

Rajat Ranjan
Advocate

Office & Residence:
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Ph.NO. 9829056944

To,

Dr. (Mrs.) Reena Nayyar

Secretary I/C

Medical Council of India

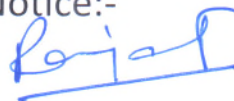
New Delhi

Sub: Legal Notice.

Ref: Your Public Notice dated 01-01-2015 published in newspapers.

Madam,

Under instructions and on behalf of my client Singhania University, an autonomous statutory body established by an act of state legislative, having its campus at Pacheri Bari Distt. (Jhunjhunu) Rajasthan. I have to serve upon you the following Legal Notice:-



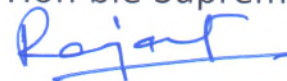
Lawyer's Chamber No. 6, Rajasthan High Court Building, Jaipur
Lawyer's Chamber No. 115, District and Sessions Court, Jaipur.

(1) You being a statutory body, your powers and functions are as provided in the law which established you, i.e. MCI Act, which does not vest in you any authority to issue a Public Notice maligning a University, which is also a statutory body and acting within its powers and functions.

(2) According to your own showing, you are not a regulatory authority of University. Rather entry 44 of the central list to the seventh schedule to the constitution specifically provides as under:-

“Incorporation, regulation and winding up of corporations, whether trading or not, with objects not confined to one State, but not including universities.”

(3) Your public notice is grossly in violation of the law regarding University autonomy as laid down by Hon'ble Supreme Court of



India in Dr. TMA Pai Foundation case, amounting to contempt/disrespect of court decisions.

- (4) Your contention in the public notice that the degree granted by the University shall be invalid is grossly malafide being without any legal basis. Rather, a degree granted by a University is self-validating and Sui generis valid as held by Hon'ble High Court of Punjab and Haryana in Neelam Devi's Case, following Supreme Court decisions.
- (5) According to your own showing as per MCI act, if any person wants to establish a Medical College, he needs prior permission of Centre Govt. and not of MCI.
- (6) A University having faculty of medicine is a university as defined in MCI Act and a hospital which is approved by a University is a Medical Institution; MCI Act nowhere provides that Faculty of Medicine of any University requires MCI or Central Govt. prior

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approval to run medical degree courses and award degrees for the same, particularly when UGC Act vests in the University to award all medical degrees, there being no requirement to obtain any approval from any other authority. A University having faculty of medicine does not require establishing a medical college to impart education in medical courses.

- (7) According to your own showing, permission/approval is required to be taken from Central Govt. not from MCI for establishment of a medical college; still MCI has assumed authority to regulate medical education in the country and create a system of license/permit/quota/inspector raj infested with huge corruption as reported in news papers from time to time. Copies of some such news reports are enclosed here in. This corruption infested system has created a huge shortage of doctors in the Country. Large numbers of students are


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compelled to go to different not so developed countries to get medical degrees.

- (8) Nowhere in the world has such system of medical education existed. Rather degrees awarded by large number of foreign Universities/Medical colleges, which are not running after getting approval from MCI or Central Govt., their norms and standards are also not as per MCI regulations, such degrees are being recognized with or without screening test, this being a grossly biased discretionary treatment to Indian Universities.
- (9) Your contention, that degree granted by my client shall not be recognized for registration is also grossly malafide being based on no legal basis. As per MCI Act medical degree is required to be registered with Medical Council in State Medical Register and not with MCI. State Medical Councils are vested with the power to register such degrees under their state laws and MCI

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has nothing to do with that. Rather registration of Post Graduate Medical Degree is not mandatory.

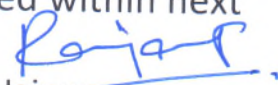
(10) MCI Act also provides that if degrees awarded by a University are not included into First Schedule to MCI Act, can apply to Central Govt. for inclusion of degrees in the list. It does not discriminate amongst universities and also does not provide that degrees of those Universities only will be included in Schedule First, who obtained prior approval of Central Govt. to run Medical Courses.

(11) Your action of getting published above referred to public notice is on the face of it is grossly malafide because you never gave reply to legal notice served upon you and are not responding to RTI enquires, which conduct is grossly unfits and unlawful.

In the premises, I hereby call upon you to give a parawise reply to the above Legal Notice and in case no reply is received within next

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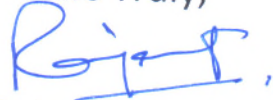


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two weeks of receipt of this notice, my client shall have no other option other than to take civil/criminal action against the official concerned to publish a misleading/misconceived/malafide notice to defame my client, as it may be advised. This is, however without prejudice to all other rights and remedies available to my Client.

Please acknowledge receipt copy herein.

Yours Truly,

Rajat Ranjan

Advocate

Jaipur

Dated: 19-2-15.