



KERALA UNIVERSITY OF HEALTH SCIENCES

ABSTRACT

KUHS – Academic – Paramedical – Letter of Permission/No-Objection Certificate from Government is stipulated as Mandatory Document for granting new colleges/courses/enhancement of seats in existing courses – orders issued.

ACADEMIC SECTION

U.O.No : 11333/2018/AC II/PM/A2/KUHS

Date : 02-11-2021

Read :- 1. GO.(Rt) No.73/2002/H&FWD dtd.21.03.2002
2. GO. (Rt) No.1598/2008/H&FWD dtd.30.04.2008
3. Judgment of the Hon'ble High court of Kerala in WP(C) Nos 39605/2018, 33045/2018 and 16768/2015 dated 08.03.2019
4. Judgement of the Hon'ble High court of Kerala in WP (C) No. 2151/2021 dated 28.05.2021

ORDER

As per clause 2(2) (iii) of Amendment of the 1st Statute on the matter of Affiliation of colleges, the required essentiality certificate/permissions from the respective government, wherever insisted by the Statutory Council, is to be obtained and produced along with the application and the same is insisted to apply for the grant of provisional affiliation.

As per clause 5 (vii) (3) of Amendment of the 1st Statute on the matter of Affiliation of colleges, the University shall seek the views of the Government on the application submitted by the applicant and in case no response is received from the Government within 30 days, proceed on the assumption that the Government has no views to offer (Remarks are to be sought wherever necessary in the case of applications without NOC from Government.)

As per G. O read (1) above, Government of Kerala had constituted Paramedical Council, Technical Committee and District Inspection Committee for sanction to start paramedical courses in the state. And as per G.O. read (2) above, the Government had revised the guidelines laying down the procedure for submitting application for paramedical courses.

In the judgements cited as 3rd and 4th above, the Hon'ble High Court of Kerala had held that, in the absence of legislations regulating the institutions imparting Paramedical Courses, the provisions under the above referred Government Orders hold the field. The Court also held



that, in order to start new Paramedical courses or enhancement of intake in an existing course Letter of Permission /No-objection Certificate of the Government based on the recommendations made by the Paramedical Council is an essential requirement and the university cannot grant provisional affiliation for a new paramedical course or for enhancement of intake in an existing course without Letter of Permission/No-objection Certificate of the State Government.

Having examined the matter in detail and in the light of the judgments read (3) and (4) above, it is decided that clause 2(2) (iii) of the amended 1st Statute in the matter of Affiliation of colleges will be applicable in the case of application for Provisional Affiliation of Paramedical colleges and courses also. LoP/NOC of the State Government shall be submitted by the paramedical colleges along with the application for grant of Provisional Affiliation. In the absence of the above documents, the application shall not be considered as valid.

Registrar

To

The Principals of all Paramedical Colleges affiliated to KUHS.

Copy To,

- 1) PS to VC
- 2) PA to PVC
- 3) PA to Registrar
- 4) IT Section (for publishing in website)

Forwarded/By Order

Section Officer

