

Supreme Court of India

Baba Mungipa Medical College And ... vs Govt. Of Tripura And Others on 20 March, 1998

Equivalent citations: JT 1998 (7) SC 108, 1998 (6) SCALE 140, (1998) 5 SCC 608

Bench: A Anand, S R Babu

ORDER

1. Baba Mungipa Education Trust applied to the Central Government for permission to set up a Medical College, as required by the Indian Medicine Central Council Act, 1970 in 1994. That application remained pending and no orders were made. On 21-7-1995, a direction was issued by this Court to the Central Government to take expeditious steps for processing of the application filed by the Trust and to dispose of it in accordance with law in consultation with the Medical Council of India. We find from a perusal of the record that various directions have been given in this case from time to time.

2. The Trust, it appears, got provisional affiliation of the College from the University, but it was not recognised by the Medical Council of India. In the Inspection Report submitted by the team of doctors, who carried out the inspection of the College in question under directions of the Medical Council of India on 23-9-1997 and 24-9-1997, various deficiencies were pointed out. It is, therefore, obvious that unless the defects/deficiencies pointed out by the Inspection Team of Medical Council of India are removed, the question of the Medical Council of India considering the grant of recognition to the College does not arise. We are informed by learned counsel appearing for the Trust that steps are being taken by the Trust to remove the defects and deficiencies. Learned counsel for the State submits that in the event deficiencies are removed as pointed out by the Medical Council of India, the offer made by the State shall not be withdrawn.

3. The question of recognition of the College is essentially to be considered and decided by the Medical Council of India as per its norms and guidelines. That recognition has not so far been given. We, therefore, do not consider it appropriate to keep this matter pending any further and dispose of it with the following direction, which shall be read in addition to various directions earlier made from time to time by this Court.

4. In the event the Medical Council of India grants recognition to the College and the College authorities consider the question of admission or regularisation of admission of the students, they shall consider the cases of the students who were already in the College and pass appropriate orders with regard to them under the rules. They may take into consideration that these students were already admitted and would have continued with their studies had the College been recognised. The special leave petitions are, accordingly, disposed of. No costs.