



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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No. 27 Dispur, Monday, 11th January, 2021, 21st Pausa, 1942 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

HEALTH AND FAMILY WELFARE (B) DEPARTMENT

NOTIFICATION

The 4th January, 2021

No. HLB. 215/2013/441.- In supersession of the Government Ayurvedic College, Guwahati (Regulation of Admission of Under Graduate Students) Rules, 2013 except as respect the things done or omitted to be done before such supersession, the Governor of Assam is hereby pleased to make the following rules to regulate the admission of students into 1st year BAMS/BHMS courses in Government Ayurvedic College, Guwahati and Homoeopathic Medical Colleges in the State of Assam, namely:-

1. Short title and commencement .-

- (1) These rules may be called the Government Ayurvedic College, Guwahati and Homoeopathic Medical Colleges of Assam (Regulation of Admission into 1st year BAMS/BHMS courses) Rules, 2020.
- (2) They shall come into force on the date of their publication in the Official Gazette and shall be applicable from the academic session 2020 to regulate the admission of students to the BAMS/BHMS courses in the Government Ayurvedic College, Guwahati and Homoeopathic Medical Colleges in the State of Assam.

2. Definitions .-

In these rules, unless the context otherwise requires,-

- (a) "All India quota" means the seats reserved for the students selected by Central Government under 15% All India quota ;

- (b) **"AHMC and H"** means Assam Homoeopathic Medical College Hospital, Nagaon;
- (c) **"application form"** means the form as at Schedule-I of these rules to be submitted by the candidates at the time of counseling by filling it up as per the instructions along with all relevant annexure certificate;
- (d) **"AYUSH"** means Ayurveda, Yoga and Naturopathy, Unani, Siddha, and Homoeopathy;
- (e) **"BAMS"** means Bachelor of Ayurvedic Medicine and Surgery;
- (f) **"BAMS course"** means the BAMS course in Government Ayurvedic College, Guwahati;
- (g) **"BHMS"** means Bachelor of Homoeopathic Medicine and Surgery;
- (h) **"BHMS course"** means the BHMS course in Swahid Jadav Nandan Homoeopathic Medical College and Hospital, Guwahati; Assam Homoeopathic Medical College and Hospital, Nagaon and Dr. JKS Homoeopathic Medical College and Hospital, Jorhat and includes all other Government Homoeopathic Medical and Hospital to be established by the Government in the state;
- (i) **"CCIM"** means Central Council of Indian Medicine;
- (j) **"CCH"** means Central Council of Homoeopathy;
- (k) **"counseling list"** means category wise lists of Candidates qualified in NEET to be called for counseling for selection of candidates into 1st, 2nd, 3rd and 4th BAMS/BHMS courses in Government Ayurvedic College, Guwahati and Homoeopathic Medical Colleges in the state of Assam;
- (l) **"DGHS"** means Director General of Health Services, Government of India;
- (m) **"Director of AYUSH"** means Director of AYUSH, Assam;
- (n) **"Dr. JKSHMC and H"** means Dr. JKS Homoeopathic Medical College Hospital, Jorhat;
- (o) **"Examination Conducting Authority"** means any Authority as may be decided by the Government of India from time to time to conduct the NEET;
- (p) **"GAC"** means Government Ayurvedic College, Guwahati;
- (q) **"general/unreserved seats"** means the available state quota seats excluding those reserved for the candidates mentioned in rule 6 and other reservation as declared by the Government of Assam from time to time;
- (r) **"Government"** means the Government of Assam;

- (s) **"GOI"** means the Government of India;
- ✓(t) **"Medical Examination Board"** means the Medical Examination Board, constituted by the Principals of respective Colleges for the determination of the Medical fitness of the candidates seeking admission into the 1st year BAMS/BHMS courses;
- (u) **"merit list"** means the list of the candidates in order of merit prepared by the Examination Conducting Authority after completion of NEET;
- (v) **"NEET"** means National Eligibility cum Entrance Test;
- (w) **"NE Quota"** means the seats reserved for the NEET qualified students of North Eastern states (Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland and Tripura) selected by respective state Government;
- (x) **"select list"** means the category-wise list of state quota candidates selected for admission into 1st year BAMS/BHMS course after counseling;
- (y) **"Selection Board"** means the Selection Board constituted under rule 7 for counseling and selection of state quota candidates for admission into 1st year BAMS/BHMS course;
- (z) **"SJNHMC and H"** means Swahid Jadav Nath Homoeopathic Medical College and Hospital, Guwahati;
- (za) **"State Merit List"** means the list of State Quota candidates in order of merit for the State Quota Seats prepared by the Director of AYUSH on the basis of all India Rank of the respective NEET(UG) by inviting application for counseling ;
- (zb) **"State Quota Candidate"** means those candidates appearing the NEET and applying for the State Quota Seats;
- (zc) **"State Quota Seats"** means the seats available for admission in 1st year BAMS/BHMS Courses in the Government Ayurvedic College, Guwahati and 3(three) Homeopathic Medical Colleges in the State, excluding the seats allotted under NE State Quota;
- (zd) **"schedule"** means the schedules appended to these rules;
- (ze) **"qualifying examination"** means the Higher Secondary School Leaving Certificate (HSSLC) examination in Science stream or any other equivalent examination as mentioned in NEET rules of a University/Board or other examining body recognized by Government of India and/or Government of

Assam with Physics, Chemistry, Biology/Biotechnology (which shall include practical tests in these subjects) and English as the compulsory subjects.

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3. **Eligibility for State Quota Seats.-**

The following conditions shall be fulfilled by the candidates, namely :-

- (a) The candidate must be a citizen of India;
- (b) The candidate must be a permanent resident of Assam. The father/mother or the candidate must be residing in the state of Assam continuously for not less than a period of 20 years. (Certificate at **Annexure-I** in Application Form at **Schedule-I** of the rules must be submitted if a candidate is called for counseling):

Provided that this shall not be applicable to the sons and daughters of officers of All India Services allotted to Assam (certificate regarding the service of father/mother of the candidate from the concerned authority/Department of Government of Assam must be submitted if a candidate is called for counseling).

- (c) The candidate must study in all classes from class-VII to XII in the State of Assam and must pass the Qualifying Examination or equivalent examination from any Institute situated in the State of Assam. (Certificate at **Annexure-II** in Application Form at **Schedule-II** of these rules must be submitted if a candidate is called for counseling):

Provided that if a candidate studies outside Assam from Class-VI onwards because his/her father/mother is posted outside Assam as an Assam State Government employee or as Central Government Employee or as an Employee of a Corporation/ Agency or instrumentality under the Government of Assam or Central Government whether on deputation or on transfer or regular posting then the period for which the said father/mother is working outside the State shall be relaxable for such candidate. (Certificate of employment of father/mother outside the state indicating the period of service from the concerned authority must be submitted if a candidate is called for counseling).

- (d) The age of the Candidate shall not be below 17 years and above 25 years of age on the 31st day of December of the year in which admission shall be sought for:

Provided that the maximum age limit is relaxable by 5 years in case of candidates belonging to the SC/ST (P)/ST (H)/OBC/MOBC category and persons with benchmark disabilities (Divyanga) as specified under Amendment Notification No. F. No. 24-14/2018 (UG Regulation) 18th June, 2019 and Notification No. 12-13/2006-CCH (Pt.VI) dated 19th June, 2019, issued by Central Council of Indian Medicine and Central Council of Homeopathy for admission into the BAMS and BHMS course respectively.

- (e) The candidate must pass the qualifying examination.
- (f) The candidate must pass all the four subjects i.e. Physics, Chemistry, Biology/Biotechnology (which shall include practical tests in these subjects) and English of the qualifying examination in the same sitting and without grace marks.
- (g) The candidate must obtain a minimum of 50% marks taken together in Physics, Chemistry and Biology/Biotechnology at the qualifying examination in case of candidates belonging to General /Unreserved category. In respect of candidates belonging to SC/ST (P) ST (H)/OBC/MOBC category the marks obtained in Physics, Chemistry and Biology/Biotechnology taken together in the qualifying examination shall be 40%. The candidates with benchmark disabilities (Divyanga) as specified under Amendment Notification No. F. No. 24-14/2018 (UG Regulation) dated 18th June, 2019 and Notification No. 12-13/2006-CCH (Pt.VI) dated 19th June, 2019, issued by Central Council of Indian Medicine and Central Council of Homeopathy for admission into the BAMS and BHMS course respectively, the minimum marks obtained in Physics, Chemistry and Biology/Biotechnology taken together in the qualifying examination shall be 45% in case of general category and 40% in case of the SC/ST (P) ST (H)/OBC/MOBC category candidates.

② 4. **Mode of Selection of State Quota Candidates.-**

- (1) The candidates who qualify in the NEET as per the NEET Rules for admission into 1st year BAMS/BHMS courses shall have to apply to the Director of AYUSH in a Declaration Form as per the Educational Notice published by Director of AYUSH after declaration of NEET result.

- (2) The Director of AYUSH, Assam shall prepare the counseling list immediately after receiving the Declaration Forms from the State Quota candidates. The counseling list shall be published as an Educational Notice in the leading news papers of the State of Assam indicating the dates for counseling and important terms and conditions to be fulfilled by the candidates called for counseling.
- (3) The counseling for selection of the candidates for admission into BAMS course and BHMS course shall be done separately.

5. Conditions to be fulfilled while attending the counseling.-

- (a) The candidates who are called for counseling shall be physically present before the Selection Board.
- (b) They shall submit the duly signed and completed Application Form along with all the relevant certificates at Annexures which shall be signed by all the concerned Authorities/Officers as noted and instructed in the Annexures of the schedule-I.
- (c) They shall bring all original documents like Admit Card of NEET, Admit Card and pass certificate of HSLC or equivalent examinations, Mark sheet and Pass Certificate of HSSLC or equivalent examinations, Permanent Residential Certificate (PRC), Caste Certificate issued by competent authority, Certificate issued by competent authority for any other reserved Category claimed by the candidates.
- (d) Candidate shall also bring a set of self attested photocopies of all the original documents to be submitted at the time of counseling.
- (e) A candidate shall be required to deposit an amount of Rs. 500/- (Rupees five hundred) only or any amount as fixed by Director of AYUSH from time to time as counseling fee through Treasury Challan into the State Exchequer under the Head of Account "0210 Medical and Public Health
03 – Medical Education
101 - Ayurveda / 102 Homoeopathy"
and submit a copy of deposit challan Original/ Duplicate/ Triplicate at the time of counseling.

6. Allocation/Reservation of BAMS/BHMS seats in the Government Ayurvedic College and Homeopathic Medical Colleges under the Government of Assam .-

The allocation/reservation of seats shall be as per **Schedule-III** for BAMS course and **Schedule-IV** for BHMS course of these rules.

7. Selection Board .-

The Selection Board for the purpose of selection of candidates for admission into the 1st year BAMS/BHMS courses shall consist of the following members, namely :-

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|--------|--|---|------------------|
| (i) | Director of AYUSH, Assam | : | Chairman |
| (ii) | Joint Director/Dy. Director of AYUSH, Assam | : | Member Secretary |
| (iii) | Principal of Government Ayurvedic College, Guwahati and 3(three) Homeopathic Medical Colleges in the State of Assam. | : | Member |
| (iv) | Representative of Directorate of AYUSH, Assam (one from Ayurveda and one from Homoeo; Not below the rank of Deputy Director) | : | Member |
| (v) | Controller of Examinations, Srimanta Sankardeva University of Health Sciences, Assam. | : | Member |
| (vi) | Representative of Directorate of Forensic Science Laboratory (Not below the rank of Deputy Director) | : | Member |
| (vii) | Representative of WPT and BC Deptt. Government of Assam (Not below the rank of Deputy Secretary) | : | Member |
| (viii) | Any other Government official as decided by the Director of AYUSH/Chairman of the Selection Board to assist him in process of counseling, if required. | : | Member |

In case of absence of Member Secretary, the Chairman shall appoint one of the Members of the above Committee as Member Secretary.

8. Selection of Candidates .-

- (a) During the counseling the candidates shall be called in order of merit and they shall pay their counseling fees.
- (b) The Application Form and its relevant certificates, testimonials and documents shall be scrutinized by a committee constituted by the Director of AYUSH to determine all the eligibility criteria of the candidate for State Quota seat.
- (c) After scrutiny and verification of the documents if the candidate is found eligible then Selection Board shall allot a seat to the candidate in the BAMS courses subject to availability of the seat at the point of time of his/her appearing before the Selection Board:

Provided that in case of non-availability of seats, in the College of his first choice, a candidate shall be allotted seat in the college of his next order of preference and so on:

Provided that a reserved category candidate as in SI No. 3(1)(a), (b), (c), (d) in the **Schedule-IV** of these Rules entitled for selection on the

basis of his/her merit position in General/Unreserved shall have the option of taking a seat in the college, where a specified number of seats have been kept reserved for reserved category but while computing the percentage of reservation he/she shall be deemed to have admitted as a General /Unreserved category candidate and not as a reserved category candidate. Under such circumstances one seat of unreserved category of another college of his/her next preference shall be converted to the respective reserved category of that particular candidate to maintain the total number of reserved category seats.

- (d) If the Selection Board is satisfied prima-facie that any documents including PRC, age and schooling, caste certificate etc. produced by the candidate is of doubtful in nature, the Board shall withheld the selection after allotment of the seat and the documents shall be referred for further verification by the Government of Assam. The views of the Government in this regard shall be final in determining the eligibility of the candidate.
- (e) After completion of the counseling the Category Wise Select List shall be prepared by the Chairman and the Member Secretary of the Selection Board on the basis of the counseling and the same shall be sent for approval by the Government.

9. Admission .-

- (a) The Government approved select List shall be published in the leading local daily newspaper published from Assam directing the candidates to take admission into the offered course at the allotted college within the stipulated time and date. However, no admission shall be allowed unless the candidate is found to be physically fit by the Medical Examination Board at the time of admission.
- (b) The candidate shall deposit their original Certificate/Testimonials at the Office of the Principal of the respective Colleges at the time of admission which shall be returned after completion of the course. Such documents may be returned earlier before the last date of admission, if the candidate applies to the respective Principal for receiving the same specifying justified ground with proof. However, the certificates shall be returned to the candidate with a condition that the candidate shall submit back the documents again within a fixed period of time before the last date of

admission as decided by the Principal failing which the seat shall be treated as surrendered. If such situation arises after the last date of admission then the candidate must deposit a Bank Draft in favour of Director of AYUSH, Assam amounting Rs. 1.00 lakh for BAMS course and Rs. 50.00 thousand for BHMS course for obtaining his/her original testimonials. However, the draft shall be returned back to the candidate after resubmission of the original testimonials within the stipulated time as fixed by the Principal.

10. Forfeiture of seat .-

(a) Any candidate who fails to get admitted within a stipulated time as mentioned in the Notice shall automatically forfeit his/her allotted seat.

✓ (b) Any candidate, as reported by the Principal of the concerned college, failing to attend his/her classes regularly at a stretch for a period of 20(twenty) days after admission without proper information with justified ground shall forfeit his/her seat automatically and no further communication shall be made to the candidate in this regard and seat shall be regarded as a vacant seat:

Provided that the prayer for retaining his/her seat may be considered only if the application regarding his/her absence is received by the Principal of the concerned College within the period of 20 (twenty) days of absence. The application with justified ground of his/her absence must be signed by the candidate or his/her parent or legal guardian with proper documentary evidence.

(c) If at any stage during and after the process of selection/admission it is found that a candidate or his/her guardian has furnished a false statement in the Application or if the Certificates, Mark sheets, Permanent Resident Certificate (PRC) and other documents furnished with the Application are found false or fabricated, the seat, given to such applicant shall be forfeited forthwith without any refund of any fee etc. paid in this regard and criminal proceedings shall be drawn against such candidates and his/her parents.

11. Subsequent Counseling and Filling up of the vacant Seats :-

(1) Subsequent counseling shall be held as per schedule of CCIM/CCH to fill up the vacant seats after first counseling. In case of BHMS course, in the subsequent counseling all the candidates who have already been admitted

and who had not appeared in the counseling before shall also be called to attend the counseling and they shall get the chance to change their course and college or to get allotment of a new seat against vacancy in order of merit.

(2) Any seat remaining vacant against 15% all India Quota and surrendered by Ministry of AYUSH, Government of India, shall be filled up by un-reserved candidate applied under State Quota seats in order of merit.

(3) (i) In case of non availability eligible candidate of TGL/Ex-TGL quota such vacant seats shall be filled up from the OBC/MOBC category.

(ii) If any reserved category seat cannot be filled up from the concerned reserved category due to non availability of eligible candidate in the particular category then the vacant seat shall be filled up from the un-reserved candidate in order of merit.

✓ 12. **Surrender of seat after last date of Admission.-**

Any candidate who wants to surrender his/her seat after the last date of admission as fixed by CCIM/CCH for the particular session shall have to pay a sum of Rs. 1,00,000/- (Rupees one lakh) only in case of BAMS Course and a sum of Rs. 50,000/- (Rupees fifty thousand) only in case of BHMS Course as penalty. The amount shall have to be paid in the form of Demand Draft in favour of Director of AYUSH, Assam payable at Guwahati.

13. **Transfer .-**

In case of BHMS course, transfer from one Homeopathic Medical College to another Homeopathic Medical College shall be guided in accordance with the CCH Regulations from time to time.

14 **Appeal .-**

Candidate aggrieved by the decision of Selection Board have the right to appeal to the Government within 7(seven) days from his/her date of counseling.

Such appeals are to be addressed to: The Senior-most Secretary to the Government of Assam, Health and Family Welfare (B) Department, Dispur, Guwahati-781006, Assam.

The Government shall dispose of all appeals before the last date of admission for that particular session as fixed by CCIM/CCH.

✓ 15 **Agreement .-**

(1) All candidates selected for admission into BAMS Course in the Medical Colleges of Assam shall enter into an agreement in a judicial stamp paper

of Rs.100/- (Rupees one hundred) only with the Government of Assam as in **Schedule-II-A**, appended to these rules for binding himself /herself to serve the Government of Assam for period of 5 years in any institute offered by the Government or 1 year Rural Service on completion of the BAMS Course and in breach thereof to pay a sum of Rs. 20,00,000/- (Rupees twenty lakhs) only to the Government as compensation.

- (2) All candidates selected for admission into BHMS course shall enter into an agreement in a non-judicial stamp paper of Rs.100/- (Rupee one hundred) only with the Government of Assam as in **Schedule-II-B** appended to these rules for binding himself/herself to serve under the Government of Assam for a period of 5 years in any institute offered by the Government or 1 year Rural service on completion of **BHMS** course and breach thereof to pay a sum of Rs. 10,00,000/- (Rupees ten lakhs) only to the Government as compensation.

✓ 16. **Refund of paid fees -**

The amount of fees paid by the candidate at the time of admission shall be refunded after deduction of 10% of the total amount of paid fees if the candidate surrenders his/her seat before the last date of admission as fixed by CCIM/CCH.

✓ 17. **Anti Ragging Measures .-**

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated, 08/05/2009, in civil appeal No.887/2009, between "University of Kerala and others vs Councils, Principal's Colleges, Kerala and others", the Authority of the Institute shall take an undertaking from the students and parents as directed in the Judgement of the Hon'ble Supreme Court.

18. **Interpretation of any clause of these rules .-**

In case of any doubt regarding interpretation of any clause of these rules during the counseling period, the decision of the Selection Board regarding the interpretation of the particular clause shall be final.

19. **Power to relax .-**

Where the Government is of the opinion that it is necessary or expedient so to do so, it may by order, not inconsistent with the provisions of these rules and for reasons to be recorded in writing, relax any of the provisions of these rules.