

Dental Council of India (Establishment of New Dental Colleges, Opening of New or Higher Course of Study or Training and Increase of Admission Capacity in Dental Colleges) Regulations, 2006

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Dental Council of India (Establishment of New Dental Colleges, Opening of New or Higher Course of Study or Training and Increase of Admission Capacity in Dental Colleges) Regulations, 2006

In exercise of the powers conferred by Sec. 10-A read with Sec. 20 of the Dentists Act, 1948 (16 of 1948), the Dental Council of India with the previous approval of the Central Government, in supersession of the Establishment of new Dental College, opening of higher courses of study and increase of admission capacity in dental colleges Regulations, 1993, except as respects things done or omitted to be done before such supersession, hereby makes the following regulations relating to establishment of new dental colleges, opening of new or higher course of study or training and increase of admission capacity in dental colleges, namely

1. Short title and commencement :-

(1) These regulations may be called the Dental Council of India (Establishment of New Dental Colleges, Opening of New or Higher Course of Study or Training and Increase of Admission Capacity in Dental Colleges) Regulations, 2006.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Applicability :-

These regulations shall be applicable to the proposals relating to the following from the academic year 2006-07:

(a) establishment of a new dental college at the under-graduate level;

(b) introduction of a new or higher course of study or training at the post-graduate level (diploma and degree both); and

(c) increase of admission capacity in a dental college at the under-graduate or post graduate level:

Provided that the dental colleges established or permitted to increase the admission capacity at the under-graduate level before the commencement of these regulations will continue to be governed by the Establishment of New Dental Colleges, opening of higher courses of study and increase of admission capacity in dental colleges Regulations, 1993.

3. Definitions :-

(1) In these regulations, unless the context otherwise requires, issuer of securities, having a bearing on the benefits or rights accruing to the client; and iv) maintaining and reconciling records

of the services referred to in sub- clauses (i) to (iii)."

(ii) in Regulation 6, in sub-regulation (1), after clause (b), the following clause shall be inserted, namely: "(ba) the applicant has the requisite approvals under any law for the time being in force, in connection with providing custodial services in respect of gold or gold related instruments of a mutual fund, where applicable;"

(iii) in Regulation 8, after sub-regulation (3), the following proviso and sub-regulation shall be inserted, namely: "Provided that the Board may restrict the certificate of registration to providing custodial services either in respect of securities or in respect of gold or gold related instruments of a client."

(a) "Act" means the Dentists Act, 1948 (16 of 1948);

(b) "Central Government" means Department of Health and Family Welfare in the Ministry of Health and Family Welfare;

(c) "Council" means the Dental Council of India established under the Act;

(d) "dental college" means any institution, college or a body by whatever name called, in which a person may undergo a course of study or training which will qualify him for the award of any recognised dental qualification.

(2) Words and phrases used in these regulations and not defined but denned in the Act shall have the meaning respectively assigned to them in the Act.

4. Proposals or schemes for establishing a new dental college, or opening a new or higher course of study or training or increasing the admission capacity, in the dental college :-

(1) The proposals or schemes for establishing a new dental college, or opening a new or higher course of study or training or increasing the admission capacity, in the dental college, as the case may be, shall be made or submitted to the Central Government for obtaining its permission under the Act in the Form. 1, Form 2 and From 3, respectively, annexed to these regulations.

(2) The scheme or the proposal under sub-regulation (1) and, processing thereof shall be submitted within the time-schedule as provided in the Schedule annexed to these regulations.

PERMISSION OF THE CENTRAL GOVERNMENT TO STABLISH A NEW DENTAL COLLEGE

5. Application for the establishment of a dental college :-

Any person eligible under Regulation 6 may establish a dental college after obtaining prior permission of the Central Government by submitting a scheme in Form 1 as annexed to these regulations.

6. Eligibility and qualifying criteria :-

(1) The following organizations, subject to sub-regulation (2), shall be eligible to apply for permission of the Central Government to set up a dental college, namely:

- (a) a State Government or a Union territory administration;
- (b) a University;
- (c) an autonomous body promoted by the Central or a State Government;
- (d) a society registered under the Societies Registration Act, 1860 (21 of 1860) or corresponding enactments in States; or
- (e) a public religious or charitable trust registered under the Trust Act, 1882 (2 of 1882) or the Wakf Act, 1954 (29 of 1954).

(2) The organizations under sub-regulation (1) shall qualify to apply for permission to establish a dental college if the following conditions are fulfilled:

- (a) dental education is one of the objectives of the applicant in case the applicant is an autonomous body, registered society or charitable trust;
- (b) the applicant has a feasible and time-bound programme to set up the proposed Dental College along with the required infrastructure facilities in respect of buildings including adequate hostel facilities for boys and girls as prescribed by the Dental Council of India, dental and allied equipment, faculty and staff commensurate with the proposed intake of students, so as to complete the Dental College within a period of four years from the date of grant of permission;
- (c) the applicant owns or holds by way of long term lease for a period of not less than 30 years obtained from Government or an authority of the Government, a plot of land measuring not less than

5 acres and has provided on the same plot of land, constructed area to set up the proposed dental college and proposes to increase the constructed area, in a phased manner, as given below

(d) hostel accommodation in separate blocks for boys and girls and accommodation for staff, to the extent of 50% of the strength, should be available at any given time in the same plot of land in addition to the built-up area mentioned in clause (c)

(e) an Essentiality Certificate in Form 4, an annexed, regarding No Objection of the State Government or Union territory administration for the establishment of the proposed dental college at the proposed site and availability of adequate clinical material as per the Council's regulations have been obtained by the applicant from the concerned State Government or Union territory administration;

(f) that permission of University's Affiliation in Form 5, as annexed, valid for the entire duration of the course, for the proposed Dental College has been obtained by the applicant from a University;

(g) the applicant has not already admitted students to the proposed dental college;

(h) the applicant owns and manages a General Hospital of not less than 100 beds as per Annex. 1 with necessary infrastructure facilities including teaching pre-clinical, para-clinical and allied medical sciences in the campus of the proposed dental college or the proposed dental college is located in the proximity of a Government Medical College or a Medical College recognised by the Medical Council of India and an undertaking of the said Medical College to the effect that it would facilitate training to the students of the proposed dental college in the subjects of Medicine, Surgery and Allied Medical Sciences has been obtained, or where no Medical College is available in the proximity of the proposed dental college, the proposed dental college gets itself tied up at least for 5 years with a Government General Hospital having a provision of at least 100 beds and located within a radius of 10 K.M. of the proposed dental college and the tie-up is extendable till it has its own 100 bedded hospital in the same premises. In such cases, the applicant shall produce evidence that necessary infrastructure facilities teaching pre-clinical, para-clinical and allied medical sciences are owned by the proposed dental college itself;

(i) the applicant owns and manages a dental clinic in the proposed dental college with not less than 10 dental chairs and units as per

the specifications prescribed in Annex. II;

(j) applicant has made provisions for expansion of teaching staff and infrastructure facilities in a phased manner as per Annex. III and IV; and

(k) the applicant has a feasible and time bound expansion programme to provide additional equipments and infrastructure facilities, as specified by the Council and detailed chart for Dental Chairs/Units of the prescribed specifications, as given below:

7. Submission of the application in Form I and the application Fee :-

(1) The application in Form I containing the scheme, as referred to in sub-regulation (1) of Regulation 5, shall be submitted to the Secretary (Health), Ministry of Health and Family Welfare, Government of India, Nirman Bhawan, Maulana Azad Road, New Delhi - 110011 between 1st August to 30th September (both days inclusive) of each year, alongwith a non-refundable application fee of Rs. 3.00 lakh in the form of a Demand Draft/Pay Order in favour of Dental Council of India, payable at Delhi. The application fee shall include registration fee, fee for technical scrutiny and fee for three inspections and other contingent expenditure. The applicant has to pay to the Council inspection fee prescribed by the Council from time to time for each additional inspection, if any, after three inspections.

(2) Incomplete applications will not be accepted and will be returned by the Central Government to the applicant, alongwith enclosures and application fee

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(3) Applications submitted under this regulation, if found complete in all respects, will be forwarded by the Central Government to the Dental Council of India within 30 days after the receipts of the same for evaluation of the scheme and its recommendations. Acceptance of applications will, under no circumstances, be treated as approval of the application for grant of permission.

8. Evaluation of the Scheme to establish a new dental college by the Council :-

(1) The Dental Council of India will evaluate the scheme submitted under Regulation 7 to ascertain the desirability and prima-facie

feasibility of setting up the dental college at the proposed location and the capability of the applicant to provide the necessary resources and infrastructure for the scheme.

(2) The Council, while evaluating the scheme under this regulation, may seek further information or clarification or additional documents from the applicant in terms of sub-sec. (7) of Sec. 10-A of Act and any other information as it considers necessary, and may carry out physical inspection to verify the information.

9. Report of the Council :-

After evaluation of the scheme under Regulation 8 and after conducting the physical inspection, the Dental Council of India shall send a report containing its recommendations to the Central Government in the format at Annex. V along with a copy of the inspection report duly authenticated to each page by the inspectors, reply, if any, from the dental college and the minutes of the relevant Executive Committee meeting. The Council shall furnish its recommendations by the stipulated date on all schemes relating to opening of new dental colleges referred to it by the Central Government:

Provided that upon being so required by the Central Government, the Council shall re-consider its recommendations contained in the report furnished by it after taking into account new or additional information as may be forwarded by the Central Government and submit its report.

10. Grant of Permission to establish a dental college :-

(1) The Central Government may, after considering the application submitted under Regulation 7 in terms of Sec. 10-A of the Act and the recommendations of the Council thereon, issue a Letter of Intent to grant permission to establish a dental college subject to such conditions or modifications in the original proposal as it considers necessary. The formal permission will be granted by the Central Government after the conditions stipulated and the modifications suggested are accepted by the applicant and a performance bank guarantee from a Scheduled commercial bank valid for the entire duration of the course in favour of the Council is furnished as follows 50 admissions \100 admissions Rs. 100 lakh \Rs. 200 lakh

(2) The provisions regarding performance bank guarantee will not apply to a dental college established by a State Governments or a

Union territory Administration provided that it gives an undertaking to provide funds in its Plan budget regularly till facilities are fully provided as per the time bound programme indicated by it.

(3) The formal permission will include conditions for fulfilment of a time-bound programme and achieving of annual targets commensurate with initial the intake of students for the establishment of a dental college.

(4) The permission under sub-regulation (1) to establish a new dental college will be granted for a period of one year and will be renewed on yearly basis subject to verification of the achievement of annual targets and revalidation, if necessary, of the performance bank guarantees.

11. Renewal of Permission :-

(1) Admissions of the next batches shall not be made by the dental college unless the permission granted under Regulation 10 has been renewed by the Central Government.

(2) The application for renewal of permission shall be submitted to the Council, with a copy to the Central Government, six months prior to the expiry of the current academic session. The recommendation of the Council in all cases of renewal shall be made by 15th June and the Central Government shall issue final orders regarding renewal of permission by 15th July of each year.

Provided that the process of renewal of permission will not be applicable after the completion of phased expansion of the infrastructure facilities and teaching faculty as per norms laid down by the Council and the first batch of students take the final year examinations. PERMISSION OF THE CENTRAL GOVERNMENT FOR STARTING NEW OR HIGHER COURSES OF STUDY OR TRAINING

12. Application for permission of the Central Government for starting a new or higher Course (including Post-graduate Diploma courses) or training in a Dental College :-

For starting a new or higher course or training in dental subjects including Post-graduate Diploma courses or training in a Dental College, a dental college, subject to Regulation 13, shall apply to the Central Government by submitting a scheme in this regard in Form 2, as annexed, for obtaining its permission in conformity with the relevant Regulations of the Dental Council of India.

13. Qualifying Criteria :-

A dental college shall qualify for starting a new or higher course of study or training in dental subjects, the following conditions are fulfilled:

(a) a dental qualification granted to the students of the dental college is recognised for running BDS course and conforms to the norms laid down by it;

(b) the certificate regarding desirability and feasibility for starting a new or higher course of study or training at the dental college has been obtained by the college from the State Government or the Union territory administration, as the case may be;

(c) letter of University's permission, valid for the entire duration of the course, for starting such course or training at the dental college has been obtained by it from the University to which it is affiliated;

(d) the dental college has the full complement of staff, equipments and other infrastructure facilities prescribed for under-graduate training programme and also fulfils additional requirements in respect of funds or allocation of finances, staff and other infrastructure facilities as per the norms prescribed by the Council and approved by the Central Government under Sec. 20 of the Act in the M.D.S. Regulations, 1983 and P.G. Diploma Regulations, 1983, as amended from time to time.

(e) selection of candidates for post-graduate degree and post-graduate diploma courses will be made strictly on the basis of academic merit.

14. Submission of the application in Form 2 and the application fee :-

(1) The application containing the scheme for starting a new or higher course of study or training in a dental college shall be submitted by the dental college in the Form 2, as referred to in Regulation 12, to the Secretary (Health), Ministry of Health and Family Welfare, Government of India, Nirman Bhawan, Maulana Azad Road, New Delhi - 110011, along with a non-refundable application fee of Rs. 2.00 lakh for each speciality in the form of a Demand Draft/Pay Order in favour of Dental Council of India, payable at Delhi. The fee shall include registration fee, fee for technical scrutiny and fee for two inspections and other contingent expenditure.

(2) Incomplete applications will be returned by the Central Government to the dental college, alongwith enclosures and application fee.

(3) The application submitted under this regulation, if found complete in all respects, will be forwarded by the Central Government to the Council within 30 days of the receipt of such application for evaluation and recommendations. Acceptance of applications will, under no circumstances, be treated as approval of the application for grant of permission.

15. Evaluation of the scheme for opening new or higher course, etc :-

(1) The Council will evaluate the scheme submitted under Regulation 14 to ascertain the desirability and prima-facie feasibility of starting a new or higher course of study or training at the college and its capability to provide the necessary resources and infrastructure for the said scheme.

(2) The Council while evaluating such scheme may seek further information/clarification or additional documents from the applicant as it consider necessary and may carry out physical inspection to verify the information.

16. Report of the Council :-

After evaluation of the scheme under Regulation 15 and after conducting the physical inspection, the Council shall send a report containing its recommendations to the Central Government along with a copy of the inspection report duly authenticated on each page by the inspectors; reply, if any, from the dental college and the minutes of the relevant Executive Committee meeting. The Council shall furnish its recommendations by the stipulated date on all such schemes referred to it by the Central Government.

Provided that upon being so required by the Central Government, the Council shall re-consider its recommendations contained in the report furnished by it after taking into account new or additional information as may be forwarded by the Central Government and submit its report.

17. Grant of Permission for starting a new or higher course, etc :-

(1) The Central Government may, after considering the scheme

submitted in Form 2 under Regulation 14 and the recommendations of the Council thereon with reference to the Act, issue a Letter of Intent to grant permission subject to such conditions or modifications as it may consider necessary. The formal permission will be granted by the Central Government after the conditions stipulated and the modifications suggested are accepted by the dental college and the performance bank guarantee valid for the entire duration of such course from a Scheduled Commercial bank in favour of the Council is furnished as given below; Postgraduate degree \Postgraduate diploma Rs. 60 lakh \ \Rs. 40 lakh

(2) The provisions regarding performance bank guarantee will not apply to a dental college established by a State Governments or a Union territory administration provided that it gives an undertaking to provide funds in its Plan budget regularly till facilities are fully provided as per the time bound programme indicated by it.

(3) The permission granted under this regulation for starting a new or higher course of study or training will be valid for the entire duration of the course till the first batch of students appears in the final examination. PERMISSION OF THE CENTRAL GOVERNMENT TO INCREASE ADMISSION CAPACITY IN THE DENTAL COLLEGE

18. Application for increasing the admission capacity :-

For increasing the admission capacity (number of seats) at the under-graduate or post-graduate level (degree or diploma), a dental college shall, subject to Regulation 19, submit to the Central Government the scheme in this regard in Form 3, as annexed, for obtaining its permission.

19. Qualifying Criteria :-

A dental college shall qualify to apply under Regulation 18, if the following conditions are fulfilled:

(a) the dental qualification granted to the students of the college and in respect of which the capacity is sought to be increased is recognised with the existing admission capacity;

(b) the requirements prescribed in respect of infrastructure facilities including staff are fulfilled by the College for the existing admission capacity as well as for the admission capacity desired:

Provided that the requirements prescribed in respect of land and building shall not apply to the dental colleges established before 25.9.1993;

(c) the certificate regarding feasibility and desirability for increasing admission capacity at the dental college has been obtained by the applicant from the State Government or the Union territory administration, as the case may be;

(d) letter of University's permission for increasing admission capacity at the dental college, valid for the entire duration of course, has been obtained by the applicant from the university to which it is affiliated; and

(e) the provision for financial allocation for additional equipments and other infrastructural facilities and for recruitment of additional staff as per the norms prescribed by the Council in this regard are made.

20. Submission of the application in Form 3 and the application fee :-

(1) The application containing the scheme for increasing admission capacity in the dental college, as referred to in Regulation 18, shall be submitted by dental college to the Secretary (Health), Ministry of Health and Family Welfare, Govt. of India, Nirman Bhawan, Maulana Azad Road, New Delhi-110011 on or before the prescribed date along with a non-refundable application fee of Rs. 2.00 lakh (Rs. 2.00 lakh per speciality in case of increase of admission capacity in postgraduate courses) in the form of Demand Draft/Pay Order in favour of Dental Council of India, payable at Delhi. The fee shall include registration fee for technical scrutiny and fee for two inspections and contingent expenditure.

(2) Incomplete application or scheme will not be accepted and will be returned by the Central Government to the applicant along with enclosures and processing fee.

(3) Application submitted under this regulation, if found complete in all respects, will be forwarded to the Council within 30 days of the receipt of such application for evaluation and recommendations. Acceptance of such application or scheme will, under no circumstances, mean approval of the application for grant of permission.

21. Evaluation of scheme for increasing admission capacity by the Council :-

(1) The Council will evaluate the scheme submitted by the dental

college under Regulation 20 to ascertain the desirability and prima-facie feasibility for increasing the admission capacity at the dental college and the capability of the dental college to provide the necessary resources and infrastructure for the scheme;

(2) The Council, while evaluating the scheme under this regulation, may seek further information/clarification or additional documents from the applicant as considered necessary or may carry out physical inspection to verify the information.

22. Report of the Council :-

After examining the scheme submitted under Regulation 21 and after conducting the physical inspection, the Council shall send a report containing its recommendations to the Central Government along with duly authenticated copy of the inspection report; reply, if any, received from the applicant along with comments of the Council thereon and the minutes of the Executive Committee meeting. The Council shall furnish its recommendations by the stipulated date on all schemes referred to it by the Central Government:

Provided that upon being so required by the Central Government, the Council shall re-consider its recommendations contained in the report furnished by it after taking into account new or additional information as may be forwarded by the Central Government, and, thereafter, submit its report.

23. Grant of permission for increasing the admission capacity in a dental college :-

(1) The Central Government may, after considering the application submitted under Regulation 20 and the recommendations of the Council thereon with reference to the Act, issue a Letter of Intent to grant permission subject to conditions or modifications in the original proposal as it may consider necessary. The formal permission will be granted by the Central Government after the conditions stipulated and the modifications suggested are accepted by the applicant and a performance bank guarantee from a Scheduled commercial bank valid for the entire duration of the course in favour of the Council is furnished as given below; (i) For increase of BDS seats up to 50 \ \: Rs. 50 Lakh (ii) For increase of BDS seats from 50 to 100 \: Rs. 1 Crore (100 Lakhs). (iii) For P.G. Diploma : Rs. 3 Lakh per seat. (iv) For P.G. Degree : Rs. 5 Lakh per seat.

(2) Provisions regarding performance bank guarantee will not apply to a dental college established by a State Governments or a Union territory Administration provided that it gives an undertaking to provide funds in its Plan budget regularly till facilities are fully provided as per the time bound programme indicated by it.

(3) The formal permission will include conditions for fulfilment of a time-bound programme and achieving of annual targets in case of BDS course commensurate with the admission capacity of students.

(4) In the case of BDS course, the above permission to increase the admission capacity will be granted for a period of one year and will be renewed on yearly basis subject to verification of the achievement of annual targets and revalidation, if necessary, of the performance bank guarantee. It shall be the responsibility of the dental college to apply to the Council for such renewal six months before the beginning of the next academic session.

24. Renewal of the permission granted for increasing capacity :-

(1) Admissions of the next batches in the under-graduate course shall not be made by the dental college unless the permission granted under Regulation 23 has been renewed by the Central Government.

(2) The application for renewal of permission shall be submitted to the Council, with a copy to the Central Government, six months prior to the commencement of the next academic session:

Provided that the process of renewal of permission will not be applicable after the completion of phased expansion of the infrastructure facilities and teaching faculty as per norms laid down by the Council and the first batch of students take the final year examinations.