

Provided that the Commission shall give a reasonable opportunity of being heard to such authority before refusing to grant such recognition.

(2) A medical qualification which is granted recognition by the Commission under sub-section (1) shall be a recognised medical qualification for the purposes of this Act, and such qualification shall be listed and maintained by the Commission in such manner as may be specified by the regulations.

(3) Where the Commission refuses to grant recognition to the medical qualification under sub-section (1), the authority concerned may prefer an appeal to the Central Government against such decision within thirty days of communication thereof.

(4) All medical qualifications which have been recognised before the date of commencement of this Act and are included in the Second Schedule and Part II of the Third Schedule to the Indian Medical Council Act, 1956, shall also be recognised medical qualifications for the purposes of this Act, and shall be listed and maintained by the Commission in such manner as may be specified by the regulations.

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Recognition of medical qualifications granted by statutory or other body in India.

37. (1) The medical qualifications granted by any statutory or other body in India which are covered by the categories listed in the Schedule shall be recognised medical qualifications for the purposes of this Act.

(2) The Diplomate of National Board in broad-speciality qualifications and super-speciality qualifications when granted in a medical institution with attached hospital or in a hospital with the strength of five hundred or more beds, by the National Board of Examinations, shall be equivalent in all respects to the corresponding postgraduate qualification and the super-speciality qualification granted under this Act, but in all other cases, senior residency in a medical college for an additional period of one year shall be required for such qualification to be equivalent for the purposes of teaching also.

(3) The Central Government may, on the recommendation of the Commission, and having regard to the objects of this Act, by notification, add to, or, as the case may be, omit from, the Schedule any categories of medical qualifications granted by a statutory or other body in India and on such addition, or as the case may be, omission, the medical qualifications granted by such statutory or other body in India shall be, or shall cease to be, recognised medical qualifications for the purposes of this Act.

Withdrawal of recognition granted to medical qualification granted by medical institutions in India.

38. (1) Where, upon receiving a report from the Medical Assessment and Rating Board under section 26, or otherwise, if the Commission is of the opinion that—

(a) the courses of study and examination to be undergone in, or the proficiency required from candidates at any examination held by, a University or medical institution do not conform to the standards specified by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be; or

(b) the standards and norms for infrastructure, faculty and quality of education in medical institution as determined by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, are not adhered to by any University or medical institution, and such University or medical institution has failed to take necessary corrective action to maintain specified minimum standards, the Commission may initiate action in accordance with the provisions of sub-section (2):

Provided that the Commission shall, before taking any action for *suo motu* withdrawal of recognition granted to the medical qualification awarded by a University or medical institution, impose penalty in accordance with the provisions of clause (f) of sub-section (1) of section 26.

(2) The Commission shall, after making such further inquiry as it deems fit, and after holding consultations with the concerned State Government and the authority of

THE SCHEDULE

[See section 37]

LIST OF CATEGORIES OF MEDICAL QUALIFICATIONS GRANTED BY
STATUTORY BODY OR OTHER BODY IN INDIA

- | <i>Sl. No.</i> | <i>Categories of medical qualifications</i> |
|----------------|---|
| 1. | All medical qualifications granted by the <u>Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry.</u> |
| 2. | All medical qualifications granted by <u>All India Institutes of Medical Sciences.</u> |
| 3. | All medical qualifications granted by the <u>Postgraduate Institute of Medical Education and Research, Chandigarh.</u> |
| 4. | All medical qualifications granted by the <u>National Institute of Mental Health and Neuro-Sciences, Bangalore.</u> |
| 5. | All medical qualifications granted by the <u>National Board of Examination.</u> |

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