

No.V.12017/9/94-PMS
Govt.of India
Ministry of Health & Family Welfare
.....

Nirman Bhawan, New Delhi,
Dated the 21st October, 1994

To

✓ The Director General,
Surjug Dental College,
Laharisaria, Darbhanga,
Bihar.

Sub:- Application for grant of recognition and affiliation for Surjug Dental College, Laharsarai, Darbhanga, Bihar in pursuance of Supreme Court Order dated 10th January, 1994 in Petition for Special Leave to Appeal (Civil) No.20122 of 1993 in the matter of Board of Director, Surjug Dental College Versus State of Bihar.

.....

Sir,

I am directed to refer to your letter No.Nil dated 2.3.1994 on the above subject and to say that in the Petition for Special Leave to Appeal (Civil) No.20122 of 1993, the Hon'ble Supreme Court of India passed the following order on 10.1.1994:-

" From the impugned order of the High Court it is manifest that the Petitioners have been left to approach the Central Government for recognition and affiliation of the institution in accordance with the amended Dentist Act (Act 3. of 1993). Any ambiguity in that regard appearing in the impugned order to the High Court stand clarified hereby. We have no doubt that if applications is/are made for the purpose, the Central Government shall expeditiously deal with those and pass appropriate orders in accordance with law. With these observations the SLPs are disposed of".

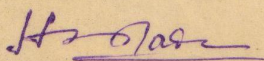
2. In pursuance of the above order the Sarjug Dental College Darbhanga submitted an application dated 2.3.1994 to the Central Government for grant of recognition and affiliation of the College.

3. By enactment of the Dentists (Amendment) Act 1993, three new sub-sections 10A, 10B and 10C were inserted in the Dentists Act, 1948 and Section 20 of the principal Act was amended. These new Sub-sections provide for permission for establishment of new dental colleges, new courses of study etc., non-recognition of dental qualification in certain cases and time for seeking permission for certain existing authorities. As per report of the Dental Council of India, the Council had granted approval to the Sarjug Dental College, Darbhanga after satisfying itself about the infrastructure and other statutory requirements for the admission capacity of 40 students from 1988-89 academic session. As per record maintained in the Council, the College had obtained affiliation/No Objection Certificate from the University

and No. Objection Certificate from the Government of Bihar for establishing a dental college.

4. "Establishment" of an authority or institution is different from "grant of a recognised dental qualification" or "conducting a course of study leading to the grant of a recognised dental qualification." The amended Dentists Act is the entire Dentists Act, 1948 as amended by the Dentist (Amendment) Act 1993 (No. 30 of 1993). Therefore, all the sections of the Dentists Act have been taken into account for the purpose of dealing with this application.
5. It is a fact that the Sarjug Dental College, Darbhanga has been admitting students and conducting the course of study on the basis of the approval given by the Dental Council of India after inspection since 1988-89. Therefore, without going into details or merits of the de facto or de jure nature of affiliation of the college to the Lalit Narayan Mithila University, the application dated 2.3.1994 was treated as an application under section 10(2) of the Dentist Act 1948 and the Dental Council of India was requested to undertake an inspection of the College and to visit the Lalit Narayan Mithila University through inspectors to give its views to the Central Government regarding the affiliation or otherwise of recognising the BDS qualification that may be granted by the University after examining the students studying at Sarjug Dental College, Darbhanga after considering the inspection report.
6. The Dental Council of India appointed inspectors to inspect and examine the infrastructure, equipments and other requisites including staffing. The Council after considering the inspection report informed that the college has the requisite infrastructure and capabilities for imparting dental qualification i.e. the BDS course and the Lalit Narayan Mithila University has the requisite capabilities to undertake the examination of the students for grant of BDS degree.
7. After careful consideration of the inspection report and the views of the Dental Council of India and keeping in view the directions of the Hon'ble Supreme Court of India, this Ministry has decided to recognise and include the BDS degree to be awarded by the L.N. Mithila University in respect of the students being trained at the Sarjug Dental College, Darbhanga in part I of the Schedule to the Dentist Act 1948 vide this Ministry's notification No. V.12017/9/94-PMS dated 19.10.1994. A copy of the notification is enclosed.
8. It may be noted that there is no provision in the Dentists Act, 1948 as amended till date which empowers the Central Govt. to grant affiliation of a dental college to any university or any other degree conferring body.

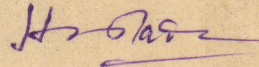
Yours faithfully,



(H.N. YADAV)
UNDER SECRETARY TO THE GOVT. OF INDIA

Copy to:-

1. The Secretary(Health), Govt. of Bihar, Patna.
2. The Registrar, L.N.Mithila University, Darbhanga, Bihar.
3. The Secretary, Dental Council of India, Kotla Road,
Temple Lane, New Delhi-2.
4. The Registrar, Supreme Court of India, New Delhi.



(H.N.YADAV)

UNDER SECRETARY TO THE GOVT. OF INDIA.

1	2	3
यम 3(5)	आवेदक को सहायता के गत्यापन तथा परितरा, प्रयोगशाला, संसाधन एकाओं के निरीक्षण की व्यवस्था करना तथा घरेलू श्रेणीकरण के लिए प्राधिकरण प्रमाण पत्र प्रदान करने हेतु सिफारिश करना,	निदेशक बागवानी योजना एवं विपणन जम्मू और कश्मीर, श्रीनगर
यम 4	विकेन्द्रीकरण श्रेणीकरण के बारे में प्राधिकरण प्रमाण पत्र का नवीनीकरण करना,	—वही—
यम 8(2)	गमार्क श्रेणीकरण के लिए प्राइवेट वाणिज्यिक प्रयोगशाला के अनुमोदन की सिफारिश करना,	—वही—
यम 12	विकेन्द्रीकरण श्रेणीकरण के बारे में श्रेणी अभिधान चिन्हों को जारी करना अथवा प्रयोग को रोकना,	—वही—
यम 14	किसी भी अनुमूर्चित वस्तु के बारे में सूचना, रिपोर्ट, विवरणी प्राप्त करना,	—वही—
यम 3(8)(घ)	प्राधिकृत श्रेणीकरण परिसरों का निरीक्षण करना तथा यह पता लगाना कि विकेन्द्रीकरण वस्तुओं का श्रेणीकरण तथा चिह्नीकरण सही रूप में किया गया,	—वही—
यम 3(8)(ग)	विकेन्द्रीकरण श्रेणीकरण के प्राधिकृत पैकों द्वारा रखे गए रिकार्ड की जांच करना,	—वही—
यम 3(8)(घ)	श्रेणी अभिधान चिन्ह लगे हुए किसी पैकेज को खोलना तथा निरीक्षण करना तथा किसी भी श्रेणीकृत उपज के नमूने लेना परन्तु सभी नमूनों के लिए सदाय किया जाएगा,	—वही—
यम 3(8)(ङ)	विकेन्द्रीकरण श्रेणीकरण के अधीन आने वाली किसी भी श्रेणीकृत वस्तु का श्रेणी अभिधान चिन्ह रद्द करना या उसे हटाना यदि यह विहित श्रेणी कि निर्देशनों के अनुरूप नहीं है।	—वही—

[सं.-सू.-11011/9/93-सू सी-2]

आर. एन. बंसल, कृषि विपणन सलाहकार

MINISTRY OF RURAL DEVELOPMENT

(Directorate of Marketing and Inspection)

Faridabad, the 22nd September, 1994

S.O. 2993—In exercise of the powers conferred on me under the General Grading and Marking Rules, 1988, I, R.N. Bansal, Agricultural Marketing Adviser to the Government of India hereby delegate, in pursuance of the rules cited in column (1), authority to exercise the powers, as specified in Column (2), to the officers of the State Government specified in Column (3), in respect of Grading and marking of agricultural and horticultural produce in accordance with the grade designations and the Grading and Marking Rules prescribed under the Agricultural Produce (Grading and Marking) Act, 1937 (I of 1937) for domestic market in the State of Jammu and Kashmir.

Reference rule of the GGM 1988	Powers delegated	Designation of the State Officer
1	2	3
3(4)	To receive the application for grant of Certificate of Authorisation for domestic grading;	Director Horticulture Planning and Marketing, Jammu and Kashmir, Srinagar.
3(5)	To arrange for verification of bonafides of the applicant and inspection of the premises Laboratory, processing units and to recommend grant of C.A. for domestic grading;	—do—

PRINCIPAL

Sanjiv Dental Clinic
Hospital Road, Lohari, Darbhanga - 846003

[भाग II-खंड 3(ii)]

भारत का राजपत्र: मंगलवार 29, 1994/प्राप्तिक 7, 1916

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Now, therefore in pursuance of clause(f) of section 3 read with sub-section (1) of section 6 of the said Act, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Health and Family Welfare, (Department of Health), No. S.O. 430, dated the 24th January, 1984, namely:—

for serial number 1 and the entry relating thereto, the following serial number and entry shall be substituted, namely:—

1. Dr. L. K. Gandhi Nominated Central 75-8-94
C-56, N.D.S.E.-II, Government
New Delhi-110049

In the said notification under the heading "Nominated under clause (f) read with provision to section 3".

[No. V. 12013/6/94-PMS]
ALOK PERTI, Director (MIE)

(स्वास्थ्य विभाग)

नई दिल्ली, 19 अक्टूबर, 1994

क्र.पा. 2992.—केंद्रीय सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत परिषद् से परामर्श करने के पश्चात्, उक्त अधिनियम की धनुषी में निम्नलिखित और संशोधन करती है यथा:—

उक्त धनुषी के भाग 1 में, मगध विश्वविद्यालय से संबंधित क्रम संख्यांक 37 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्यांक और प्रविष्टियां अंतःस्थापित की जाएंगी, यथा:—

प्राधिकरण या संस्था	मान्यताप्राप्त दंत महंता	रजिस्ट्रीकरण के लिए संशोधन
38. सलित नारायण मिथिला विश्वविद्यालय, दरभंगा	डिप्लोमा प्राक डेंटल सर्जरी	बी. डी. एस. दरभंगा

[संख्या बी. 12017/9/94-पी.एम.एस.]
आलोक पट्टी, निदेशक

New Delhi, the 19th October, 1994

the following serial number and entries shall be inserted namely:—

S.O. 2992.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendment in the Schedule to the said Act, namely:—

Authority or institution	Recognised Dental qualification	Abbreviation for registration
38. Lalit Narayan Mithila University, Darbhanga	Bachelor of Dental Surgery	B.D.S. Darbhanga

In part I of the said Schedule, after serial number 37 relating to Magadh University and the entries relating thereto,

[No. V. 12017/9/94-PMS]
ALOK PERTI, Director

प्रामाणिक विकास भवन
विभाग एवं निरीक्षण निदेशालय
फरीदाबाद, 22 सितम्बर, 1994

क्र.पा. 2993.—साधारण ध्वेजीकरण तथा विभाजन नियमावली 1988 के प्राचीन मुद्राओं प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत परिषद् से परामर्श करने के पश्चात्, उक्त अधिनियम की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत परिषद् से परामर्श करने के पश्चात्, उक्त अधिनियम की धनुषी में निम्नलिखित और संशोधन करती है यथा:—

साधारण ध्वेजीकरण तथा विभाजन नियमावली, 1988 के नियम का अंश

नियम 3(4)

परिचय ध्वेजीकरण के लिए प्राधिकरण प्रमाण
हस्त प्रामाणिकता प्रदान करना

जना एवं
विषयगत जन्म और कोसीर ध्वेजीकरण