

SECRETARIAT

Admission and Fee Regulatory Committee

(A statutory body established through an Act of Government of Madhya Pradesh)

Office: Tagore Hostel No. T-2, Ground Floor-Left Wing, Shyamla Hills,

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No. AFRC/Sectt/2019/ 425

Date: 02/09/2019

ORDER

The matter relates to admission of students for M.D.S.Course in the year 2016-17 by Private Unaided Dental Colleges.

1. In Public Interest Writ Petition No.895/2018 filed by Dr.Anand Rai Vs. State of Madhya Pradesh and Others, against the irregular admissions in M.D.S.Course in 2016-17 made by the Private Unaided Dental Colleges, the Hon'ble High Court directed this Committee to enquire into the admissions made in contravention of the provisions contained in the Act. The order of the Hon'ble High Court is reproduced below:-

“The grievance of the petitioner in the public interest writ petition is that certain students have been admitted in the Post Graduate Dental College for the session 2016-17 who are not qualified. In the return filed on behalf of the State on 27.04.2018, it has been pointed out that Madhya Pradesh Niji Vyavasayik Shikshan Sanstha (Pravesh Ka Viniyaman avam Shulk ka Nirdhran) Adhiniyam 2007 (for short “the Act”) provides for constitution of Admission & Fee Regulatory Committee, whereas Sub Section (9)(a) of the said Act empowers such Committee to enquire into the admissions made in contravention of the provisions contained in the Act and take corrective action in accordance with law. It is pointed out in return that the State Government has forwarded the report of the University to Admission and Fee Regulatory Committee and that such committee is to take a final decision in terms of Act and regulations made thereunder. In view of the said fact, we dispose of the present petition with direction that the Admission and Fee Regulatory Committee constituted under the Act to take a final decision in respect of admission of the students in the Post Graduate Dental Course in the private medical colleges within a period of three months from today.

2. In pursuance to the above observations and directions of the Hon'ble High Court, the Committee enquired into the matter of admission of students in M.D.S.Course in 2016-17 made by the Unaided Private Dental Colleges. In doing so, the Committee took cognizance of the Madhya Pradesh Private Medical & Dental Post Graduate Dental (M.D.S) Course Rules, 2016 published by Medical Education Department, Madhya Pradesh vide Gazettee Notification No.155 dated 1st April, 2016 vide which the following eligibility criteria have been fixed by the State Government for M.D.S. admission in Unaided Private Dental Colleges in Madhya Pradesh. The qualifying examination criteria fixed by the Government is as under:-

“EXAMINATION: Qualifying marks obtained in AIPGMEE 2016 conducted by National Board of Examination, New Delhi. AIPGDEE-2016 organized by AIIMS, New Delhi shall be the basis for admission in 85% seats of Private Medical/Dental Colleges of the State of Madhya Pradesh, in compliance of Hon'ble Supreme Court vide order dated 17.03.2016 in I.A.83/2015 and in Civil Appeal No.4060/2009 order dated 27.05.2009.”

3. Hon'ble Supreme Court vide order dated 17.03.2016 in I.A.83/2015 and in Civil Appeal No.4060/2009 order dated 27.05.2009, has ordered as under:-

“As per the interim arrangement made under the orders dated 27th May, 2009, the medical colleges of State of Madhya Pradesh are permitted to admit 50% of the students in pursuance to the examination conducted by the applicant association whereas 50% of the students are to be given admission as per the recommendation of the State. We are informed that for the last few years, the State of M.P. is sending the names of the candidates from the merit list prepared of those who appeared in All India Examination held for the purpose. Same procedure be adhered to for this year as well.

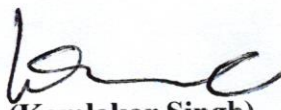
Insofar as the All India Examination is concerned, it has already been held as per the stipulated time schedule and the result of the said examination has already been declared. Thus, a list of successful candidates, who have passed the said examination is available at present.

In the aforesaid circumstances, we permit the applicants, to select candidates, on the basis of their inter-se merit, for admission to 2016-17 batch of postgraduate course from the aforesaid list of successful candidates.”

4. On verification of the records furnished by Madhya Pradesh Medical Science University, Jabalpur of 80 candidates and 78 candidates furnished by the concerned Unaided Private Dental Colleges, the Committee found that the candidates have not participated in the Counselling Process conducted by Counseling Authority of the State i.e. Director, Medical Education.


5. In addition to the number of candidates as per Madhya Pradesh Medical Science University, Jabalpur of 80 candidates and 78 candidates furnished by the concerned Unaided Private Dental Colleges, if any candidate is found to have been admitted in M.D.S. Course in 2016-17 will also be covered under this order.

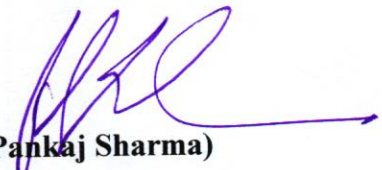
6. Thus the Committee found that the admissions done by the Unaided Private Dental Colleges without counseling process conducted by Counseling Authority of the State i.e. Director, Medical Education in M.D.S.Course in the year 2016-17 as invalid.


(Kamlakar Singh)
Chairman


(Smt. Rashmi Agrawal)
Member


(Dr. Ulka Shrivastava)
Member

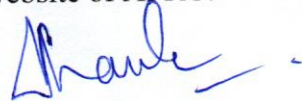

Dr.(Smt.) Sushma Dubey
Member


(Pankaj Sharma)
Member

No. AFRC/Sectt/2019/426
Copy to:

Date: 02/03/2019
02/04

1. The Registrar, Hon'ble High Court Principal Bench, Jabalpur for information.
2. The Director, Medical Education, Madhya Pradesh, Bhopal for information and necessary action.
3. The Chairman/Secretary/Dean...all concerned Dental Colleges.....
For information.
4. OSD, AFRC, Bhopal for uploading the order on the official website of AFRC.


(Dr. Alok Chaube)
Secretary/Officer on Special Duty