centre, Gorakhpur, Uttar Pradesh regarding establishment of new medical college with annual intake of 100 MBBS seats for the academic year 2024-2025 vide their letter dated 19/08/2024 against the decision of NMC vide letter dated 13/08/2024.

2. The Section 28(6) of the National Medical Commission Act, 2019, provide for the following:-

*"28(6) The Commission shall decide the appeal received under sub-section (5) within a period of forty-five days from the date of receipt of the appeal and in case the Commission approves the scheme, such approval shall be the permission under sub-section (1) to establish a new medical college and in case the Commission disapproves the scheme, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within thirty days of communication of such disapproval or, as the case may be, lapse of specified period."*

3. In pursuance to provisions of the NMC Act, 2019, revised internal guidelines to deal with the 2<sup>nd</sup> Appeals preferred to this Ministry, have been issued. The time line for disposing off the appeals preferred under Section 28(6) of the NMC Act, 2019 is 45 days from the date of receipt.

4. Show Cause notice issued by MARB: MARB issued a show cause notice vide letter dated 04/04/2024 on the basis of self declaration citing the following:

*".....the application was reviewed by the Medical Assessment and Rating Board (MARB) on the basis of MARB Regulations 2023 published on 2nd June, 2023 UG-MSR2023 issued on 16th August, 2023 and strictly adhering to the criteria mentioned in public notice for inviting applications on NMC website dated 18th*



August, 2023/ 16th November 2023. Following parameters were taken into consideration:

S.No.	Parameter/ including supporting documents	Remarks of Assessor
1.	Bank Guarantee/ undertaking as applicable	Inadequate, Should be furnished after issue of LOI.
2.	Details about the additional land for expansion of the existing hospital	Inadequate, Not shared
3.	Bed Strength and Equipment Program (room wise list of equipment complete with year wise schedule of quantities and specifications)	Beds not mentioned. 50 seats : 220beds 100 seats : 420 beds 150 beds : 605 beds
4.	Man power Program (department wise and year wise requirements of)	Need to be registered in AEBAS within 10 days from the date of issue of this letter
5.	Phasing and Scheduling of the expansion of scheme (month wise schedule of activities indicating)	Inadequate, not shared
6.	Revenue Assumptions	Inadequate, not shared
7.	Expenditure Assumptions	Inadequate, not shared

.....In the view of above, the Medical Assessment and Rating Board (MARB) has decided to issue show cause notice for your application for establishment of new medical college for the academic year 2024-2025, as per sec 28(3) proviso of the NMC Act, 2019."

5. Compliance by Institute: The institute vide letter dated 16/04/2024 submitted the compliance report providing the clarifications i.r.o. deficiencies pointed out by MARB, NMC.

6. Letter of Permission by MARB: MARB had issued letter of permission vide letter dated 06/07/2024 regarding establishment of new medical college with annual intake of 100 MBBS students for the academic year 2024-2025 citing the following:-

"..... Medical Assessment and Rating Board along with the group of experts and review committee have reviewed the Standard Assessment Form (SAF) on the

basis of MARB regulations 2023 published on 2nd June, 2023, UG- MSR 2023 issued on 16th August, 2023 and has observed the following:

S.No.	Parameter/ including supporting documents	Remarks by Experts
1.	Clinical Material	Adequate for 50 seats
2.	Review Committee remarks	College has asked for 100 seats 04 Departments have no Professors 03 Departments have no Associate Professor CT is not owned by the college. Considering all these facts the college is not eligible for 100 seats however it is eligible for 50 seats only. College has agreed to accept 50 seats.
3.	Final remarks by Committee	Committee reviewed the Standard Assessment Form (SAF) and Scrutiny Form of Expert and all relevant parameters found satisfactory for 50 seats and college has also accepted. So decided to approve the establishment of new medical college/institution with annual intake of 50 seats on dated 03.07.2024.

*In view of the above and attached scrutiny form, the Medical Assessment and Rating Board (MARB) has decided to Approve the application and issue the LETTER OF PERMISSION for 50 seats as per sec 28(3) proviso of the NMC Act, 2019."*

7. First Appeal order by NMC: Whereas aggrieved of the decisions of the MARB the institute filed a First Appeal dated 31/07/2024 to NMC u/s 28(6) of the NMC Act, 2019 which was disposed of by NMC dated 13/08/2024 citing the following:

*Decision of 1st Appeal Committee:*

*"Appeal Committee heard the college authority, re - verified documents and records.*

*Appeal Committee confirmed the deficiency pointed out by MARB, particularly in Physiology and FMT which are required for 1st year and 2nd year MBBS and decided that with the available faculty and clinical material, the college is eligible for starting of MBBS course with 50 seats only.*



*During the hearing the college authorities accepted the decision of MARB for starting with 50 seats to be included in the counseling matrix.*

*Committee upholds the decision of the MARB."*

8. Combined meeting of the TEG and COO was held on **29/08/2024**. Based on the documents presented, following was observed:


- The College applied for permission to start **Shri Gorakshnath Medical College Hospital and Research Centre, Gorakhpur, Uttar Pradesh** with 100 MBBS seats for the academic year 2024-2025.
- MARB issued letter of permission vide letter dated 06/07/2024 based on Standard Assessment Form (SAF), Assessment Report dated 28/06/2024 for starting the medical college with 50 MBBS seats for the academic year 2024-25 citing the following observations:-
  - 04 Departments have no Professors
  - 03 Departments have no Associate Professor
  - CT is not owned by the college.
- College filed 1st appeal on 31.07.2024 against the order of MARB before NMC. In 1st appeal, NMC vide order dated 13/08/2024 upheld the decision of MARB .
- Thereafter, the college has filed second appeal dated 19/08/2024 against the order dated 13/08/2024 passed by the National Medical Commission in first appeal requesting for permission to start the College with 100 MBBS seats for the Academic Year 2024-25.
- The College in its second appeal informed that on the day of assessment only two Professors (Anatomy & Forensic Medicine) were not present. The College further intimated that the Professor of Anatomy will join on 3rd September, 2024 and Professor of Forensic Medicine will join on 16th September, 2024. Thereafter, there will be no shortage of Professors.
- The College also submitted that on the day of assessment no associate professors were absent, and the shortage of Associate Professors in the Departments of Physiology, General Medicine and General Surgery will be compensated by excess Professors in these Departments.
- The College also informed that they have signed an MoU with B.R. Medical College, Gorakhpur, Uttar Pradesh for CT. They further added that they have completed procurement process for CT and the same will be delivered soon.
- The College also stated that as per the assessment report, they have 98% available faculty and 86% clinical materials.
- The Committee observed that the deficiency of 02 Professors has been addressed by the College by appointments of 02 new Professors in the concerned Departments (Anatomy & Forensic Medicine). Further the deficiency of 03 Associate Professors has also been compensated by additional Professors in the concerned Departments (Physiology, General Medicine and General Surgery).
- The Committee also observed that as per assessment report, the College has an OPD-

878, deliveries-03, Major Surgeries-09, IPD-86%. Further the College intimated during the meeting that they have a total of 450 beds with an average 900 OPD and 5-6 deliveries per day, which is adequate for 100 MBBS seats as per NMC norms.

- The Committee further observed that the College has CT Scan facility through an MoU and have also finalized the process for procurement of a new CT Scan machine.
- The Committee observed that as per NMC norms, the college is eligible for 100 MBBS seats as per above observations.

9. The documents and submissions made by the appellant have been considered by the Central Government. The Central Government after due examination has decided to direct National Medical Commission to grant permission for starting of College with 100 MBBS seats for Academic Year 2024-25 and to issue appropriate order at the earliest.

10. Accordingly, the second appeal dated 19/08/2024 of Shri Gorakshnath Medical College Hospital and Research Centre, Gorakhpur stands disposed of.

  
30/09/24

(Dr. Poonam Meena)  
Deputy Secretary (ME)

Tel: 011-23062466/23062205

To

The Dean/Principal,  
Shri Gorakshnath Medical College Hospital and Research Centre,  
Gorakhpur, Uttar Pradesh

Copy to:

1. The Secretary, National Medical Commission, Pocket- 14, Sector-8, Dwarka, New Delhi-75 for necessary action.
2. PS to Hon'ble HFM, Nirman Bhawan, New Delhi for information.
3. The DDG (ME), Dte.GHS, Nirman Bhawan, New Delhi for information.

**NATIONAL MEDICAL COMMISSION  
MEDICAL ASSESSMENT AND RATING BOARD (MARB)  
UNDERGRADUATE SECTION**

**Application ID No. NMC/UG/2024-25/000103**

**DATE: 04 .07.2024**

**LETTER OF PERMISSION**

**THE DEAN/PRINCIPAL,  
SHRI GORAKSHNATH MEDICAL COLLEGE HOSPITAL & RESEARCH CENTRE  
AROGYA DHAM BALAPAR ROAD  
SONBARSA- GORAKHPUR- 273007 (UP)  
EMAIL ID- principal.sgmc@mgug.ac.in**

**SUB: Final Office order regarding your online application NMC/UG/2024-25/000103 for establishment of new medical college/institution SHRI GORAKSHNATH MEDICAL COLLEGE HOSPITAL & RESEARCH CENTRE in the State of Uttar Pradesh under the Mahayogi Gorakhnath University Gorakhpur, Uttar Pradesh with annual intake of 100 MBBS students u/s 26(1)(a)(b) and 28(1)(2) of the NMC Act, 2019 for the academic year 2024-25.**

**SIR/MADAM,**

Please refer to your application NMC/UG/2024-25/000103 for **establishment of new medical college/institution SHRI GORAKSHNATH MEDICAL COLLEGE HOSPITAL & RESEARCH CENTRE** in the State of Uttar Pradesh under the Mahayogi Gorakhnath University Gorakhpur, Uttar Pradesh with **annual intake of 100 MBBS students** u/s 26(1)(a)(b) and 28(1)(2) of the NMC Act, 2019 for the academic year 2024-25.

It is to inform that Medical Assessment and Rating Board along with the group of experts and review committee have reviewed the Standard Assessment Form (SAF) on the basis of **MARB regulations** 2023 published on 2<sup>nd</sup> June, 2023, **UG- MSR 2023** issued on 16<sup>th</sup> August, 2023 and has observed the following:

**A. Observations with detailed remarks:**

<b>S. No.</b>	<b>Detailed of Parameters</b>	<b>Remark by Experts</b>
1.	Number of UG Seats applied by College	100
2.	College Infrastructure (e.g. Number of Beds in the department as per the relevant UG MSR UG-Medical Education Regulation 2023 issued on 16th August 2023	Adequate
3.	Number of Units in the department as per the relevant UG MSR UG-Medical Education Regulation 2023 issued on 16th August, 2023	Adequate
4.	Functional Essential Equipment of respective discipline/Departments as per the relevant UG MSR UG-Medical Education Regulation 2023 issued on 16th August, 2023	Adequate
5.	Blood Bank (Available / Not Available)	Available
6.	Blood Component (Available / Not Available)	Available
7.	Number of Faculties as per the relevant UG MSR UG-Medical Education Regulation	Registered faculty on AEBAS-

	2023 issued on 16th August, 2023	<p>on the day of assessment</p> <p>Professors: 19</p> <p>Assoc Professors: 22</p> <p>Assist Professors: 47</p> <p>Tutors: 40</p> <p>SR: 34</p>
8.	Clinical Material	Adequate for 50 seats.
9.	Compliance Report given by the College (From Scrutiny form -1)	NA
10.	Any Other Department Specific observations	NA
11.	Review committee remarks	<p>College has asked for 100 seats</p> <p>4 Departments have no Professor</p> <p>3 Department have no Associate Professor</p> <p>CT is not owned by college</p> <p>Considering all these facts the college is not eligible for 100 seats however it is eligible for 50 seats only.</p> <p>College has agreed to accept 50 seats.</p>
12.	<i>Final Remarks by Committee</i>	<b><i>Committee Reviewed the Standard Assessment form (SAF) and Scrutiny form of Expert and all</i></b>



		<i>relevant parameters found satisfactory for 50 seats and college has also accepted. So decided to approve the establishment of new medical college/institution with annual intake of 50 seats on dated 03.07.2024.</i>
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In view of the above and attached scrutiny form, the Medical Assessment and Rating Board (MARB) has decided to **Approve** the application and issue LETTER OF PERMISSION for 50 seats u/s 28(3) of the NMC Act, 2019 for the academic year 2024-25 SUBJECT TO VERIFICATION OF BANK GUARANTEE

**APPROVED FOR 50 SEATS SUBJECT TO VERIFICATION OF BANK GUARANTEE**

In addition to the same the applicant should ensure that the following criteria are met:

1. No student should be admitted in the above courses till the formal Letter of Permission of the Medical Assessment and Rating Board (MARB) is received.
2. The applicant should provide all infrastructural facilities in terms of teaching and non-teaching staff, building, equipment and hospital facilities as per National Medical Commission norms.
3. The Medical Colleges/ Institutions will provide undertaking to implement the decision regarding payment of stipend during the Internship of the UG students similar to UG sections of Govt. Medical Colleges in their State.
4. The Medical Assessment and Rating Board (MARB) reserve the right to withdraw/cancel/revoke the Letter of Permission if it comes to the notice that the permission has been obtained from Medical Assessment and Rating Board (MARB) by misrepresentation of facts or fraud.
5. It shall be incumbent upon the Medical College that the information relating to admission should be submitted within the time specified in the circular in this regards issued by this office from time to time. Any failure to submit the information within this time limit would be constructed that the admission in the college were not in accordance with the statutory requirements, thereby enabling the Commission to proceed in accordance with law against the college.
6. The medical college/institution shall be responsible for installation and maintenance of AEBAS, close circuit camera, and HMIS, and other Information Technology as prescribed from time to time. The same should be made available to NMC as directed.

Kindly acknowledge receipt of this letter.

Signed by

Jitulal Ramprasad Meena

MEMBER/PRESIDENT  
Date: 06-07-2024 00:28:43

MEDICAL ASSESSMENT AND RATING BOARD (MARB)

NATIONAL MEDICAL COMMISSION

Copy to:

1. The Principal Secretary (H&FW) Department of Health & Family Welfare, Government of Uttar Pradesh, 4<sup>th</sup> Floor, Navchetna Kendra, 10 Ashok Marg, Hazratganj
2. The Director of Medical Education, Directorate of Health Services, Uttar Pradesh, Jawahar Bhawan, 6<sup>th</sup> Floor, Ashok Marg, Lucknow, Uttar Pradesh
3. The Registrar, Mahayogi Gorakhnath University Gorakhpur, Uttar Pradesh
4. The Assistant Director General (ME), Directorate General of Health Services, 352-A Nirman Bhawan, New Delhi- 110011.
5. The Secretary to the Govt. of India, Ministry of Health & family Welfare, Nirman Bhawan, New Delhi- 110011.
6. The Secretary, National Medical Commission, Pocket- 14, Sector – 8, Dwarka, Phase- 1, New Delhi – 110077.
7. The President, Under Graduate Medical Education Board, NMC.
8. DMMP, NMC.
9. Guard File.