



جامعہ ہمدرد

JAMIA HAMDARD

(A Government Aided Deemed to be University)



F.No. JH/RO/HIMSR/Exams/2025/ICOR/LD/408

Dated: 19.04.2025

To

Dr. Sunil Kohli

Professor of Medicine (Under Suspension)

Hamdard Institute of Medical Sciences & Research (HIMSR)

Jamia Hamdard

New Delhi-110062

Dear Dr. Sunil Kohli,

1. In reference to your email dated 17.04.2025 regarding "Issuance of Examination Admit Cards of MBBS Students studying in HIMSR", I am directed to inform you the following:
2. In response of para-1 of your email, in relation to the Order dated 09.08.2024 & 09.09.2024, the issue with regard to the authorization of Admit Cards from legally appointed Principal/Dean i.e., Dr. Sudhir Kumar Jain was never there in the said petition and it is clear that you are trying to confuse the issue by misinterpreting the orders of the Hon'ble High Court of Delhi which is a contemptuous act.
3. With regard to the Order dated 09.12.2024, it is clarified that the Jamia Hamdard prior to the hearing vide its office order no. F. No. JH/RO/2024/ICOR/108 had informed the In-charge of the examination cell of HIMSR that the admit cards for the students for 2nd Professional MBBS Examination (2022) bear the signatures of you, Dr. Sunil Kohli (under suspension) and requested to provide the Hall Tickets for the signatures of the Principal/Dean, HIMSR i.e., Dr. Sudhir Kumar Jain.
4. It is submitted that the same stand was taken by the Jamia Hamdard in W.P.(C) No. 17038/2024 that the Admit Cards shall be issued on the signatures of the lawfully appointed Principal/Dean of HIMSR i.e., Sudhir Kumar Jain, and HIMSR was, thus, directed to comply with the said mandatory compliances by the Hon'ble High Court of Delhi. The relevant paragraph of the order dated 09.12.2024 after taking note of office order no. F. No. JH/RO/2024/ICOR/108 is reproduced herein:

"10. With respect to the mandatory compliances etc. are concerned, the Court directs respondent no. 1(HIMSR) to immediately get in touch with the Respondent No. 2(Jamia Hamdard) and to ensure that in the meantime all the mandatory compliances are met."
5. It is pertinent to mention here that the purported counsel on behalf of HIMSR appeared before the Hon'ble Court and gave assurances before the Hon'ble Court regarding mandatory compliances to be adhered to.
6. That, the Jamia Hamdard vide its office order No. F. No. JH/RO/2024/ICOR/109 dated 09.12.2024, subsequent to passing the order again requested the In-charge of the examination cell of HIMSR to ensure the mandatory compliances as per the order of the Hon'ble Delhi High Court. Thereafter, the In-charge of the examination cell of HIMSR sent an email to the Registrar, Jamia Hamdard that the order of the Hon'ble

Delhi High Court was not uploaded by then and ~~he~~ further requested to allow the admit cards signed by you, Dr. Sunil Kohli (under suspension) due to paucity of time in complying with the High Court order and it was not denied that the Hon'ble High Court had directed you to have the admit cards signed by the lawfully appointed Principal/Dean i.e., Dr. Sudhir Kumar Jain.

7. Thereafter, on the same day i.e., 09.12.2024, you, while still under suspension had issued a Public Notice, falsely stating that you were duly recognized as Dean by National Medical Commission (NMC) and have forwarded the admit cards with your own signatures, which was clearly in teeth of the order passed by this Hon'ble Court on 09.12.2024, which itself shows the willful disobedience of the orders of this Hon'ble Court by the In charge of examination cell, HIMSR and yourself.
8. That, the Jamia Hamdard vide its 3rd Office Order F. No. JH/RO/2024/ICOR/110, dated 09.12.2024 again informed the In-charge, Examination cell of HIMSR that the admit cards for the students for 2nd Prof. MBBS Examination (2022) bear the signatures of you, the Dr. Sunil Kohli (under suspension) and, therefore, requested to provide the hall tickets for the signatures of the Principal/Dean, HIMSR i.e., Dr. Sudhir Kumar Jain in compliance of the order passed by the Hon'ble High Court of Delhi.
9. That, any document signed by you purporting to be the Dean, HIMSR would be void and consequently the same adversely affects the academic career of any medical student of HIMSR to whom such documents are issued.
10. In fact, since you were falsely claiming that you were duly recognized as the Dean of HIMSR, the NMC vide MARB, NMC letter dated 20.02.2025, has passed strictures against you stating that no such recognition has been granted and directing you to not make such claims of recognition.
11. It is reiterated that the University is fully committed to issue the Examination Admit Cards of MBBS enrolled Students in HIMSR but cannot do so on the basis of forged documents issued by a person who is not holding a responsible position as Principal/Dean of an institution which is part of the Jamia Hamdard as the same would not be in the best interests of the medical students and would be contrary to the rules, regulations and the law.
12. The necessary documents must be signed by the person who is holding the post of Principal/Dean, HIMSR i.e., Prof. Sudhir Kumar Jain but it appears that you are coercing the medical students not to approach Prof. Sudhir Kumar Jain, Principal/Dean, HIMSR appointed by the University for his signatures out of your own vested interests and such acts are actively jeopardizing the careers of the medical students of HIMSR.
13. It may also be noted that the appointment of Prof. Sudhir Jain was through a public and transparent process against a vacant post of Principal, HIMSR created by the University which lasted almost a year and no successful challenge was made by you to the same prior to the appointment of Prof. Sudhir Jain as Principal/Dean, HIMSR.
14. In response of para 2 & 3 of your email, it is pertinent to point out that the orders passed in various litigations show that directions have been passed with respect to the private parties to the Family Settlement Deed (FSD) and not with regard to Jamia Hamdard. The Jamia Hamdard is not a party to the arbitration. Without prejudice to

the aforesaid, it is informed that Hamdard Institute of Medical Science and Research (HIMSR) is a school/institution of Jamia Hamdard (Deemed to be University) as also duly notified on 12.09.2022 in accordance with the directions of the University Grants Commission. Hence, as per the order dated 20.09.2022 and 02.03.2023, HIMSR has no separate legal existence and thereby, can assert no independence from the same and even seen in that light, there is no violation of any *status quo* order by any court of law. Prof. Sudhir Kumar Jain was appointed through a transparent and public recruitment process which lasted nearly a year and during all that time, you failed to get any order from any authority including the Ld. Arbitrator stopping such recruitment, which itself shows that the recruitment process was not in contravention of any order or any law.

15. Without prejudice to the aforesaid, there is no order passed in the arbitration proceedings or any legal proceedings which has interdicted the appointment made by the Jamia Hamdard and continuance of Prof. Sudhir Kumar Jain as the Principal/Dean, HIMSR.
16. It is further informed that you along with two private individuals namely Mr. Abdul Majeed and Mr. Asad Mueed, had filed a writ petition No. 17684 of 2024 before the Hon'ble High Court of Delhi against Jamia Hamdard and National Medical Commission, seeking directions to be passed against the University to cooperate with you by recognizing you as Officiating Dean of HIMSR while also questioning the appointment of Prof. Sudhir Jain as the Principal/Dean, HIMSR, Jamia Hamdard citing NMC Regulations etc. and sought interim reliefs to such effect. All the grounds urged by you herein were also urged in the said writ petition but till date, no interim relief whatsoever was granted in your favour or the private individuals. You have also failed show on the records that who is the authority other than the University could make the appointment of Principal/Dean of HIMSR.
17. The UGC through its letter dated 09.07.2024 has already rejected the application submitted by a third society namely Hamdard Education Society (HES) for grant of autonomous status to HIMSR on the strength of the BOM Resolution dated 03.07.2021. The UGC in the rejection letter stated that no institution under a deemed to be University could be accorded such autonomous status and the Jamia Hamdard being a deemed to be University, it is unitary in nature as per the UGC Institutions Deemed to be Universities Regulations, 2023. You have full knowledge about the said UGC communication dated 09.07.2024.
18. The UGC taking cognizance of the said BOM Resolutions in the context of Family settlement deed (FSD), had constituted an expert committee and it was held that the Jamia Hamdard cannot hand over the control of HIMSR to any third party such as HES and the same is violative of UGC Institutions Deemed to be Universities Regulations, 2019. The said UGC directives dated 07.11.2022 were duly adopted by the Board of Management of Jamia Hamdard in the subsequent emergent meeting held on 05.12.2022 and the said resolution has not been set aside by any Court of law. As a result, there can be no question of Jamia Hamdard being a deemed to be University turning a blind eye to the violations of UGC Regulations and university directives issued in this regard related to the affairs of HIMSR.
19. Until such time, the UGC withdraws its previous directions dated 07.11.2022 & 09.07.2024 and grants approval for HIMSR to function independently without any supervision by the University, Jamia Hamdard is bound in law not to recognize

interference by a third-party society or its office bearers or agents in the functioning of HIMSR which is a school/institution of Jamia Hamdard. It is further reiterated that HIMSR has not been accorded with any independent status under any UGC Regulations or any other law.

20. That, the RBI Ombudsman has already frozen the illegal bank accounts being operated by the Petitioners under the name of HIMSR *vide* order dated 10.10.2024 and aggrieved by the same, the Hamdard Education Society filed W.P.(C) No. 14908 of 2024 before the Hon'ble Delhi High Court. The RBI has filed its counter affidavit in the W.P.(C) No. 14908 of 2024 stating that the Family Settlement Deed (hereinafter referred to as the FSD) had not been implemented and the HIMSR had not been officially transferred from the Jamia Hamdard University to the third-party Society *i.e.*, HES, which is subject to various NOCs and permissions from different statutory government bodies such as DDA, NMC, UGC etc. The RBI Ombudsman also relied upon one letter dated 05.08.2021 written by the Secretary, Hamdard Education Society addressed to the Registrar of Jamia Hamdard University seeking NOC, issuing affidavits, signing agreements etc. arising out of the Board of Management Resolution dated 03.07.2021 which was never issued by the Jamia Hamdard University because of various constraints by law.
21. In response of para 4 of your email, it is reiterated that the Jamia Hamdard is insisting that the admit cards be signed by the legally appointed Principal/Dean of HIMSR who is Prof. Sudhir Kumar Jain and it is you who are insisting that the admit cards be signed by a person who is not the Principal/Dean. Furthermore, it is incorrect that any previous dean was appointed by HNF-MREC. It is also informed that the sponsoring body of the Jamia Hamdard is the Jamia Hamdard Society itself as confirmed by the Government of India, Ministry of Education communication dated 15.01.2025 and the same has not been challenged before any Court of law. Hamdard National Foundation is one of the funding bodies of Jamia Hamdard and it is under legal obligations to provide financial aid to Jamia Hamdard. You may appreciate the fact that no ownership rights could be granted to a funding body which funds an educational institution under any law.
22. It is pertinent to note herein that an application for autonomous status made by HIMSR was rejected by the UGC in 2024 and on the other hand Jamia Hamdard has not granted any affiliation to HIMSR to function under Hamdard National Foundation or Hamdard Education Society without any interference of the University. Further, neither the Executive Council of Jamia Hamdard or Officers of the Jamia Hamdard at any point of time delegated the powers to appoint a principal/Dean of the HIMSR to any of the office bearers Hamdard National Foundation or Hamdard Education Society nor they could exercise such powers in relation to the functioning of the HIMSR which is part and parcel of the Jamia Hamdard.
23. In such circumstances, for you to unilaterally usurp the official position of Prof. Sudhir Kumar Jain, Principal/Dean, HIMSR appointed by the highest decision-making body of the Jamia Hamdard (Executive Council) is completely shows ignorance of law and also illegal. Furthermore, till date your suspension has not been stayed and continues to be in force.
24. Your assertion that Jamia Hamdard (Deemed to be University) not to issue any directions to HIMSR and instead act on the instructions of you is not only illogical but also completely contrary to the law and the UGC (Institutions Deemed to be

Universities) Regulations as applicable to Jamia Hamdard as well as the relevant NMC Regulations. Hence, you are advised not to insist on violating the categorical instructions given by the UGC with regard to the functioning of HIMSR as also relevant UGC Regulations and that such acts are not at all in the interests of the students.

25. You had already been informed of such facts by the University's letter dated 27.03.2025 but it seems no corrective actions have been taken till date and your actions are creating stumbling blocks and hindrance in the functioning of the HIMSR and adversely affects the academic functioning of the HIMSR, Jamia Hamdard.
26. Due to your continuous subversive activities, in the recent meetings held in Feb 2025, the Academic Council and Executive Council of the University has taken a conscious decision not to offer MBBS or MD/MS programme in the new academic year 2025-26 and these programmes are not included in the University Admission Prospectus 2024-25.
27. It is, therefore, requested that you stop creating such hurdles and allow the lawful functioning of the University and its medical college - HIMSR so that the Admit Cards can be issued to the eligible medical students of HIMSR failing which you shall solely be responsible for any adverse consequences which may arise in this regard.
28. It has come to the notice of the Jamia Hamdard administration that you have been threatening the medical students with dire consequences if they approach Prof. Sudhir Kumar Jain for official purposes. In the interests of the students, you are directed to not stop the students from approaching the Prof. Sudhir Kumar Jain, the legally appointed Principal/Dean, HIMSR and having their admits cards signed so that their exams are conducted. In the event, you continue with such conduct and delay the examinations of the students, all consequences of the same shall solely be your responsibility.


19/04/25
(Dr. Sarfaraz Ahsan)
Registrar (Officiating)

Enclosures:

1. A copy of order of the Hon'ble High Court dated 09.12.2024 in WP (C) 17038 of 2024
2. A copy of the letter no. F. No. JH/RO/2024/ICOR/108, dt. 09.12.2024 addressed to In charge, Exam. Cell, HIMSR.
3. A copy of 2nd Office no. F. No. JH/RO/2024/ICOR/109 dated 09.12.2024 issued by the JH calling upon Jamia Hamdard to comply with the order of the Hon'ble High Court so that the University can take further Steps.
4. A copy of the email sent by the In-charge, HIMSR dated 09.12.2024.
5. A copy of illegal public notice dt. 9.12.2024 issued by Dr. Sunil Kohli falsely stating that he was duly recognized Dean by NMC
6. A copy of the 3rd Office Order F. No. JH/RO/2024/ICOR/110 dated 9.12.2022.
7. A copy of NMC letter dated 20.02.2025.
8. A copy of UGC rejection letter dated 09.07.2024 addressed to the Registrar, JH rejecting the proposal for grant of autonomous status to HIMSR
9. A copy of Jamia Hamdard letter No. ECOR/49, dated 27.03.2025, to Dr. Sunil Kohli.