

राष्ट्रीय आयुर्विज्ञान आयोग
National Medical Commission
(Undergraduate Medical Education Board)

No. 20910(Legal)/2022/ 015259

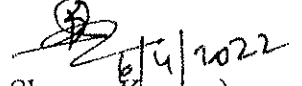
Dated the 6th April, 2022

Corrigendum

Subject : Giving effect to the order dated 03.01.2022 of Ministry of Health & Family Welfare.

The undersigned is directed to refer NMC public notice dated 29th March 2022 on the subject cited above and to say that para-5 of the above referred public notice may kindly be read as under :

5. *In compliance of the above mentioned directions issued by Ministry of Health & Family Welfare vide order dated 03.01.2022, the provisions regarding percentage of non-medical teachers/number of faculty in the Department of Anatomy, Physiology & Bio-Chemistry, Microbiology and Pharmacology would continue as per the Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998, subject to outcome of pending court cases in the matter.*


(Shambhu Sharan Kumar)
Deputy Secretary

C C :

- (1) PS to Hon'ble HFM
- (2) Chairman, National Medical Commission
- (3) President, UGMEB, MARB, PGMEB, EMRB
- (4) Joint Secretary(ME), M/o Health & Family Welfare
- (5) Secretary, National Medical Commission
- (6) President, National M.Sc. Medical Teachers' Association (NMMTA)
- (7) All India Pre and Para Clinical Medicos Association
- (8) DMMP for uploading on NMC's website
- (9) Guard file

राष्ट्रीय आयुर्विज्ञान आयोग
National Medical Commission
(Undergraduate Medical Education Board)

No. 20910(Legal)/2022/

Dated the 29th March, 2022

PUBLIC NOTICE

Sub : Giving effect to the order dated 03.01.2022 of Ministry of Health & Family Welfare.

The brief facts are that Minimum Requirements for Annual MBBS Admission Regulations, 2020 were published in Gazette of India vide notification No. NMC/MCI 35(1)98-med.(ii)123627 dated 28th October 2020, wherein as per clause A(5) of Schedule-II of Minimum Requirements for Annual MBBS Admission Regulations 2020 (MSR 2020), the extent of appointment of non-medical teachers as faculty in pre and para clinical streams was modified as compared to earlier Regulations i.e. Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 (MSR 1998).

2. For ready reference, relevant clause A(5) of Schedule-II of MSR 2020 is reproduced as under:

"5. In department of Anatomy, Physiology, Biochemistry, non-medical teachers may be appointed to the extent of 15% of the total number of posts in the department subject to non-availability of medical teachers. The abovementioned non-medical teachers and the Statistician in the department of Community Medicine should possess qualification in that particular subject from a recognized university as per requirements in Teacher Eligibility Qualification Regulations."

2.1 And relevant clause 2 of Schedule-I of TEQ 1998 is reproduced as under:

"2. In the departments of Anatomy, Physiology, Biochemistry, Pharmacology and Microbiology, non-medical teachers may be appointed to the extent of 30% of the total number of the posts in the department. A non-medical approved medical M.Sc. qualification shall be a sufficient qualification for appointment as Lecturer in the subject concerned but for promotion to higher teaching post a candidate must possess the Ph.D. degree in the subject. The Heads of these departments must



possess recognized basic university medical degree qualification or equivalent qualification. However, in the department of Biochemistry, non-medical teachers may be appointed to the extent of 50% of the total number of posts in the department. In case of the paucity of teachers in non-clinical departments relaxation upto the Head of the Department may be given by the appointing authority to the non-medical persons if suitable medical teacher in the particular non-clinical speciality is not available for the said appointment. However, such relaxation will be made only with the prior approval of the Medical Council of India. A non-medical person cannot be appointed as Director or Principal or Dean or Medical Superintendent. In the departments of Community Medicine and Pharmacology, Lecturers in Statistics and Pharmacological Chemistry shall possess M.Sc. qualification in that particular subject from a recognized University."

2.2 Thus, the extent of appointment of non-medical teachers as faculty in pre and para clinical streams was changed from 30% to 15% in Department of Anatomy and Physiology and from 50% to 15% in Department of Bio-Chemistry in MSR 2020. Being aggrieved with aforesaid provisions of the MSR 2020, the National M.Sc. Medical Teachers' Association (NMMTA) challenged the same before the Hon'ble High Court of Delhi in W.P.(c) No. 9115 of 2020. The matter is pending before the Hon'ble High Court.

3. At the same time, NMMTA filed an appeal dated 07/09/2021 u/s of 9(6) of National Medical Commission Act 2019, before the Ministry of Health & Family Welfare (MoHFW) against the aforesaid provisions of the MSR 2020. Vide order dated 03rd January 2022, MoHFW disposed of the appeal of NMMTA as under:

7. The documents and submission made by the appellant have been considered by the Central Government and is of the considered view that the NMC may continue to adopt the old pattern of permissible percentage of non-medical teachers for the time being subject to outcome of pending court case.

4. The aforesaid order dated 03rd January 2022 of MoHFW has been challenged before the Hon'ble High Court of Delhi by All India Pre & Para Clinical Medicos Association in W.P. (C) No. 1607 of 2022. The matter is pending before the Hon'ble High Court.

5. In compliance of the above mentioned directions issued by Ministry of Health & Family Welfare vide order dated 03.01.2022, the provisions regarding percentage of non-medical teachers/number of faculty in the Department of Anatomy, Physiology &



Bio-Chemistry would continue as per the Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998, subject to outcome of pending Court cases in the matter.



(Shambhu Sharan Kumar)
Deputy Secretary

CC:

1. PS to Hon'ble HFM, Nirman Bhawan
2. Chairman, National Medical Commission
3. President, UGMEB, MARB, PGMEB, and EMRB
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