

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO.7 & 8

IN

WRIT PETITION (CIVIL) NO.76 OF 2015

Ashish Ranjan & Ors. ... Petitioners

VERSUS

Union of India & Ors. ... Respondents

WITH

WRIT PETITION NOS.314 AND 328 OF 2015

O R D E R

Applications for impleadment are allowed.

Heard learned counsel for the petitioner, Mrs. Pinky Anand, learned additional solicitor general for the Union of India and Mr. Gaurav Sharma for the Medical Council of India.

Mr. Gaurav Sharma, has filed the notifications issued by the Medical Council of India with the previous sanction of the Central Government. The said Notification reads as under :

"In exercise of the powers conferred by Section 10(A) read with Section 33 of the Indian medical Council Act, 1956 (102 of 1956), the Medical Council of India with the previous sanction of the Central Government hereby makes the following Regulations to further amend the "Establishment of Medical College Regulations, 1999" namely:-

- (i) These Regulations may be called the 'Establishment of Medical College

Regulations, (Amendment), 2015'.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. In the 'Establishment of Medical College Regulations, 1999', in SCHEDULE FOR RECEIPT OF APPLICATIONS FOR ESTABLISHMENT OF NEW MEDICAL COLLEGES AND PROCESSING OF THE APPLICATIONS BY THE CENTRAL GOVERNMENT AND THE MEDICAL COUNCIL OF INDIA' the following shall substituted as under:-

TIME SCHEDULE FOR RECEIPT OF APPLICATIONS FOR ESTABLISHMENT OF NEW MEDICAL COLLEGES/RENEWAL OF PERMISSION AND PROCESSING OF THE APPLICATIONS BY THE CENTRAL GOVERNMENT AND THE MEDICAL COUNCIL OF INDIA

S. No.	Stage of processing	Last Date
1.	Receipt of applications by the Central Government	Between 15 th June to 7 th July (both days inclusive) of any year
2.	Forwarding application by the Central Government to Medical Council of India.	By 15 th July
3.	Technical Scrutiny, assessment and Recommendations for Letter of Permission by the Medical Council of India.	By 15 th December
4.	Receipt of reply/compliance from the applicant by the Central Government and for personal hearing thereto, if any, and forwarding of compliance by the Central Government to the Medical Council of India.	Two months from receipt of recommendation from MCI but not beyond 31 st January.
5.	Final recommendations for the Letter of Permission by the Medical Council of India.	By 30 th April
6.	Issue of Letter of Permission by the Central Government.	By 31 st May

Note 1. In case of renewal of permission, the applicants shall submit the application to the Medical Council of India by 15th July.

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In exercise of the powers conferred by Section 33 of the Indian Medical Council Act, 1956 (102) of 1956, the Medical Council of India with the previous sanction of the Central Government,

hereby makes the following Regulations to further amend the "Opening of a New or Higher Course of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any Course of Study or Training (Including a Postgraduate Course of Study or Training) Regulations 2000", namely:-

1(i) These Regulations may be called the "Opening of a New or Higher Course of Study or Training (Including Postgraduate Course of Study or Training) and increase of Admission Capacity in any Course of Study or Training (including Postgraduate Course of Study or Training (Amendment) Regulations 2015'.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. In 'Part II - SCHEME FOR PERMISSION OF THE CENTRAL GOVERNMENT TO INCREASE THE ADMISSION CAPACITY IN ANY COURSE OF STUDY OR TRAINING (INCLUDING POST GRADUATE COURSE OF STUDY OR TRAINING) IN THE EXISTING MEDICAL COLLEGES/INSTITUTIONS" of the 'Opening of a New or Higher Course of Study or Training (Including Postgraduate Course of Study or Training) and increase of Admission Capacity in any Course of Study or Training (Including a Postgraduate Course of Study or Training) Regulations 2000", after point no.7 the following shall be added:-

TIME SCHEDULE FOR RECEIPT OF APPLICATIONS FOR INCREASE OF ADMISSION CAPACITY IN MBBS COURSE/RENEWAL OF PERMISSION FOR INCREASE OF SEATS AND PROCESSING OF THE APPLICATIONS BY THE CENTRAL GOVERNMENT AND THE MEDICAL COUNCIL OF INDIA

S. No.	Stage of processing	Last Date
1.	Receipt of applications by the Central Government	Between 15 th June to 7 th July (both days inclusive) of any year
2.	Forwarding application by the Central Government to Medical Council of India.	By 15 th July
3.	Technical scrutiny, assessment and Recommendations of Letter of Permission by the Medical Council of India	By 15 th December
4.	Receipt of reply/compliance from the applicant by the Central Government and	Two months from receipt of recommendation from MCI

	for personal hearing thereto, if any and forwarding of compliance by the Central Government to the Medical Council of India.	but not beyond 31 st January
5.	Final recommendations for the Letter of Permission by the Medical Council of India	By 30 th April
6.	Issue of Letter of Permission by the Central Government	By 31 st May

Note 1. In case of renewal of permission, the applicants shall submit the application to the Medical Council of India by 15th July.

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In exercise of the powers conferred by Section 33 of the Indian Medical Council Act, 1956 (102 of 1956), the Medical Council of India with the previous sanction of the Central Government, hereby makes the following Regulations to further amend the 'Regulations on Graduate Medical Education, 1997', namely:-

1.(i) These Regulations may be called the 'Regulations on Graduate Medical Education, 2015.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. In the 'Regulations on Graduate Medical Education, 1997', Appendix E shall be replaced as under:-

**TIME SCHEDULE FOR COMPLETION OF THE ADMISSION
PROCESS FOR FIRST MBBS COURSE**

Sr. No.	Schedule for Admission	Seats to be filled up by the Central Government through the All India Entrance Examination	Seats to be filled up by the State Govt./ Institution.
1.	Conduct of Entrance Examination	Between 1 st to 7 th May	Between 10 th to 17 th May
2.	Declaration of the Result of the Qualifying Exam/Entrance Exam.	By 1 st June	By 1 st June
3.	1 st round of counselling/admission	To be over by 25 th June	Between 6 th July to 15 th July
4.	Last date for joining the	By 5 th July	By 22 nd July

	allotted college and the course		
5.	2 nd round of counselling/admission for vacancies	Between 23 rd July to 30 th July	Between 10 th to 22 nd August
6.	Last date of joining for the 2 nd round of counselling/admission	By 9 th August	By 28 th August
7.	Commencement of academic session/term	1 st of August	1 st of August
8.	Last date up to which students can be admitted/joined against vacancies arising due to any reason.		By 31 st August

Note:

1. All India Quota Seats remaining vacant after last date for joining, i.e. 9th August will be deemed to be converted into state quota.
2. Institute/college/courses permitted after 31st May will not be considered for admission/allotment of seats for current academic year.
3. In any circumstances, last date for admission/joining will not be extended after 31st August.

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In exercise of the powers conferred by Section 33 of the Indian Medical Council Act, 1956 (102 of 1956), the Medical Council of India with the previous sanction of the Central Government hereby makes the following Regulations to further amend 'The Opening of a New or Higher Course of Study or Training (including Post Graduate Course of Study or Training) and increase of Admission Capacity in any Course of Study or Training (including a Post Graduate Course of Study Or Training), Regulations 2000' namely:-

- 1(i) These regulations may be called 'The Opening of a New or Higher Course of Study or Training (including Post Graduate Course of Study or Training) and increase of Admission Capacity in any Course of Study or Training (including a Post Graduate Course of Study Or Training (Amendment) Regulations 2015'.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. In 'The Opening of a New or Higher Course of Study or Training (including Postgraduate Course of Study or Training) and Increase of Admission Capacity in any Course of Study or Training (including a Post Graduate Course of Study Or Training), Regulations, 2000', the following additions/modifications deletions/substitutions shall be indicated therein:-

3. In the Schedule and Note in 'The Opening of a New or Higher Course of Study or Training (including Post Graduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including a Post Graduate Course of Study or Training), Regulations, 2000', after Appendix-II, the schedule included vide notification dated 11th January, 2010, be substituted by the following schedule:-

TIME SCHEDULE FOR RECEIPT OF THE APPLICATIONS OF POST GRADUATE (BROAD SPECIALITY) COURSES/INCREASE OF ADMISSION CAPACITY AND PROCESSING OF THE APPLICATIONS BY THE CENTRAL GOVERNMENT AND MEDICAL COUNCIL OF INDIA.

S. No.	Stage of processing	Last Date
1.	Receipt of applications by the Central Government	Between 15 th March to 7 th April (both days inclusive of any year)
2.	Forwarding application by the Central Government to Medical Council of India	By 15 th April
3.	Technical scrutiny, assessment and Recommendations of Letter of Permission by the Medical Council of India	By 30 th September
4.	Receipt of reply/compliance from the applicant by the Central Government and for personal hearing thereto, if any and forwarding of compliance by the Central Government to the Medical Council of India.	Two months from receipt of recommendation from MCI but not beyond 15 th November
5.	Final recommendations for the Letter of Permission by the Medical Council of India	By 31 st January
6.	Issue of Letter of Permission by	By 28 th February

the Central Government	
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**TIME SCHEDULE FOR RECEIPT OF APPLICATIONS FOR
OPENING OF POSTGRADUATE (SUPER SPECIALITY)
COURSES/INCREASE OF ADMISSION CAPACITY AND
PROCESSING OF THE APPLICATIONS BY THE CENTRAL
GOVERNMENT AND MEDICAL COUNCIL OF INDIA**

S. No.	Stage of processing	Last Date
1.	Receipt of applications by the Central Government	Between 1ST August to 21 st August (both days inclusive) of any year
2.	Forwarding application by the Central Government to Medical Council of India	By 31 st August
3.	Technical Scrutiny, assessment and recommendations for Letter of Permission by the Medical Council of India	By 31 st December
4.	Receipt of reply/compliance from the applicant by the central Government to the Medical Council of India	By 15 th February
5.	Final recommendations for the Letter of Permission by the Medical Council of India	By 30 th April
6.	Issue of Letter of Permission by the Central Government	By 31 st May

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In exercise of powers conferred by Section 33 of the Indian Medical Council Act, 1956 (102 of 1956), the Medical Council of India with the previous sanction of the Central Government hereby makes the following regulations to further amend the 'Postgraduate Medical Education Regulations, 2000', namely:-

1.(i) These regulations may be called the 'Postgraduate Medical Education (Amendment) Regulations, 2015'.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. In the 'Postgraduate Medical Education Regulations, 2000' further amended till 17/04/2013, the following additions / modifications / deletions / substitutions, shall

be as indicated therein.

3. In the appendix in 'Postgraduate Medical Education Regulations, 2000', included vide amendment notification dated 23rd March, 2006, the time schedule for completion of admission process for postgraduate courses stands substituted by the following schedules:-

**Time Schedule for completion of Admission Process
for PG (Broad Speciality) Medical Courses for All
India Quota and State Quota**

S. No.	Schedule for admission	Broad Speciality	
		All India quota	State quota
1.	Conduct of Entrance Examination	Month of December	Month of January
2.	Declaration of result of the qualifying Exam/Entrance Exam	By 15 th of January	By 15 th of February
3.	1 st round of counselling/admission	Between 12 th March to 24 th March	Between 4 th April to 15 th April
4.	Last date for joining/reporting the allotted college and the course.	By 3 rd April	By 22 nd April
5.	2 nd round of counselling/admission for Vacancies	Between 23 rd April to 30 th April	Between 11 th May to 20 th May
6.	Last date of joining for the 2 nd round of counselling/admission.	By 10 th May	By 27 th May
7.	Commencement of the academic session/term.	1 st May	1 st May
8.	Last date up to which students can be admitted/joined against vacancies arising due to any reason	-	By 31 st May

Note:

1. All India Quota Seats remaining vacant after last date for joining, i.e. 10th May will be deemed to be converted into state quota.
2. Institute/college/courses permitted after 28th February will not be considered for admission/allotment of seats for current academic year.
3. In any circumstances, last date for admission/joining will not be extended after 31st May.

Time Schedule for completion of Admission Process for PG (Super speciality) Medical Courses)

S. No.	Schedule for admission	Super Speciality
1.	Conduct of Entrance Examination	By 10 th July
2.	Declaration of result of the qualifying Exam/Entrance Exam	By 15 th July
3.	1 st round of counselling admission	By 31 st July
4.	Last date for joining the allotted college and the course	Between 1 st to 7 th August
5.	2 nd round of counselling/admission	By 20 th August
6.	Last date of joining for the 2 nd round of counselling/admission	By 27 th August
7.	Commencement of academic session/term	1 st August
8.	Last date up to which students can be admitted/joined against vacancies arising due to any reason	31 st August

Note:

1. Institute/college/courses permitted after 31st May will not be considered for admission/allotment of seats for current academic year.

2. In any circumstances, last date for admission/ joining will not be extended after 31st August."

This Court gives the stamp of approval to the aforesaid schedule.

Regard being had to the prayer in the writ petition, nothing remain to be adjudicated. The order passed today be sent to the Chief Secretaries of all the States so that they shall see to it that all the stakeholders follow the schedule in letter and spirit and not make any deviation whatsoever. Needless to say the AIIMS and the PGI (for the examination held in July) shall also follow

the schedule on letter and spirit.

An application has been filed by the National Board of Examination for extension of time in respect of declaration of result of the Post Graduation Medical Education Examination. It is submitted by Mr. Gaurav Sharma, learned counsel for the Medical Council of India that the result can be declared by 10th February by the said Board but counselling must be held by the time stipulated in the schedule as the date of counselling is not changed and there was a natural calamity in the State of Tamil Nadu. Accordingly, we extend the time.

All the interlocutory applications and writ petitions are disposed of.

.....,J.
(Dipak Misra)

.....,J.
(N.V. Ramana)

New Delhi;
January 18, 2016.

ITEM NO.6

COURT NO.4

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A.NOS.7 & 8 in Writ Petition(s) (Civil) No(s). 76/2015

ASHISH RANJAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(for impleadment and modification/direction and office report)

WITH

W.P. (C) No. 314/2015

(With appln.(s) for stay and Office Report)

W.P. (C) No. 328/2015

(With appln.(s) for directions and Office Report)

Date : 18/01/2016 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s) Mr. Prashant R. Dahat, Adv.
Mr. Puneet Yadav, Adv.
Mr. Akarsh Kamra, Adv.
Mr. Venkateswara Rao Anumolu, AOR

Mr. Prashant R. Dahat, Adv.
Mr. Parthiban M.P., Adv.
Mr. Akarsh Kamra, Adv.
Mr. Puneet yadav, Adv.
Mr. T. R. B. Sivakumar, AOR

For Respondent(s) Mr. Anip Sachthey, AOR

AP Mr. Guntur Prabhakar, AOR
Ms. Prerna Singh, Adv.

Gujarat Ms. Hemantika Wahi, AOR
Ms. Vinakshi Kadan, Adv.

West Bengal Mr. Soumitra G. Chaudhuri, Adv.
Mr. Parijat Sinha, Adv.

H.P. Mr. Suryanarayana Singh, Sr. AAG
Ms. Pragati Neekhara, AOR

Mr. Sudarshan Rajan, AOR
Ms. Shriya Chauhan, Adv.
Mr. Rajeev Khurana, Adv.

Mr. S.S. Shamsbery, AAG
Mr. Amit Sharma, Adv.
Mr. Yishu Prayash, Adv.
Ms. S. Spandana Reddy, Adv.
Mr. Milind Kumar, Adv.
Ms. Ruchi Kohli, Adv.

Jharkhand Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Tapesh Kumar Singh, AOR
Mr. Mohd. Waquas, Adv.
Mr. Aditya N. Das, Adv.
Mr. Shashank Singh, Adv.

Goa Mr. Siddharth Bhatnagar, Adv.
Mr. Sidharth Mohan, Adv.
Ms. Garima Tiwari, Adv.
Mr. Nirnimesh Dube, AOR

Maharashtra Mr. Sachin Patil, Adv.
Mr. Nishant Katneshwarkar, Adv.

Mr. B. Balaji, AOR
Mr. Sudhanshu, Adv.

MCI Mr. Gaurav Sharma, AOR
Mr. Prateek Bhatia, Adv.
Mr. Dhawal M., Adv.

Mr. Mukul Gupta, Sr. Adv.
Mr. Kaushik Poddar, AOR
Mr. Rakesh Gosain, Adv.
Ms. Suvarna Kashyap, Adv.
Mr. Tushar Gupta, Adv.
Mr. Rudreshwar Singh, Adv.

Mr. Gopal Singh, AOR
Ms. Vimla Singh, Adv.

Mr. S.N. Bhat, AOR

Ms. Vaijyanthi Girish, Adv.

Punjab

Mr. Kuldip Singh, Adv.
Mr. M.S. Bakshi, Av.
Ms. Kirti Kumar, Adv.

Mr. S. Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
Ms. Swati Vellodi, Adv.
For M/s. Lawyer's Knit & Co.

UPON hearing the counsel the Court made the following
O R D E R

Applications for impleadment are allowed.

All the interlocutory applications and writ petitions are
disposed of in terms of the signed order.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)