



ರಾಜೀವ್ ಗಾಂಧಿ ಆರೋಗ್ಯ ವಿಜ್ಞಾನಗಳ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಕರ್ನಾಟಕ
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No: RGUHSB/RRAC/AUTH(MEET)/03/195SYN/2024

Dated:13.01.2025

The Minutes of the 195th (Special) Syndicate Meeting held on 13.01.2025 at 11.00 A.M at Rajiv Gandhi University Health Sciences, Bengaluru.

Members Present:

1. Dr. M. K. Ramesh, Vice-Chancellor, RGUHS, Bengaluru.
2. Sri. Mohammad Mohsin, Principal Secretary to Government, Medical Education Department, GOK.
3. Dr. B L Sujatha Rathod, Director Medical Education.
4. Dr. Yogananda Reddy Y.C, President, KMC, Bengaluru. (Online)
5. Dr. Ramesh Reddy N (Online)
6. Dr. Sheela V Mane
7. Dr. G P Ramanath
8. Prof (Dr.) C Obul Reddy
9. Dr. C. Jagadeesh
10. Dr. Pashupathy M
11. Dr. Kirankumar S Kulageri (Online)
12. Dr. B K Madhusudhan
13. Dr: Mohammed Rafeeq
14. Dr. K. Pramod
15. Dr Muralidhar R
16. Sri. Shivaprasad P R, IAS, Registrar, RGUHS

Members Absent:

1. The Principal Secretary to Government, Department of HFW, GOK.
2. The Commissioner, Dept of AYUSH, GOK
3. Dr. Triveni M G, Director, Directorate of HFW Services.
4. Dr. Mailareshwar. J. Jeevannavar
5. Dr. V.V. Chinnivallar, President, IMA KSB, Bengaluru

The Registrar extended a warm welcome to all the members for the 195th Special Syndicate meeting and requested the Hon'ble Vice-Chancellor to chair the meeting and conduct the proceedings. The Hon'ble Vice-Chancellor also extended warm welcome to all the members of the Syndicate and the agenda of the meeting was taken up for discussion.


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SUBJECT NO. 195/1. MINUTES OF CAC MEETING HELD ON 10.01.2025.

SUBJECT NO. 1: TO CONSIDER THE GRANT OF CONTINUATION OF AFFILIATION FOR 1) ORAL MEDICINE & RADIOLOGY 2) PERIODONTOLOGY TO CONDUCT RESEARCH LEADING TO THE AWARD OF PHD DEGREE AT BAPUJI DENTAL COLLEGE & HOSPITAL, DAVANGERE FOR THE ACADEMIC YEAR 2024-25.

Decision of CAC: Recommended for continuation of affiliation for the academic year 2024-25.

Decision of Syndicate: The Syndicate accepted the recommendations of CAC.

SUBJECT NO. 2: ANY OTHER MATTER WITH THE PERMISSION OF THE CHAIR.

SUBJECT NO. 2(1): TO CONSIDER THE GRANT OF CONTINUATION OF AFFILIATION FOR PSYCHIATRIC NURSING TO CONDUCT RESEARCH LEADING TO THE AWARD OF PHD DEGREE AT DHARWAD INSTITUTE OF MENTAL HEALTH AND NEUROSCIENCES, DHARWAD FOR THE ACADEMIC YEAR 2024-25.

Decision of CAC: Recommended for continuation of affiliation for the academic year 2024-25.

Decision of Syndicate: The Syndicate accepted the recommendations of CAC.

SUBJECT NO. 2(2): LIC INSPECTION REPORTS OF MEDICAL COLLEEGES FOR FRESH AFFILIATION AND INCREASE IN INTAKE OF SEATS FOR UNDERGRAUDATE COURSES FOR THE ACADEMIC YEAR 2025-26.

1. THE OXFORD MEDICAL COLLEGE, BANGALORE

APPLIED FOR: INCREASE IN INTAKE FROM 200 TO 250

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 1.79%, As per the NMC MSR they may be eligible for increase in intake from 200 to 250.

Decision of Syndicate: Refer back to CAC.

2. SUBBAIAH INSTITUTE OF MEDICAL SCIENCES, SHIVAMOGGA

APPLIED FOR: INCREASE IN INTAKE FROM 200 TO 250.

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 4.76%, It was noted that as per the LIC observation dated 28.09.2024 during the last increase in PG was 21% Bed occupancy and now it is 81%.in the present LIC. This maybe deliberated. As per the NMC MSR they may be eligible for increase in intake from 200 to 250.

Decision of Syndicate: Refer back to CAC.

3. AKASH INSTITUTE OF MEDICAL SCIENCES, DEVANAHALLI

APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250.

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 2.98%, As


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per the NMC MSR they may be eligible for increase in intake from 150 TO 250. After verification with the Teachers data base 80 to 90 percent matching with declaration forms.

Decision of Syndicate: Refer back to CAC.

**4. MAHADEVAPPA RAMPURE MEDICAL COLLEGE, KALABURGI
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250.**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 17.26%, As per the NMC MSR they may be eligible for increase in intake from 150 to 250.

Decision of Syndicate: Refer back to CAC.

**5. SIDDAGANGA MEDICAL COLLEGE & RESEARCH INSTITUTE, TUMKUR
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 7.74%, As per the NMC MSR they may be eligible for increase in intake from 150 to 200.

Decision of Syndicate: Refer back to CAC.

**6. SHRIDEVI INSTITUTE OF MEDICAL SCIENCES, TUMKUR
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is No staff deficiency. As per the NMC MSR they may be eligible for increase in intake from 150 to 250.

Decision of Syndicate: Refer back to CAC.

**7. MANDYA INSTITUTE OF MEDICAL SCIENCES, MANDYA
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200.**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 27.66%. As per the NMC MSR they may not be eligible for increase in intake from 150. to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

**8. CHIKKABALLAPURA INSTITUTE OF MEDICAL SCIENCES, CHIKKABALLAPURA
APPLIED FOR: INCREASE IN INTAKE FROM 100 TO 150**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 59.62%, As per the NMC MSR they may not be eligible for increase in intake from 100 to 150.


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Decision of Syndicate: The Syndicate recommended for increase in intake from 100 to 150 seats subject to submission of undertaking to fulfil the deficiency.

**9. HASSAN INSTITUTE OF MEDICAL SCIENCES, HASSAN
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250.**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 26.19%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 250.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 250 seats subject to submission of undertaking to fulfil the deficiency.

**10. BELAGAVI INSTITUTE OF MEDICAL SCIENCES, BELAGAVI
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 29.79%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 250.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 250 seats subject to submission of undertaking to fulfil the deficiency.

**11. BELLARY MEDICAL COLLEGE & RESEARCH CENTRE, BELLARY
APPLIED FOR: INCREASE IN INTAKE FROM 200 TO 250**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 8.33%. As per the NMC MSR they may not be eligible for increase in intake from 200 to 250.

Decision of Syndicate: The Syndicate recommended for increase in intake from 200 to 250 seats subject to submission of undertaking to fulfil the deficiency.

**12. SHIVAMOGGA INSTITUTE OF MEDICAL SCIENCES, SHIVAMOGGA
APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 20.5%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.


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13. GADAG INSTITUTE OF MEDICAL SCIENCES, GADAG**APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200.**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 20.57%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 250.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 250 seats subject to submission of undertaking to fulfil the deficiency.

14. BIDAR INSTITUTE OF MEDICAL SCIENCES, BIDAR**APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 21.28%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

15. GULBURGA INSTITUTE OF MEDICAL SCIENCES, GULBURGA**APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200.**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 9.93%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

16. KOPPALA INSTITUTE OF MEDICAL SCIENCES, KOPPALA**APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200.**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 38.30%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

17. RAICHUR INSTITUTE OF MEDICAL SCIENCES, RAICHUR.**APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 22.7%, As


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per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

18. KODAGU INSTITUTE OF MEDICAL SCIENCES, KODAGU

APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 34.04%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

19. CHAMARAJANAGARA INSTITUTE OF MEDICAL SCIENCES,

APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200.

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 31.21%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

20. MYSORE MEDICAL COLLEGE & RESEARCH INSTITUTE, MYSORE

APPLIED FOR: INCREASE IN INTAKE FROM 200 TO 250

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 9.52%, As per the NMC MSR they may not be eligible for increase in intake from 200 to 250.

Decision of Syndicate: The Syndicate recommended for increase in intake from 200 to 250 seats subject to submission of undertaking to fulfil the deficiency.

21. SHRI ATAL BIHARI VAJPAYEE MEDICAL COLLEGE & RESEARCH INSTITUTE APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 31.55%, As per the NMC MSR they may not be eligible for increase in intake from 150 to 250.


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Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 250 seats subject to submission of undertaking to fulfil the deficiency.

22. EAST POINT COLLEGE OF MEDICAL SCIENCES & RESEARCH CENTRE, BANGALORE APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250.

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 23.81%. As per the NMC MSR they may not be eligible for increase in intake from 150 to 250.

Decision of Syndicate: Refer back to CAC.

23. SRI CHAMUNDESHWARI MEDICAL COLLEGE HOSPITAL, CHANNAPATNA APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 250.

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 8.33%, As per the NMC MSR they may be eligible for increase in intake from 150 to 200/250.

Decision of Syndicate: Refer back to CAC.

24. KARWAR INSTITUTE OF MEDICAL SCIENCES, KARWAR APPLIED FOR: INCREASE IN INTAKE FROM 150 TO 200.

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 33.33%, As per the NMC MSR they may not be eligible for increase in intake from 150 to 200.

Decision of Syndicate: The Syndicate recommended for increase in intake from 150 to 200 seats subject to submission of undertaking to fulfil the deficiency.

25. FAROOKH ACADEMY OF MEDICAL EDUCATION, HUNSURE TALUK APPLIED FOR: FRESH MBBS COURSE

Decision of CAC: As per LIC report 605 beds, as per Fire Safety it shows 300 beds (28.03.2023). OPD 1200. Outsourced Lab. As per MSR & the bed strength of 300 they may be eligible for 150 seats for starting MBBS Course.

Decision of Syndicate: Refer back to CAC.

26. RAMANAGAR MEDICAL COLLEGE: APPLIED FOR: FRESH MBBS COURSE

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 100%, As per the NMC MSR they may not be eligible for fresh MBBS 150 seats.

Decision of Syndicate: The Syndicate accepted the recommendations of the CAC.


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27. KANAKAPURA MEDICAL COLLEGE:**APPLIED FOR: FRESH MBBS COURSE**

Decision of CAC: Based on the observations made by the inspection committee and scrutiny committee there is a staff deficiency of 100%, As per the NMC MSR they may not be eligible for fresh MBBS course with intake of 100 seats.

Decision of Syndicate: The Syndicate accepted the recommendations of the CAC.

For the deficiency of the Government Medical colleges in case the Government issues an undertaking to satisfy the deficiencies as per MSR for the respective intake or increase of the staff and infrastructure the same maybe considered.

Decision of Syndicate: The Syndicate accepted the recommendations of the CAC.

SUBJECT NO. 2(3): LIC INSPECTION REPORTS OF AKASH COLLEGE OF PHYSIOTHERAPY, FRESH AFFILIATION FOR MPT FOR 2024-25 FOR THE ACADEMIC YEAR 2025-26.

Decision of CAC: Based on the scrutiny of the documents the college fulfils criteria in terms of physical infrastructure, Clinical training facility, Library, Labs, Equipment and teaching faculty. Further 5 PG teachers eligible for PG

guide are appointed. **Hence, Recommended for MPT seats as mentioned against the specialties. Total 15 MPT seats**

MPT – Musculoskeletal Sciences 3 seats

MPT – Neurological Sciences 3 seats

MPT – Sports Sciences 3 seats

MPT – Paediatric 3 seats

MPT – Cardio Vascular Pulmonary Sciences 3 seats

Decision of Syndicate: The Syndicate accepted the recommendations of the CAC.

SUBJECT NO. 2(4): FRESH B.PHARM COURSE AT SHRI BASAVESHWARA COLLEGE OF PHARMACY, GADAG FOR THE ACADEMIC YEAR 2023-24.

Decision of CAC: Shri Basaveshwara College of Pharmacy, Gadag has submitted land documents and requested to consider for fresh affiliation in B.Pharm for the academic year 2023-24. (The Syndicate in its 180th Meeting held on 14.07.2023 was decided "Not Recommended as insufficient land and building is not situated in the earmarked land). Now, submitted land documents are verified and found to be correct.

Hence, recommended for grant of fresh affiliation for the academic year 2023-24 for B. Pharm Course with an intake of 60 seats subject to condition that college shall not make any admissions for the academic year 2023-24 and 2024-25 as the last date for admission is over.


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Decision of Syndicate: The Syndicate accepted the recommendations of the CAC.

SUBJECT NO. 2(5): INCREASE IN INTAKE IN B. PHARM 60 TO 100 SEATS AT SHRI BASAVESHWARA INSTITUTE OF PHARMACY, DHARWAD FOR THE ACADEMIC YEAR 2025-26.

Decision of CAC: Shri Basaveshwara Institute of Pharmacy, Dharwad has submitted 26 teaching staff details with their appointment order, declaration form and educational certificates requested to consider the increase in intake 60 to 100 seats in B.Pharm for the academic year 2025-26. (The Syndicate in its 193rd meeting held on 05.12.2024 was decided "Not Recommended" as there is shortage of faculty members). After detailed deliberation Not Recommended for increase in intake due to shortage of staff and infrastructure.

Decision of Syndicate: The Syndicate accepted the recommendations of the CAC.

SUBJECT NO. 195/2. GRANTING OF FUNDS OF RS.20.00 CRORES TO GOVERNMENT DENTAL COLLEGE AND RESEARCH INSTITUTE BANGALURU FROM RGUHS.

Decision of Syndicate: The Syndicate granted approval for granting funds of ₹. 20.00 Crores (Rupees Twenty Crores only) from RGUHS towards upgradation of Government Dental College and Research Institute, Bengaluru.

SUBJECT NO. 195/3. FIXATION OF REMUNERATION FOR SCRUTINY COMMITTEE RELATING TO THE RECEIVED AFFILIATION APPLICATIONS.

Decision of Syndicate: The Syndicate recommended for granting Remuneration of ₹. 2,000/- (Rupees Two Thousand only) per day to each member of the Scrutiny Committee along with admissible TA/DA/LCA as per RGUHS norms for all the faculties.

SUBJECT NO. 195/4. TO REVIEW THE DECISION OF THE SYNDICATE REGARDING THE DECISION TAKEN ON VERIFICATION OF THE SUBMITTED ADMISSION FEE RECEIPTS OF 04 B.SC NURSING COLLEGES FOR THE ACADEMIC YEAR 2022-23.

Decision of Syndicate: The Syndicate after deliberation decided to impose the fine of ₹. 1,00,000/- (Rupee One Lakhs only) for each college as per the recommendation of the Committee & CAC.

SUBJECT NO. 195/5. Creation of corpus fund for Research and Development Activities.

Decision of Syndicate: The Syndicate after detailed deliberation granted approval for creation of Corpus fund of Rs 200 Crores (Rupees Two


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hundred Crores) for Research and Development Activities. The same may be placed before the Finance Committee for ratification.

SUBJECT NO. 195/6. Inviting applications for starting of new Nursing/Allied Health Sciences and Physiotherapy Colleges for the academic year-2025-26.

Decision of Syndicate: The Syndicate after detailed deliberation decided to impose a moratorium for inviting applications for starting of New Nursing Colleges for the academic year 2025-26. Further, the Syndicate granted approval for inviting applications for starting of new Allied Health Science and Physiotherapy Colleges for the academic year 2025-26.

SUBJECT NO. 195/7. Refund of Excess fee paid by the Nursing Colleges towards increase in intake 2024-25.

Decision of Syndicate: The Syndicate after deliberation approved for refund of excess fee paid by the Nursing Colleges towards increase in intake for the academic year 2024-25 after deducting admissible processing fee.

SUBJECT NO. 195/8. Any other matter with the permission of chair.

SUBJECT NO. 195/8 (1): The matter of this appeal is taken for discussion as Table Agenda. Today the appellant Sri. Jai Madegowda is present before this Appellant Authority. The Appeal is disposed off by pronouncing the orders as follows.

ORDER:-

1. Sri Jaimadegowda, Senior Assistant, (dismissed employee of RGUHS) has filed the present representation/appeal; aggrieved by the order dated:07.03.2024 of the disciplinary authority whereby THE PENALTY OF DISMISSAL FROM SERVICE WAS IMPOSED as provided under the Rajiv Gandhi University of Health Sciences non-teaching ministerial post (Cadre and Recruitment) Statutes 2021 under its schedule -III (herein after it is referred as Statute) and Rule 8(8) of Karnataka Civil Services (classification, control and appeal) Rules, 1957. THE SYNDICATE IS THE APPELLATE AUTHORITY TO CONSIDER HIS APPEAL.


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2. The Registrar being the Member Secretary of this Syndicate brief the case. In nutshell, the present delinquent official was the permanent employee of the University as Senior Assistant and was working in the Examination Branch during 2014 April-May examination of PG Medical Course, involved and the allegation is that he was involved in the tampering of answer scripts scam along with other outsource employees and deputed officials in respect of the said examination. The Delinquent Official failed to discharge his duty as a public servant and charges were framed against him about, he unbecoming of government servant. The said charges were enquired from the university by appointing Sri. M.S. Hegde Nagare, retired District Judge as enquiry officer, who submitted his report on 10.04.2017 with observation that, the University failed to prove the charges in view of the fact that the criminal case is still under investigation.
3. Later on, the Government assurance committee of the Karnataka Legislation directed to re-conduct de-novo enquiry by appointing a retired government official. Accordingly, the disciplinary authority by its order dated:08.01.2019 appointed Sri. M.S. Shivaram, retired, Joint Secretary, Government of Karnataka as the enquiry officer to re-conduct the Departmental Enquiry against the said official. The said enquiry officer submitted his enquiry report on 03.12.2021 wherein, he found there was tampering of answer scripts, but expressed his inability to assess the gravity of involvement of each person involved in the said scam and has left to discretion of taking decision to the Disciplinary Authority. In furtherance of the same, two show-cause notices dated: 18.12.2023 and 15.11.2023 with copy of enquiry reports were issued to the said Delinquent Employee.
4. The Delinquent Employee submitted his reply and his reply was found to be unsatisfactory and did not co-relate to the offences


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carried/levelled against him. Though, he had accepted the offences committed by him before Investigating Officer of CCB, but his reply to the show-cause notices was silent on such acceptance, and thereby it is opined to impose major penalties as per KCS (CCA) Rules 1957, Part -IV, Rule 8 sub rule 8 and the matter was referred to the Vice-Chancellor to consider the same. Accordingly, the Vice-Chancellor being the Disciplinary Authority empowered to impose major punishment, passed his order dated:07.03.2024.

5. Aggrieved by the same, Sri. Jai Madegowda has preferred the W.P. No. 7837 of 2024 before the Hon'ble High of Karnataka. The Hon'ble High Court vide its order dated:22.06.2024 disposed of the Writ Petition and granted the liberty to the Delinquent Official to approach this Appellate Authority within 02 weeks and it was further observed that if the Delinquent Employee prefers such Appeal, the Appellate Authority is directed to dispose of the Appeal within the period of 03 months. The Delinquent Employee in furtherance of the leave granted by the Hon'ble High Court has preferred the present Appeal.
6. Since the Appellate Authority felt that the 03 Months granted by the Hon'ble High Court could not be enough to dispose of the Appeal, an application for extension of period to dispose of this Appeal was filed before the Hon'ble High Court through the Panel Advocate in W.P. No.7837/2024. The Hon'ble High Court was pleased to allow the application and extended the time to dispose of this appeal well within 15.02.2025.
7. In pursuance of service of notice of this proceedings, the Appellant/Sri. Jai Madegowda has appeared before this Appellate Authority.


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8. The sum and substance of his appeal/representation dated: 09.08.2024 are that, there was no proof of charges against him as per the report of enquiry officer Sri. Hegde Nagare Rtd., District Judge. Further, he has also relied upon the report of Sri. Shivaram, Rtd., Joint Secretary, Government of Karnataka and urged that discharging him from the service by the order dated:07.03.2024 issued by the Hon'ble Vice-Chancellor was improper. It is further contended that he has preferred the W.P. No. 7837/2024 and urged that the Hon'ble High Court has granted an interim order of stay and on the basis of which, the administration has not reinstated him and ultimately the Hon'ble High Court granted liberty to prefer this Appeal before the Syndicate as it is the Appellate Authority and accordingly, he has preferred the present Appeal. He further requested that by taking consideration of his good number of years of service and the employment being the source of income to his livelihood and by bestowing mercy upon him, he sought for reinstatement and to provide an opportunity to continue his service in the university for remaining period of 03 years of his service. It is also contended that he would bind to the decision that would be rendered in C.C. (Criminal Case) No.15154/2017 pending for trial on the file of 1st ACMM. It is also submitted the order of his discharge may be reconsidered on the final decision by 1st ACMM Court. In addition to this, he has also given an undertaking in writing to that effect. Accordingly, he requested to allow his Appeal.
9. As per Rule 19 of the Statute, the provisions of Karnataka Civil Services (classification, control and appeal) rules 1957 are applicable to the Disciplinary and these Appellate authorities. Accordingly, this Appellate Authority is bound by Rule 25(2) of the said Rules, which lays down guidelines for considering the present Appeal. In furtherance of the same, the following points would arise for consideration by this Appellate Authority: -


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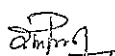

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- 1) Whether the delay in preferring the Appeal beyond 03 Months from the date of the impugned order as contemplated under Rules 20 and 21 can be condoned?
- 2) Whether the procedure prescribed in Karnataka Civil Services, (classification, control and appeal) Rules 1957 have been duly complied with and the findings are justified?
- 3) Whether the penalty imposed upon the Delinquent Employee /Appellant is justified?

10. **Point No.1:-** As per Rules 20 and 21 of the Karnataka Civil Services (classification, control and appeal) Rules 1957 the present Appeal ought to have been submitted within a period of three months from the date of the order of Disciplinary Authority. The present appeal has not been preferred within the prescribed period and the Appeal has been filed on 01.08.2024 in the form of representation contrary to the mandatory provision of Rule 20. The reason for the delay is that Delinquent Employee was unaware of the fact that this Syndicate is an Appellate Authority as against the impugned order and that he has approached the Hon'ble High Court in W.P. No.7837 of 2024 and the Hon'ble High Court has granted the liberty to the Delinquent to prefer the present Appeal. Hence, by invoking the proviso clause to Rule 20 and exercising the discretionary power to condone the delay, it unanimously decided to condone the delay and entertain this Appeal for discussion on merit.

11. **POINTS 2 & 3 :-** Since these points are inter-related to each other, they are dealt together. The Syndicate being an Appellate Authority has called for the entire file from the Establishment Section and carefully perused the same in the light of submission made by the Appellant and facts of the case on record.

12. The members discussed and expressed their view that as per records of the entire file, the investigation by CCB Police



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Authorities based on the complaint lodged by the Registrar Evaluation has been completed in the year 2017. At the time of consideration of the case of the delinquent official on an earlier occasion, there was only a report of the committee, which has ascertained about the scam of tampering of answer scripts during the academic year 2014 of April-May in respect of Post Graduation Examination and the said report did not reveal the persons who were all involved in the said scam.

13. The investigation by the CCB Police was concluded in the year 2017 and by that time, though the materials of investigation with report was placed before the 1st enquiry officer i.e., Rtd., District Judge, he did not have the benefit of investigating all the materials and there was no occasion for him to consider the same and hence thereupon it was clearly mentioned in his report dated: 10.04.2017 that, **“the Criminal Case is still under the stage of investigation, because of this, the disciplinary authority unable to prove the charges against the delinquent employee except the fact that he was arrested by the Police and kept in jail from 08.08.2014 till 14.08.2014 and also he was under suspension from 10.08.2015 to 29.08.2016, for a period of more than one year.”** In that view of the matter, the Assurance Committee of the Government directed the university to re-enquire the matter by appointing a retired Government official and accordingly, Sri M.S.Shivaram, Rtd., Joint Secretary, Government of Karnataka was appointed as second enquiry officer as per order dated: 08.01.2019 as found from the records. As such, it is the opinion of all the members of the Syndicate that the decision of the Disciplinary Authority for appointment of 2nd enquiry officer to obey the direction of Government was inevitable, proper and correct.

14. The Appellant has not at all questioned about the appointment of two enquiry officers and procedure of conducting enquiries


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either in this appeal or before any forum. Hence, it is unanimously agreed and opined that though there were two enquiries, the same was proper and correct especially for ascertainment of truth as tempering of answer scripts is a serious misconduct, which cannot be considered in the lighter manner.

15. The members of the Appellate Authority/Syndicate also elaborately discussed regarding justification of the findings based on the materials on record given by the Disciplinary Authority, the report dated: 03.12.2021 of the second enquiry officer discloses that Ex.P 1 to Ex.P34 and Ex.D 1 were marked and the Police Inspector, who submitted the charge sheet against the present employee and others was also enquired. The PW1 to PW8 were examined. All these material evidence of the enquiries on record are meticulously examined along with the report of second enquiry officer.

16. The report dated: 03.12.2021 of the 2nd enquiry officer reveals that there were four illegalities committed in the tampering of post-graduation examination answer papers for the academic year 2014. The report also specifies about huge corruption of lakhs of Rupees being earned illegally and this certainly amounts to behaving in a manner which is unbecoming of this University employee. The enquiry officer expressed his inability to decide that the accused Sri Jai Madegowda alone has done all these illegalities. Such of his findings does not mean that he was not at all involved in the scam.

17. The Police registered the case in the year 2014 under Crime No.384/2014 in Tilak Nagar Police Station on the basis of the complaint of the then Registrar (Eva) of RGUHS in respect of scam of tampering of answer scripts as reported by the


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committee constituted for the same. Ultimately, it was investigated by CCB Police and lodged the charge sheet/final report as against 15 accused persons for the offences punishable under section 420, 465, 468, R/W section 34 of IPC. Amongst them, the present appellant is fourth accused. Specially it is taken note that amongst all these accused persons, the Appellant was the only permanent employee of the University. The rest of the accused are students. The accused No.s 2 and 3 though worked in the university, but they were on deputation and on report of this incident they were immediately relieved and were sent back to their parent private colleges as the university was not the appointing authority for them. As could be seen from the entire records, it is revealing that, the present appellant was working in the examination section during the period of this incident. It is also admitted by him as found in the records. The Ex.P29 is the statement of the present appellant, who signed on it and recorded by the investigating officer, wherein, he admitted his guilt and his role in the tampering of answer scripts. The same is also forthcoming in the evidence of Sri. H R Lokesh, the then Section Officer of Examination Section, who was enquired by the second enquiry officer as witness No.7. However, such of his statement is not at all challenged by cross examination from the present appellant and thereby, the submission of the appellant before this appellate authority that none of the witnesses spoken against him in the enquiry is falsified. Apart from this, the Police Inspector of CCB by name Sri Mallikarjun, is one of the investigating officers of the said Crime No.384/2014 and submitted the charge sheet to the 1st ACMM Court, which is registered as CC No.15154/2017. The said investigating officer has also enquired by the second enquiry officer as witness No.8. He stated the involvement of the present appellant as an employee of the University along with other accused persons. Of course, he was cross examined by this appellant. In the result of this, it is revealing that his statement dated: 08.08.2015 was


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taken into consideration for his investigation and reiterated such of his statement as true and nothing was elicited to accept the submission of the appellant before this Appellate Authority. These material evidences on record are sufficient to hold that the involvement of the Delinquent employee and for this he unbecoming as an employee of this University as per unanimous opinion of the members of this Appellate Authority/Syndicate.

18. Thus, from these records of the enquiry clearly revealing the involvement of the delinquent Employee/Appellant in the incident of tampering of answer scripts for the academic year 2014 as a permanent employee working in the examination section of this University as found by the Disciplinary Authority in the impugned order challenged in this Appeal. The findings of the disciplinary Authority that the delinquent official not at all explained anything except denial of charges levelled inspite of the repeated notices to him also supports that the Appellant/Delinquent is involved in the tampering of answer scripts from the entire records and elaborate discussions of the members of this Appellate Authority. Therefore, it is unanimously accepted that the findings of the disciplinary authority are fully justified and clearly supported by the material evidences in the enquiry reports.

19. In view of all these discussions and deliberations and on careful scrutiny of the entire records of both enquiry reports and also the investigating materials, which taken into consideration in the de-nova enquiry, it is convinced to this Appellate Authority/Syndicate that, the tampering of answer scripts is heinous act/offence, which not only affects to the carrier of the students, but, also affect to the reputation of the university and also public at large and such an act cannot be viewed leniently and accordingly, this appellate authority unanimously agreed the maximum (major) penalty of dismissed the present appellant


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from his service by invoking the powers conferred under Schedule III of RGUHS C & R Statute and also Rule 8(8) of Karnataka Civil Services (classification, control and appeal) Rules, 1957 would be appropriate and the same is not excessive.

20. Hence, the appeal of the appellant/Sri Jaimadegowda is dismissed and the order dated: 07.03.2024 passed by the Disciplinary Authority is confirmed by this Appellate Authority /Syndicate as per Schedule III R/w the Provisions of the Karnataka Civil Services (classification, control and appeal) Rules, 1957.

SUBJECT NO. 195/8 (2): CONDUCT OF ANNUAL SENATE AND 196TH SYNDICATE MEETING AT MANGALORE.

Decision of Syndicate: The Syndicate granted approval for conducting the above meetings at Mangalore and to bear the expenses from the University as per actuals submitted by the Members.

SUBJECT NO. 195/8 (3): PROVISION FOR STUDENT'S NAME CORRECTION IN THE ADMISSION ONLINE PORTAL.

Decision of Syndicate: The Syndicate after deliberation granted approval for correction of student name as per SSLC/10th Marks Card in the admission online portal after collecting a fine of ₹ 1,000/- (Rupees One Thousand only) from the college for each correction. The correction shall be done in the admission portal by the System Analyst after taking proper approval from the Registrar in file.

SUBJECT NO. 195/8 (4): AMALGAMATION OF OLD SCHEME MBBS STUDENTS INTO THE NEW CBME COURSE CURRICULUM.

Deliberation: The Registrar (Evaluation) brought to the notice of the Syndicate that number of requests/representations are being received from students seeking implementation of two valuations and considering best marks among two valuation similar to the procedure adopted for students admitted from 2019-20 onwards. In view of the court judgements, and apex body norms, the University on its own cannot change the number of valuations without directions from the National Medical Council.

The National Medical Commission (Undergraduate Medical Education Board) in its circular no. u.11026/1/2022-UGMEB dated 31.03.2022 provided the provision for amalgamation of old scheme students (Prior to 2018-19) to the new CBME course curriculum.


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It was proposed that in accordance to the provisions provided by NMC, the existing RS3 students may be permitted for amalgamation with the new CBME course curriculum upon written consent by the students.

The difference between the old scheme and the new CBME scheme as far as the conduct of examination, valuation and computation of results in addition to other domains of teaching and learning activities (Cognitive, affective and Psychomotor) are as follows:

Sl. No.	RS3 Scheme	New CBME Scheme
01.	4 valuation for each script and in case of 15% difference of marks, referring to 5th valuation	2 valuations for each script.
02.	Results are computed by taking average of 4 highest marks	Best marks out of two valuations are considered for result computation.
03.	5 grace marks in case the student is passing the exam by award of grace	No grace marks.
04.	Passing criteria: 50% marks in theory + Viva 50% marks in practical	Passing criteria: 40% minimum marks in theory 40% minimum marks in Practical + viva 50% marks together with Theory and Practical.
05.	There No MCQs	MCQs for 10 marks
06.	There is no bar on maximum duration for completion of the course	The maximum duration for completion of the course is double the duration of the course and first year has to be completed within four attempts/four years.

It was brought to the notice that this matter was discussed in the Board of Studies of RGUHS and it was recommended to obtain the written consent from the students who are willing to amalgamate with new CBME course curriculum. The CAC has recommended to constitute a committee and the Syndicate in its 172nd meeting approved the recommendations. Only 1 student had opted for such benefit during 2022-23. Now, the matter is placed again before the Syndicate for approval of amalgamation of RS3 scheme students into new CBME batch as per the eligibility and acceptance of the above change in criteria for examination, eligibility criteria, subjects of study, valuation criteria, result computation, passing criteria, number of attempts and maximum duration for completion of the course.

Decision of Syndicate: The Syndicate after detailed deliberation approved that the existing RS3 students may be permitted for amalgamation with the new CBME course curriculum upon written consent by the students as per the provisions provided by the National Medical Commission (Undergraduate Medical Education Board) in its circular no. u.11026/1/2022-UGMEB dated 31.03.2022 and as per the eligibility and acceptance of the above change in criteria for examination, eligibility criteria, subjects of study, valuation


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criteria, result computation, passing criteria, number of attempts and maximum duration for completion of the course.

The details for merging of schemes year-wise may be finalized by the Department of Curriculum Development in consultation with Examination Section. It was also suggested to obtain an undertaking on a bond paper from the students who accept and submit willingness in writing with above criteria for change of scheme which shall be forwarded by respective college principals.

However, if NMC modifies the evaluation criteria for RS3 batch students, the students shall have the option of choosing the scheme for continuation of the course.

SUBJECT NO. 195/8 (5): TO STUDY THE INCREASE IN THE CANCER CASES.

The Syndicate decided to commission a committee to study cause for diseases such as cancer, stroke, and myocardial infarction (MI), which are significant causes of morbidity and mortality worldwide and the country. This committee be tasked with research, prevention strategies, or improving care, outcomes for patients affected by these conditions leading to policy recommendation in the State.

The meeting concluded with thanks to the Chair and all the members present.


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To,
All the Members of Syndicate.

Copy to: -

1. The Special Secretary to Governor, Raj Bhavan, Bengaluru - 560 001
2. Private Secretary to Hon'ble Minister for Medical Education, Skill Development, Entrepreneurship & Livelihood Department and Pro-Chancellor of RGUHS, Bengaluru
3. Personal Secretary to Principal Secretary to Government, Medical Education, M S Building, Bengaluru - 560 001
4. PA to Vice-Chancellor/ Registrar / Registrar (Evaluation), RGUHS
5. RGUHS Webserver - To host on website
6. Guard File / Office Copy


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