

AFFILIATION OF INSTITUTES REGULATIONS, 2015

1. In these Regulations, unless the context otherwise requires:

- i) “Affiliation” means formal enrolment of an institution among the list of approved institution of the Examining Body following prescribed/approved courses of para-medical training as well as those preparing students according to prescribed courses for the Examining Body examinations.
- ii) “Examination” means examinations conducted by the Examining Body.
- iii) “Extension” means extension or renewal of affiliation granted to the institution by the Examining Body.
- iv) “Affiliation Fee” means charges payable by the institution to the Examining Body in connection with affiliation.
- v) “Management Committee of an Institute” means the committee managing the institute.
- vi) “Government Aided Institute” means institute receiving grant-in-aid from the Union Government/Administration of Union Territory/State Government.
- vii) “Government Institute” means an institute run by the Union Government/Union Territory/ State Government/Local Authority.
- viii) “Grants-in-aid” means aid in the form of maintenance from the Central Government or State Government or Local Authority or Administration of Union Territories, as the case may be.
- ix) “Head of Institution” means the Principal/Administrator of an institute.
- x) “Para medical training” means para medical training in Bharatiya Chikitsa.
- xi) “No Objection Certificate” means a letter issued by the appropriate authority of the Directorate of Indian System of Medicine of the State/Union Territory in respect of institute situated in the State/U.T. for affiliation of the institute to the Examining Body.
- xii) “Private Un-Aided Institution” means an institute run by a Society/Trust / Company registered under section 25 of the Companies Act, 1956 duly constituted and registered under the provisions of Central/State Acts not getting any regular Grant-in-Aid from any Government source(s).
- xiii) “Reserve Fund” means fund created by the institute authority as per requirement of the Examining Body, in a Post Office/Nationalized Bank in the joint names of the Secretary, Examining Body and the head of the institution concerned.
- xiv) “Institute run by Public Undertaking” means an institute run by the Public Sector Undertaking wholly financed by that undertaking.
- xv) “Capitation fee” means any kind of donation or contribution or payment other than the fee notified by the institute.
- xvi) “Para-medical Institute” means any recognised institute/ institution imparting para-medical training in Bharatiya Chikitsa and includes-
 - (i) an institute established, owned or controlled by the appropriate Government or a local authority;
 - (ii) an aided institute receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;
 - (iii) a institute belonging to specified category; and

- (iv) an unaided institute not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;
Words importing the singular number also include the plural number and vice-versa.
Words importing the masculine gender also include the feminine gender.

Affiliation of Institutions

2. Notwithstanding anything contained in the Act & these regulations,-
- a) No person shall establish a para-medical institution of Bharatiya Chikitsa in NCT of Delhi; and
 - b) No affiliated or non affiliated para-medical institution of Bharatiya Chikitsa in NCT of Delhi shall –
 - i) open a new or higher course of study or training which would enable a student of such course or training to qualify himself for the award of any recognized para-medical qualification in Bharatiya Chikitsa; or
 - ii) increase its admission capacity in any course of study or training in Bharatiya Chikitsa;except with the previous permission of the Examining Body obtained in accordance with the provisions of these regulations.
3. The Examining Body may affiliate several categories of institutes all over Delhi and outside Delhi, as for example:
- (a) Government or Government aided institutes;
 - (b) Institutes run by autonomous Organisations under the Government.
 - (c) Institutes run by Government Deptt. directly like Defence, Railways etc.
 - (d) Institutes managed directly by Public Sector Undertakings or by reputed societies for Public Sector Undertakings under the financial control of such Public Sector Undertakings or by Societies formed by such undertakings.
 - (e) Private, unaided institutes established by Societies registered under the Societies Registration Act 1860 of the Government of India or under Acts of the State Governments as educational, charitable or religious societies having non-proprietary character or by Trusts or Companies registered under section 25 of the companies Act of 1956 of the Govt. of India.- Provided that for granting affiliation to institute(s) run by a company under section 25 of the Companies Act, 1956, it should satisfy the following:
 - i) The State / UT Government does not have any objection to institute being run by a company under Section 25 of the Companies Act, 1956 at its jurisdiction.
 - ii) The Company which wants to run institute under the above provision should have memorandum of bye-laws wherein education must be as one of its objects and it should not channelize funds of institution for purposes other than furthering education.
 - iii) There should be a properly constituted Registered Society/Trust/Company registered under section 25 of the companies act, 1956. It should be of a non-proprietary character and its constitution be such that it does not vest control in a single individual or members of a family.

- iv) Formation of the Society/Trust/ Company registered under section 25 of the companies act, 1956 should also conform to the State Government rules in which the institute is located.
4. Every person or institution which fulfils the following conditions shall, for the purpose of obtaining permissions for affiliation under regulation 2, submit to the Examining Body an application for affiliation of para-medical institution of Bharatiya Chikitsa to the Examining Body in such form, on such dates & shall be accompanied by such fees as decided by Examining Body from time to time:
- (i) The Institute situated outside NCT of Delhi and seeking Affiliation with the Examining Body shall submit its application duly forwarded by the Directorate of Indian System of Medicine of concerned State Govt. or there should be a No Objection Certificate to the effect that State Government has no objection to the affiliation of the institute with the Examining Body. 'No Objection Certificate once issued to any institute will be considered at par even if it prescribes a specific period or stage unless it is withdrawn. This condition will not be applicable to categories of regulation 3 (i) to (iv).
 - (ii) The Institute/Society/Trust /Company registered under section 25 of the Companies Act, 1956 or the Congregation or other Religious Body controlling the society/Trust/Company registered u/s 25 of the Companies Act, 1956 managing the institute must have adequate land/building with clear ownership title. In case of lease, it will be accepted if, it is for at least 15 years.
 - (iii) The Management of the Trust or Society or Company registered under Section 25 of the companies Act, 1956 running the institute should be of non-proprietary character. The list of members with their addresses, occupations, qualifications and an affidavit from the Chairman/Secretary stating how the members are related to each other or they are not related to each other duly attested by first class magistrate should be submitted.
 - (iv) The institute should have well qualified staff as per the norms laid by the Examining Body from time to time.
 - (v) The institute must pay salaries and admissible allowances to the staff not less than the corresponding categories of employees in the State Government institutes or as per scales etc. prescribed by the Government of India or as per the conditions laid down by the State Government.
 - (vi) Every institution will provide adequate facilities for potable drinking water and clean healthy and hygienic toilets with washing facilities for boys and girls separately in proportion to the number of students.
5. On receipt of an application under regulation 2, the Examining Body may obtain such other particulars as may be considered necessary by it from the person or para-medical institution concerned & thereafter, it may -
- a) scrutinize the application and if the application is defective & does not contains any necessary particulars, give a reasonable opportunity to the person or institution concerned for making a written representation & it shall be open to such person or institution to rectify the defects, if any, specified by the Examining Body. No further action will be taken by the Examining Body till the defects are rectified to the satisfaction of the Examining Body;

- b) consider the application, having regard to the factors referred to in regulation (12).
 - c) conduct enquiry & inspection through concerned committee for the purpose of ascertaining whether recognition may be given or not.
6. The inspection report along with observations of the Secretary will be placed before the Affiliation Committee of the Examining Body at its next meeting to decide whether the institution be granted affiliation/approval etc., as the case may be. The decision about grant of affiliation etc. will be communicated to the institution immediately after the approval of Affiliation Committee. In case of emergency, this power may, however, be exercised by the Chairman. Any such approval shall be a permission under regulation 2.
 7. Provided that no application shall be disapproved by the Examining Body except after giving the person or institution concerned a reasonable opportunity of being heard.
Provided further that nothing in this regulation shall prevent any person or para-medical institution whose application has not been approved by the Examining Body to submit a fresh application & provision of this section shall apply to such application as if such application has been submitted for the first time under regulation 2.
 8. The approval of syllabus/ curriculum of various courses of para-medical training shall be subject to the conditions that the institute will make fresh applications for affiliation for these courses on the prescribed form in accordance with the regulations and other conditions for Affiliation.
 9. Miscellaneous
 - (a) It is the responsibility of the institute to ensure that it is satisfying all the conditions laid down in the Affiliation regulations duly supported with documentary evidences in the prescribed formats. In case an application is rejected due to non-fulfilment of all the conditions/non furnishing of documentary evidences, the fee deposited will not be refunded even if the institute has not been inspected.
 - (b) The institutes which are affiliated will observe various directions of the Examining Body given from time to time. All other condition of Affiliation regulations of the Examining Body will also be applicable 'mutatis mutandis'.
 - (c) Such institutes which are/would be affiliated with the Examining Body may be permitted to introduce additional subjects as and when they like but before introduction of additional courses they may remit the requisite fee and supply the necessary information with regard to infrastructure made available in the institute and staff provided for the courses under introduction.
 10. **Appeal against rejection:**
 - (a) The institute whose application has been rejected will have the opportunity to appeal against such rejection to the Appellate Authority after payment of an Appeal Fee or other fees fixed by the Examining Body from time to time. The Appellate Authority shall consist of Chairman of the Examining Body and two other Members as may be nominated by the Examining Body.
 - (b) The fee, including the fee for Appeal, once deposited shall not be refunded under any circumstances.
 - (c) Appeal against rejection duly supported with documentary evidences will have to be submitted within 30 days from the date of such rejection.

11. **Extension of Affiliation**

Application for extension of affiliation for various para-medical training courses shall be made by the institute Authority by 30th June of the preceding year in which the affiliation expires along with the fees fixed by the Examining Body. Applications will be accepted after the last date along with the prescribed fee and late fee of Rs.10,000/- (Rs. Ten Thousand Only) per month. Previous Affiliation granted to a institute will remain valid on receipt of application of a institute for extension of provisional affiliation subject to the final decision of the Examining Body.

12. **Inspection of Para-medical Institution:-**

- a) The Examining Body shall cause all para-medical institution to be inspected as & when deemed necessary. For the purpose of inspection, the Examining Body may appoint such inspectors (whether from amongst member of the Examining Body or otherwise) as it deems necessary to inspect any institution, recognised or to be recognised, as a training institution & to attend examination held for the purpose of granting any recognised qualifications of para-medical training in Bharatiya Chikitsa under this Act & these regulation.
- b) The institute seeking Examining Body's affiliation/already affiliated to it shall be open to inspection by the Inspection Committee deputed by the Examining Body.
- c) The Institutes situated outside Delhi shall also be opened to inspection by the Inspection Committee deputed by the Examining Body. The Examining Body will pay the TA/DA and other allowances admissible as per prescribed rate including airport tax and local transport conveyance for such inspection.
- d) The inspectors appointed under this section shall report to the Examining Body on the suitability of the institution for the purpose of training & on the adequacy of the training there or on the sufficiency of the examination as the case may be.
- e) The Examining Body shall communicate to the para-medical institution-
 - (i) the date on which any inspection is to be made.
 - (ii) its views in regard to the results of any such inspection and may, after ascertaining the opinion of that institute, recommend to that institute, the action to be taken as a result of such inspection.
- f) All communications to the para-medical institution under this regulation shall be made to the executive authority/ head of the institution thereof and the executive authority/ head of the institution of the para-medical institution shall report to the Examining Body the action, if any, which is proposed to be taken for the purposes of implementing any such recommendation as is referred to in regulation 10(e)(ii).
- g) The inspectors appointed under this section shall also be empowered to conduct periodical inspection of the recognised institution to ensure that they are maintaining the required standard.
- h) The Secretary, the inspectors or any person authorized by the Examining Body may enter into the premises of any recognized institution to make any inquiry or inspection authorized by the provision of the Act or any rules or any regulations or order made there under.
- i) The administrators/manager & other employees of a recognized institution shall be bound to offer to the officers & persons aforesaid, such access at all reasonable times, to the premises of such institutions & to make available all documents &

materials as may, in the opinion of such officers, be necessary to enable them to discharge their duties under this section.

13. The Enquiring/ Inspection Committee while making its recommendation & the Examining Body while passing an order of either approving or disapproving the application under regulation 6 shall have due regard to the following factors namely:-
- a) whether the proposed paramedical institution or the existing paramedical institution seeking to open a new or higher course of study or training, shall be in a position to offer the minimum standards of para-medical education as prescribed by the Examining Body under regulation 17 of this Act;
 - b) whether the person seeking to establish a para-medical institution or the existing para-medical institution seeking to open a new or higher course of study or training or to increase its admission capacity has adequate financial resources & infrastructure;
 - c) whether necessary facilities in respect of staff, equipment, training and other facilities to ensure proper functioning of the para-medical institution or conducting the new course of study or training or accommodating the increased admission capacity have been provided or would be provided within the time limit specified in the application;
 - d) whether adequate hospital Laboratories & pharmacy facilities, having regard to the number of students likely to attend such para-medical institution or course of study or training or as a result of the increased admission capacity, have been provided or shall be provided within the time-limit specified in the application;
 - e) whether any arrangement has been made or programme drawn to impart proper training to students likely to attend such para-medical institution or course of study or training.
 - f) any other factors as may be laid down or prescribed by the Examining Body from time to time.
14. **Dates for Submission of Applications**
The Examining Body shall circulate all important dates for submission of application for various purposes to all institutes through its website or otherwise.
15. **Non-recognition of para-medical qualification in certain cases:-**
Where any para-medical institution is established or any paramedical institution opens a new or higher course of study or increases its admission capacity without the previous permission of the Examining Body in contravention of the provision of this Act & rules/regulation made there under, para-medical qualification so given to any student by such para-medical institution, shall not be recognized para-medical qualification for the purpose of this Act & rules/ regulations made thereunder.
16. **Time for seeking permission for certain existing paramedical institutions:-**
If any person has established a paramedical institution or any paramedical institution has opened a new or higher course of study or training of Bharatiya Chikitsa or increases the admission capacity, such person or paramedical institution, as the case may be, shall seek within a period of one year from the notification of these regulations the permission of Examining Body under the provisions of this Act & these regulations.

17. **Affiliation of paramedical training courses in Bharatiya Chikitsa not prescribed by Examining Body:-**

Any person or para-medical institution of Bharatiya Chikitsa may seek recognition of Examining Body, for other para-medical training courses of Bharatiya Chikitsa which are not for the time being prescribed by regulations by Examining Body, through an application in such form and accompanied by such fees as decided by Examining Body from time to time. The persons or para medical institution seeking recognition under the section shall also submit details of nomenclature of the course, duration of the course, syllabus / curriculum of the courses & other details as Examining Body may deem necessary.

The Examining Body shall also include such training courses, after such modifications as it may deem necessary, in the regulation prescribed for the purpose.

18. **Minimum standard of Para-medical training in Bharatiya Chikitsa:-**

The Examining Body may also laid down minimum standards of para-medical training required for granting recognised para-medical qualification by the para-medical institute of Bharatiya Chikitsa other than those given below.

(i) Financial Resources

1. The institute must have sufficient financial resources to guarantee its continued existence. It should have permanent source of income to meet the running expenses of the institute so as to maintain it at a reasonable standard of efficiency, to pay salaries to teachers and other categories of staff regularly at least at par with the corresponding categories in the State Government Institutes and to undertake improvement/development of institute facilities. In case of institutions which are in the receipt of grant-in-aid from the State Government/U.T. the permanent Source of income shall include the amount of grant-in-aid also.
2. No part of income from the institution shall be diverted to any individual in the Trust/Society/ Company registered under section 25 of the companies act, 1956 Institute Management Committee or to any other person. The savings, if any, after meeting the recurring and non-recurring expenditure and contributions to developmental, depreciation and contingency funds may be further utilized for promoting the institute. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepared as per rules. A copy each of the Statement of Accounts should be sent to the Examining Body every year.
3. The channelling of funds by the management to person (s) or enterprise other than for furthering education in the institute will contravene the regulations governing affiliation and call for appropriate action by the Examining Body.

(ii) Physical Facilities

1. In addition to the basic requirement of Section 3 (3), the institution should have other facilities commensurate with its requirements. It should satisfy the minimum conditions laid down by the Examining Body for institute building. Class rooms should be adequate in size.

2. Every institution will provide proper facilities like ramps toilets for wheel chair users and auditory signals in elevators in lifts in accordance with the provisions laid down in PWD Act, 1995.
3. The institute have suitable furniture in the classrooms and office equipment and furniture commensurate with the strength of students and the staff.
4. The institute should have the needed equipment and facilities (at least the minimum prescribed by the Examining Body) for all departments and various activities.
5. The Institute should scrupulously observe prescription from the Municipal Authority/District Collectorate regarding drinking water, fire safety in the institute. A certificate from the Municipal/Fire Authority regarding sanitary conditions, water/fire safety should be submitted along with the application. A fresh certificate regarding fulfillment of these requirements should be obtained and submitted to the Examining Body every five years. The Format of Certificates of fire and water safety are given at appendix VII & VIII.
6. The Institute should have adequate facilities for providing recreation activities and physical education as well as for conduct of various activities and programs for developmental education and for the social, cultural and moral development of the students and for safeguarding their health.
7. (i) Every institute should have at least one adequately equipped Computer Lab with a minimum computer student ratio of 1:10 and proper software.
 (ii) Wherever such facility is available, every institute should have the facility of Broad Band Connectivity with the feature of Internet always on from any service providers.
 (iii) Every affiliated institute to develop their own website containing comprehensive information such as affiliation status, details of infrastructure, details of teachers, number of students, address-postal and e-mail, telephone nos. etc.
 (iv) Every institute should prepare its annual report containing above information and upload the same on its website before 15th Sept. of every year.

(iii). Library

1. The Library should be well equipped and spacious. It should have adequate books (other than text books) per student in its stock. It shall not stock notes, examination guides or keys of any kind. In the selection of books, norms or guidelines provided by the Examining Body from time to time should be followed and purchases should be made in consultation with the subject teachers.
2. The institute should subscribe to sufficient number of newspapers and magazines suitable for students and professional needs of teachers.
3. The Library shall not contain any book or other forms of literature that espouse or propagate communal disharmony or discrimination based on religion, caste, region or language etc. The institute should not stock in the library any book disapproved by the Government/ Examining Body.

(iv). Staff and Service Conditions

1. Besides the minimum requirements for salaries as laid down in regulation 4(v), the institute should have adequate teaching staff possessing the necessary qualification laid down for various posts/subject teachers by the Examining Body from time to time.
2. Salary should preferably be paid through Account Payee Cheques drawn on a scheduled bank, from the date of first appointment of the teachers.
3. The institute should have well defined conditions of service as per norms of State/U.T. Government and should issue letters of appointment to the employees at the time of joining service and should also sign a contract of service. The contract should be similar to the format given in Appendix III in these regulations or in the form prescribed by the State/U.T. Government, in case the act of the State/U.T. provides so.
4. The number of students in the class should not be very large. The optimum number in a section of a class is 40.
5. The Management of the institutes shall not retain the original degree/diplomas certificates of the teachers and other employees of the institute with them. The original certificates etc. taken for verification shall be returned at the earliest after verification. Photostat copies may be obtained from the employees and kept in their personal files.
6. Check gender specific violence, strictly comply with the guidelines and norms prescribed by the Hon'ble Supreme Court of India in the writ petition (Criminal) no. 666-70 of 1992 Vishaka and others V /s State of Rajasthan and others delivered on 13-8-1997 for protection of women from sexual harassment at the work place.

19. Fees

1. Fees charges should be commensurate with the facilities provided by the institution. Fees should normally be charged under the heads prescribed by the Examining Body. No capitation fee or voluntary donations for gaining admission in the institute or for any other purpose should be charged / collected in the name of the institute and the institute should not subject the applicant student or his or her parents or guardians to any screening procedure. In case of such malpractices, the Examining Body may take drastic action leading to disaffiliation of the institute.
Further, any institute or person violates the above provisions is liable for the following:-
 - (i) Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;
 - (ii) Subjects an applicant student to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.
2. In case a student leaves the institute for such compulsion as transfer of parents or for health reason or in case of death of the student before completion of the session, prorata return of quarterly/term/annual fees should be made.
3. The revision of fees shall be done only with prior approval of the Examining Body. The fee should not be revised during the mid session.

4. The following fees shall be charged by the Examining Body –

A.

1. To establish para medical institute/college - Rupees one lakh fifty thousand
2. To open a new course or higher course - Rupees one lakh (per course)
3. To increase admission capacity - Rupees one lakh (per course)
4. Renewal fee - Rupees fifty thousand (per course)

B.

1. Application form and Entrance exam fee - Rs. 2,000/-
2. Counselling for Admission Fee - Rs. 10,000/-
3. Enrolment Fee - Rs. 5,000/-
4. Annual Examination Fee - Rs. 4,000/-
5. Supplementary Examination fee (one subject) - Rs. 1,500/-
6. Supplementary Examination (more than one subject) - Rs. 4,000/-

5. The following fees shall be charged by the institutions/colleges-

1. Admission Fees Rs. 1000/- month
2. Tuition Fees Rs. 1500/- month
3. Dearness Fees Rs. 500/- month
4. Games Fees Rs. 160/- month
5. Library Fees Rs. 200/- month
6. Laboratory Fees Rs. 240/- month for each subject
7. Fan Fees Rs. 80/- month
8. Reading Room Fees Rs. 80/- month
9. Medical Fees Rs. 80/- month
10. Furniture Fees Rs. 200/-
11. Magazine Fees Rs. 200/- one time
12. 1 card Fees Rs. 200/- one time
13. Annual Function Fees Rs. 1000/- one time
14. Caution money Fees Rs. 2000 (Refundable)
15. College Fees Rs. 2000 (Refundable)
16. Hostel Fees Rs. 2000 (Refundable)

6. The following are the rates of remuneration and allowances payable to superintendents of Examination and invigilators.

1. Superintendent Rs. 100/- along of written examination
2. Invigilator Rs. 90/- along of written examination
3. Observer Rs. 500/- along & T.A./D.A.
4. Centre expenditure Rs. 1000/-
5. Clerk Rs. 60/- along
6. Peon Rs. 45/- along

7. The following are the rates of remuneration payable to examiners and Examiners tabulators

1. For setting of paper Rs. 300/- paper
2. Evaluation Rs. 10/- answer book
3. For conducting oral & practical examination Rs. 20/- candidate
(with a minimum of Rs. 300/-)

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| 4. Internal examination | Rs. 10/- candidate |
| 5. Tabulators | Rs. 1000/- for each examination(whole year) |
| 6. Collators | Rs. 500/- for each examination (whole year) |

20. **Admission of Students**

- (i) Admission in the institute affiliated to the Examining Body shall be made without any distinction of religion, race, caste, creed, place of birth or any of them. As regards reservation for SC/ST students is concerned, it shall be governed by the Education Act/Rules applicable to the State/U.T. where the institute is situated.
- (ii) The institute shall maintain all relevant records of the students applied and admitted annually and shall also follow the guidelines/instructions issued by the Examining Body from time to time and by the State in which the institute is situated.

21. **Miscellaneous**

1. The institute shall supply information and returns called for by the Examining Body/State/ Central Government/Local Authority within the prescribed time given for its furnishing to the authority concerned.
3(i) The institute should prepare its annual report containing comprehensive information including name, address postal and e-mail, telephone numbers, affiliation status, period of provisional affiliation, details of infrastructures, details of teachers, number of students, and status of fulfillment of norms of affiliation and post same on the website before 15th September of every year.
2. The building and furniture of affiliated Institutions shall be placed at the disposal of the Examining Body for conducting any examination and spot evaluation free of charge. The Management and the Principal shall cooperate with the Examining Body in the conduct of examinations and evaluation of scripts. If asked by the Examining Body, the institute shall provide atleast one examiner in each subject offered by the institute and more than one, if more than 200 students have been sent for the examination. In case they fail to do so, the Examining Body shall have the right to take appropriate action including initiating action for disaffiliation of the institute. However, the size of the institute will be taken into account before such a condition is imposed in order to avoid disruption of academic work in the institute.
3. The institute shall maintain records of attendance of all students for purposes of admission to the Examining Body's examinations. The entries in these registers shall be properly checked at the end of each session and signed. The attendance registers shall be open to inspection by the officers of the Examining Body Inspection Committee.
4. The Examining Body may conduct an audit of the funds of the institute as and when it thinks necessary to ensure that:
 - a) The funds/fee collected by the institute authorities are not diverted **for any purpose other than furthering education.**
 - b) The staff is paid salaries as per the Bye-Laws.
 - c) Any other financial irregularity
5. Every institute shall promote inclusion of student with disabilities/special needs in the normal institute as per provisions of the "Persons with disabilities Act 1995' and in conformity with National Policy of Education".
6. Examining Body's Examinations

- i) It is mandatory for a institute affiliated to Examining Body to follow the Examination regulations of the Examining Body in to;
- ii) No affiliated institute shall endeavour to present the candidates who are not on its roll nor shall it present the candidates of its unaffiliated Branch/Institute to any of the Examining Body's Examinations.
- iii) If the Examining Body has reasons to believe that an affiliated institute is not following the Sub-Section 1 & 2 of this Section, the Examining Body may resort to penalties as prescribed here under.
- iv) Every affiliated institute shall sponsor regularly its bona fide and eligible students in Examining Body examinations from the year mentioned while granting affiliation/up gradation without break or inform with reasons thereof in writing well in time about the non-sponsoring of the candidates. Failure to do so will lead to suo moto withdrawal of the affiliation of the institute. Every affiliated institute shall present a list of number of students and their particulars at the time of beginning of an academic session. Generally, there shall be no variation between the said list of candidates submitted at the time of filing of applications for the Examining Body's examinations. However, genuine variations, if any, shall be brought to the notice of the Examining Body well in advance and in any case not later than three months of starting of the academic session. Such variation duly allowed by the Examining Body shall be included in the list of candidates.

22. **Reserve Fund**

- 1) The institute shall maintain reserve fund to the extent indicated below:

Enrolment of students from 1st and onwards	Amount of Reserve Fund
Upto 10	- Rs. 2,00,000/-
From 11 to 25	- Rs. 5,00,000/-
From 26 to 50	- Rs. 10,00,000/-
Above 50	- Rs. 20,000/- per student.

- 2) Reserve Fund shall be maintained in the joint names of the Manager of the institute concerned and the Secretary of the Examining Body in a scheduled Bank. In case of institution receiving grant in aid or in case the Institute Education Act of the State/UT so prescribes, the reserve fund shall be maintained in the joint names of the Manager of the institute and the Director of Education of the State/Union Territory concerned. The interest accruing out of the deposit of reserve fund made by the institution at the time of affiliation/ extension of affiliation be not withdrawn by the management under any circumstances what so ever.

23. **(A) TRANSFER / SALE OF INSTITUTE**

The Examining Body would not allow any property transfer/Sale of institute by one Society/ Management/Trust/ Company registered under section 25 of the Companies Act, 1956/ Management to another Society/Trust/ Company registered under section 25 of the Companies Act, 1956/ Management through agreement /sale deed. In case such transaction is effected explicitly or implicitly, the Examining Body shall withdraw its affiliation with immediate effect.

- (B)** The institute shall not use its building and infrastructure for any commercial activity but multiple use of institute building is allowed for the limited purposes.

24. **Withdrawal of affiliation:-**

1. If it appears to the Examining Body,
 - (a) that the students are admitted more than strength sanctioned by the Examining Body;
 - (b) that the donation or capitation fees are being charged;
 - (c) that the tuition fees, hostel & library fees are charged more than the specified fees;
 - (d) (i) that the courses, the study & examination to be undergone in or the proficiency required from candidates at any examination held by any para-medical institution or
 - (ii) that the staff, equipment, accommodation, training & other facilities for instructions & training provided in such para-medical institution - do not conform to the standards fixed by the Examining Body;the Examining Body shall take action for the withdrawal of recognition.
2. Proceedings for withdrawal of affiliation may also be initiated by the Examining Body in case the institutes are found guilty of following after reasonable notices:
 - i) Not paying salaries and allowances to teachers and other employees, at least at par with those obtaining in State/Union Territory institutions; default or delay in payment of salaries and allowances.
 - ii) Financial irregularities including channelling of funds for purposes other than those provided for in these Regulations.
 - iii) Engagement in activities prejudicial to the interest of the State, inculcating or promoting feelings of disloyalty or disaffection against the Government established by law.
 - iv) Encouraging or tolerating disharmony/hatred between different sections of the Society.
 - v) Non-fulfilment of conditions laid down regarding deficiencies to be removed, even after due notice.
 - vi) Disregard of rules and conditions of affiliation even after receiving warning letters.
 - vii) Hindrance in the smooth functioning of the institute on account of dispute between rivalries within the institute management.
 - viii) Absence of approved terms and conditions of service, or frequent dismissal of teachers from service.
 - ix) Poor academic performance of the institute for three consecutive years in not being able to keep at least 50 per cent of passes of the general pass percentage.
 - x) Non-availability of proper equipment/space/staff for teaching a particular subject.
 - xi) Any other misconduct in connection with the admissions/examinations/any other area which in the opinion of the Examining Body warrants immediate disaffiliation of the institute.
 - xii) In case of transfer of property/sale of institute by one Society/Trust/ Company Registered under section 25 of the Companies Act, 1956/Management to another Society/Trust/ Company Registered under section 25 of the Companies Act, 1956/Management through agreement/Sale deed.

- (xiii) Any violation of the norms that have been prescribed by the Hon'ble Supreme Court of India in the writ petition (Criminal) nos. 666-70 of 1992 Vishaka and others V /s State of Rajasthan and others delivered on 13-8-1997 for protection of women from sexual harassment at the work place if established would attract strict action against the institution which may even lead to disaffiliation.
3. Once Affiliation granted to the institute is withdrawn by the Examining Body on establishment of serious irregularities which amount to cheating the Examining Body /causing embarrassment to it, the Examining Body may Black List such a institute to debar it from seeking re-affiliation in future.
 4. Affiliation may be withdrawn by the Examining Body either in a particular course or in all courses. Institution may be disaffiliated if the Examining Body is satisfied that the institute concerned is not fit to enjoy continuing affiliation to the Board.
 5. Before withdrawl of recognition the Examining Body shall send a show cause notice to the para-medical institution concerned, specifying the period within which the reply shall be submitted.
 6. The Examining Body shall provide adequate time and opportunity to the Management of the institute served with a 'Show Cause Notice', up to a maximum of one year for adequate compliance/ removal of defects failing which the Examining Body may declare the institution disaffiliated. Such decision by the Examining Body shall be final and binding. The maximum period of 'Show Cause Notice' due to clause 24 (2) (xi) may not exceed one month.
 7. On receipt of the reply or where no reply is submitted with the period specified in the show cause notice then on the expiry of that period the Examining Body shall take decision in the matter.
 8. In case a institute seeks legal redressed from the Court against the decision of the Examining Body, the jurisdiction of the court of Law shall be Union Territory of Delhi only and not any other place.
25. **Para-medical institution:-** The Examining Body shall every year; prior to the start of para-medical training course, intimate the para-medical institution the sanctioned intake capacity of students, for para-medical training courses in concerned institution.
 26. The competent Authority shall furnish list of students admitted during each academic year for all para-medical training courses to the Examining Body, within one month of the closure of admission or 31st October of the year, whichever is earlier.
 27. **List of students to be furnished to the Examining Body:-** A list of students format to be provided by Examining Body to be furnished under these regulations to the Examining Body shall be prepared by a Competent Authority in order of merit on the basis of which admission have been made. The list shall be supported by affidavit of the Dean/Principal of a para-medical training stating the sanctioned admission capacity of that para-medical training and that no admission has been made in excess of the admission capacity.

28. **Matters relating to excess admission to be decided by the Examining Body:-** All matters relating to excess admission of students shall be decided by the Examining Body taking into account the list furnished to the Examining Body by a Competent Authority and the admission capacity fixed for the para-medical institute. After it is found by the Examining Body that excess admission have been made the students lower down in the list shall be treated to be admitted against the increase in admission capacity to the extent of excess admissions.
29. **Identification of excess admission and non-recognition of para-medical qualification:-** The Examining Body shall find out the excess admissions in a para-medical institution and no para-medical qualification granted to any identified student of the para-medical institution which comes under the excess admission shall be recognized para-medical qualification for the purpose of DBCP Act & rules & regulation made there. The names and other particulars of students so identified shall intimated by the Examining Body to all concerned for taking action under the provisions of the Act & regulation.
Any dispute in the matter of identification of excess admission of student(s) in a para-medical institution shall be referred to the state Govt. whose decision shall be final.
30. **Prohibition against unauthorized conferment of degree etc.-**
(1) Save as provided by the Act or the rules & regulation made there under, no person shall confer, grant or issue or hold himself out as entitled to confer, grant or issue any diploma/certificate or other document stating or implying that the holder, grantee or recipient thereof is qualified to practice as a Paramedical Technician of Bharatiya Chikitsa.
(2) Whoever contravenes the provision of sub-section (1) shall, on conviction, be punishable with fine which may extend to fifty thousand rupees and if the person so contravenes is an Association, every member of such Association who knowingly or wilfully authorizes or permits the contravention shall, on conviction, be punishable with fine which may extend to thirty thousand rupees.
31. **Penalty for unauthorized use of titles:-**
(1) No person shall add to his name any title, letters or abbreviations which imply that he holds a degree or diploma, licence or certificate as his qualification to practice as a Paramedical Technician, unless,-
(a) he has actually received such degree, diploma, licence or certificate, and
(b) such degree or diploma, licence, or certificate is recognized by any law for the time being in force in the state, or has been conferred or granted or issued by an authority appointed under this Act.
(2) Whoever contravenes the provision in sub-section(1) shall on conviction be punishable in the case of first offence with fine which may extend to twenty-five thousand rupees and in the case of a second or subsequent offences with fine which may extend to fifty thousand rupees.
32. **Power to enter, search and prosecution for offences:-**
A Police officer not below the rank of Inspector of Police having jurisdiction may, on the request of the Secretary or any person authorized by the Council in this behalf, enter and search at any time between sunrise and sunset any place in which he has

reason to believe that an offence under this Act has been committed or is being committed and may, if he(only Police official) deems proper, arrest any person found in such place whom he is believed to be committed an offence under this Act:

Provided that every person arrested shall be released on bail by the Inspector of Police if sufficient security is tendered for his appearance before the Court.

33. **Trial of offence:-**

1. No court other than the court of a Metropolitan Magistrate shall take cognizance of, or try an offence, under the Act and rules and regulations made there under.
2. No court shall take cognizance of an offence punishable under the Act and rules & regulations made there under except on a complaint in writing by the Secretary of the Examining Body or of an officer authorized by the Examining Body in this behalf.
3. Members of Examining Body to be public servants :- Every member of the Examining Body while on official work of the Examining Body shall deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860)
4. Bar of Jurisdiction of Civil Courts:- Any act done or any action taken, in exercise of any of the powers conferred by or under the Act and regulations there under, by the Government or the Examining Body or the Secretary shall not be called in question in any Civil Court.
5. Compounding of offences:- The Secretary may, compound any offence punishable under this Act before cognizance by the court, on payment of a sum which may not be less than the fifty percent of fine stipulated for such offence by way of compounding of offence. Provided that no such compounding shall be permitted in the case of a second or subsequent offence.

34. **Power to take evidence on oath etc :-**

The Secretary or any officer exercising powers under the Act shall for the purposes of such functioning have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) while trying a suit in respect of the following matters namely:-

- (a) enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavit;
- (d) issuing commissions for the examination of witnesses;
- (e) such other matters as may be prescribed.

35. **Directions by Government :-**

- (1) The Government may, after consultation with the Examining Body, issue general directions to be followed by the Examining Body.
- (2) In the exercise of its powers and performance of its duties under this Act the Examining Body shall not depart from any general directions issued under regulation 35(1), except with the previous permission of the Government.

The following fees shall be charged by the Examining Body –

A.

- | | | |
|--|---|------------------------------------|
| 1. To establish para medical institute/college | - | Rupees one lakh fifty thousand |
| 2. To open a new course or higher course | - | Rupees one lakh (per course) |
| 3. To increase admission capacity | - | Rupees one lakh (per course) |
| 4. Renewal fee | - | Rupees fifty thousand (per course) |

B.

- | | | |
|--|---|--------------|
| 1. Application form and Entrance exam fee | - | Rs. 2,000/- |
| 2. Counselling for Admission Fee | - | Rs. 10,000/- |
| 3. Enrolment Fee | - | Rs. 5,000/- |
| 4. Annual Examination Fee | - | Rs. 4,000/- |
| 5. Supplementary Examination fee (one subject) | - | Rs. 1,500/- |
| 6. Supplementary Examination (more than one subject) | - | Rs. 4,000/- |

The following fees shall be charged by the institutions/colleges-

1. Admission Fees	Rs. 1000/- month
2. Tuition Fees	Rs. 1500/- month
3. Dearness Fees	Rs. 500/- month
4. Games Fees	Rs. 160/- month
5. Library Fees	Rs. 200/- month
6. Laboratory Fees	Rs. 240/- month for each subject
7. Fan Fees	Rs. 80/- month
8. Reading Room Fees	Rs. 80/- month
9. Medical Fees	Rs. 80/- month
10. Furniture Fees	Rs. 200/-
11. Magazine Fees	Rs. 200/- one time
12. 1 card Fees	Rs. 200/- one time
13. Annual Function Fees	Rs. 1000/- one time
14. Caution money Fees	Rs. 2000 (Refundable)
College Fees	Rs. 2000 (Refundable)
Hostel	Rs. 2000 (Refundable)

The following are the rates of remuneration and allowances payable to superintendents of Examination and invigilators.

7. Superintendent	Rs. 100/- along of written examination
8. Invigilator	Rs. 90/- along of written examination
9. Observer	Rs. 500/- along & T.A./D.A.
10. Centre expenditure	Rs. 1000/-
11. Clerk	Rs. 60/- along
12. Peon	Rs. 45/- along

The following are the rates of remuneration payable to examiners and Examiners tabulators

2. For setting of paper	Rs. 300/- paper
2. Evaluation	Rs. 10/- answer book
3. For conducting oral & practical examination	Rs. 20/- candidate (with a minimum of Rs. 300/-)
4. Internal examination	Rs. 10/- candidate
5. Tabulators	Rs. 1000/- for each examination(whole year)
6. Collators	Rs. 500/- for each examination (whole year)