

Petitioner's legitimate expectation and in violation of Article(s) 9, 10-A, 18 and 25 r/w 4 of the Constitution of Islamic Republic of Pakistan, 1973 and is liable to be struck down;

ii. Direct the Respondent No. 2 to process the Applications for Admission submitted by the Petitioners and all other candidates who appeared in the MDCAT for the academic year 2025-2026 for admission in the MBBS program for the academic intake of 2025-2026 and to allow them to join classes for MBBS;

iii. Restrain the Respondents their subordinates, agents and/or assigns from implementing the minimum 55% (for MBBS) and 50% (for BDS) MDCAT threshold for MBBS and BDS in take for the academic year of 2025-2026.

iv. Suspend the requirement of 55% minimum score in MDCAT examinations for the 2025-2026 intake in the MBBS program and allow the Petitioners to join classes for the MBBS program in the session commencing in 2025-2026;

v. Direct the Respondents their subordinates, agents and/or assigns to reduce the MDCAT threshold for the academic intake of 2025-2026 and/or provide similar exemption as provided to students last year vide Letter dated 13.05.2025 issued by Respondent No 1;

vi. Grant any further, better and/or consequential relief to the Petitioner in the facts and circumstances of the case;

vii. Grant cost."

2. Mr. Ayan Mustafa Memon, learned counsel for the petitioners, contended that the notification dated 29th July, 2024 (the '**impugned notification**'), issued by the Pakistan Medical & Dental Council ('**PMDC**'), whereby a minimum requirement of 55% marks in the Medical & Dental College Admission Test ('**MDCAT**') was prescribed for admission to MBBS programme and 50% marks for admission to BDS programme, which is discriminatory, arbitrary, illegal, disproportionate and violated Article 8, 9, 10-A, 18 & 25 of the Constitution of Islamic Republic of Pakistan, 1973 (the '**Constitution**'). He further contended that the PMDC, being a statutory

regulatory authority entrusted with the regulation of admissions to medical and dental colleges in Pakistan, is under a legal obligation to prescribe and maintain eligibility criteria strictly in accordance with the prevailing standards of education, and in a manner that is fair, reasonable, and consistent with the mandate of the law. Developing his submissions, learned counsel argued that under Section 17 of the Pakistan Medical & Dental Council Act, 2022 (the 'PMDC Act'), the PMDC is mandated to regulate admissions in medical colleges; however, the statute does not prescribe any minimum threshold of passing marks. He further submitted that the petitioners, despite having secured more than 50% marks, were rendered ineligible for admission to medical colleges on account of the stringent and onerous criteria imposed by the PMDC. It was contended that such irrational and ill-conceived eligibility criteria resulted in a substantial number of seats in MBBS and BDS programme remaining vacant for want of eligible candidates. Learned counsel further contended that Shaheed Mohtarma Benazir Bhutto Medical University, Larkana, being the admitting university for the Province of Sindh, had formally requested PMDC to reduce the minimum eligibility criteria for admission to MBBS and BDS programme from 55% and 50% to 45% and 40% respectively; however, no decision has been taken by the PMDC on the said requisition. He emphatically argued that the inaction on the part of the PMDC is arbitrary and has the effect of jeopardizing the academic future of the petitioners as well as other similarly placed aspirants seeking to pursue the medical profession. He, therefore, prayed that this Court may be pleased to exercise its constitutional jurisdiction to direct the respondents to suitably revise and reduce the admission eligibility criteria for medical and dental colleges, in the manner prayed for.

3. Mr. Zeeshan Abdullah, learned counsel for respondent No.1, PMDC, contended that PMDC is a regulatory authority to oversee admissions in MBBS & BDS courses. He contended that in terms of Section 47 of the PMDC Act, the admission policy for Session 2025-26 was formulated, wherein the PMDC the minimum eligibility criteria for admission in the MBBS and BDS Programme was fixed as 55% and 50% MDCAT marks. He further contended that the MDCAT was held, wherein about 14300 candidates from the province of Sindh secured 55% and above marks. He contended that, as against 4400 seats allocated for the MBBS programme in the public and private colleges of the Province of Sindh 14300 eligible candidates were available. He contended that in Public Medical Colleges all the seats on merit and self-financing scheme

were duly filled and about 284 seats in MBBS programme were lying vacant in Private Medical Colleges due to the exorbitant fees. He further submitted that PMDC has prescribed the eligibility criteria for admission to MBBS and BDS programme, and that any relaxation or reduction in such criteria would have the effect of undermining and diluting merit. He further contended that availability of vacant seats was no ground to grant reduction in admission eligibility criteria. He, therefore, prayed for dismissal of the petition.

4. Mr. Muhammad Tariq Abbasi, learned counsel for Respondent No.2 contended that Shaheed Mohtarma Benazir Bhutto Medical University is admitting university and has allowed admission in the Medical and Dental Colleges of province of Sindh as per PMDC criteria.

5. Learned Assistant Attorney General for Pakistan adopted the arguments advanced by the learned counsel appearing on behalf of PMDC.

6. Heard arguments and perused the material made available before us on record.

7. The crux of the controversy involved in the present *lis* is that the petitioners appeared in the MDCAT, passed and secured over 50% marks, yet they were ineligible for admission in MBBS programme offered by Private Medical Colleges due to minimum eligibility threshold of 55% MDCAT marks. The petitioners, therefore, seek a reduction in the minimum eligibility criteria fixed by PMDC, in order to secure admission in MBBS or BDS programme, by meeting the criteria laid down by PMDC. The respective provincial governments are burdened to conduct MDCAT for purposes of admission to medical and dental colleges. Section 17 of the PMDC Act, envisages that no student shall be awarded medical or dental degree unless he passed MDCAT prior to obtaining admission. Section 17 is reproduced hereunder for ease of reference:-

“17. Medical and Dental Colleges Admission Tests (MDCAT).- (1) *Each province, Gilgit-Baltistan and Islamabad Capital Territory as per the policy and standards approved by the Provincial Governments and Federal Government respectively shall conduct on the dates approved by the Council, a single admission test based on the intermediate or equivalent syllabus for all students seeking admission in*

undergraduate programs both in public and private medical and dental colleges and universities,

(2) No student shall be awarded a medical or dental degree in Pakistan who has not passed the MDCAT prior to obtaining admission in a medical or dental college in Pakistan;

Provided that the mandatory requirement of MDCAT shall not apply to students seeking admission on a special program seat predefined exclusively for foreign students and on the seats reserved for overseas Pakistanis.

(3) The admission to medical and dental programs conducted by public and private colleges and universities shall be regulated as per the policy and standards of the Federal Government through Minister-Incharge. Provincial Government and Gilgit Baltistan strictly on merit. However, private colleges may take any additional entrance test subject to any condition imposed by the relevant university to which such college is affiliated;

Provided that the marks obtained by a student in MDCAT conducted by the province shall constitute a minimum of fifty percent of the weightage for the purposes of admission in the public and private colleges.

(4) The MDCAT result of one province shall be valid for the entire country and shall be valid for a period of three years. Each province, Gilgit-Baltistan and Islamabad Capital Territory shall give preference to the students having domicile of their respective province or territory as the case may be.

(5) Admissions on vacant seats shall be decided by the respective provincial government and respective authority in case of Gilgit-Baltistan and Islamabad Capital Territory."

8. From the perusal of the above provisions of law, it is obvious that admission in medical colleges will be subject to passing the MDCAT. The admission to medical and dental programme offered by public and private colleges and universities shall be regulated in accordance with the policy and standards formulated by PMDC with prior approval by the Federal Government through Minister-in-charge. However, private colleges may take any additional entrance test, subject to any condition imposed by the relevant university to which such college is affiliated. It is relevant to state that under the statute, the passing criteria, *viz-a-viz* percentage of passing marks in the

MDCAT, have not been provided; however, it is left at the discretion of the Government and PMDC to formulate such policy and fix a minimal eligibility threshold for admission in MBBS and BDS programme.

9. Section 47 of the PMDC Act, empowers PMDC to make statutory Rules & Regulations to carry out the purposes of the Act, which includes to maintain minimum standards of course of study, admission etc. Section 47 reads as under:-

“47. Power to make rules and regulations. (1) The Council may, with the prior approval of the Federal Government through Minister-in-charge, make statutory rules and regulations generally to carry out the purposes of this Act and, without prejudice to the generality of this power, such rules and regulations may provide for-

(a) the management of the property of the Council and the maintenance and audit of its accounts;

(b) the summoning and holding of meetings of the Council, the times and places where such meetings are to be held, the conduct of business there at;

(c) the powers and duties of the President;

(d) the mode of appointment of the executive committee and other committees, the summoning and holding of meetings and the conduct of business of such committees;

(e) code of practice and ethics for the medical and dental practitioners;

(f) the appointment, powers, duties and procedures of medical and dental inspectors;

(g) the conditions and procedure for maintenance, compilation and publication of the register of medical and dental practitioners and of health care providing facilities and /their minimum requirements and the fees to be charged for registration and, if necessary, for opening of sub-offices or v branches for this purpose;

(h) the procedure for any inquiry under sub-section (1) of section 44; and

(i) any matter for which under this Act provision may be made by rules and regulations.

(2) Notwithstanding anything contained in sub-section (1), the Council shall make statutory regulations which may provide for

- (a) *prescribing a uniform minimum standard of courses of training for obtaining graduate and post-graduate medical and dental qualifications to be included or included respectively in the First and Third Schedules;*
- (b) *prescribing minimum requirements for the content and duration of courses of study as aforesaid;*
- (c) *prescribing the conditions for admission to courses of training as aforesaid;*
- (d) *prescribing minimum qualifications and experience required of teachers for appointment in medical and dental institutions;*
- (e) *prescribing the standards of examinations, methods of conducting the examinations and other requirements to be satisfied for securing recognition of medical and dental qualifications under this Act;*
- (f) *prescribing the qualifications, experience and other conditions required for examiners for professional examinations in medicine and dentistry antecedent to the granting of recognized medical and dental and additional medical and dental qualifications;*
- (g) *registration of medical or dental students at any medical or dental college or school or any university and the fees payable in respect of such registration;*
- (h) *laying down criteria including university affiliation, conditions and requirements for recognition and continuation of recognition and for grant of status of a teaching institution of institutions and organizations under this Act and on all connected matters of inspection of medical and dental institutions for recognition and continuation of recognition and inspection of examinations in these institutions and fee for such inspections;*
- (i) *terms and conditions of service for all employees appointed under section 9 which shall be Gazette notified;*
- (j) *election of members of the Council; and*
- (k) *prescribing a uniform minimum standard for continuous professional development for registered graduate and post-graduate medical and dental practitioners."*

10. From a bare perusal of the above provisions of law, it is abundantly clear that PMDC may frame rules and regulations subject to the prior

approval of the Federal Government through the Minister-in-charge. PMDC has framed regulations governing admissions to medical and dental colleges in Pakistan for current academic session, titled the “**Medical and Dental Undergraduate Education (Admissions, Curriculum and Conduct) Policy and Regulations 2025.**” It appears that the Policy and regulations were framed without obtaining prior approval from the Federal Government, as is required under Section 47 of the PMDC Act (If prior approval is obtained, no such record was made available to the Court). However, since the regulations pertain to admissions in medical and dental colleges, and it has been noted that a large number of students have already been admitted for the academic session 2025-226, any adverse action or decision taken in respect of the regulations may ultimately affect the future of the admitted students and that too without any fault on their part. Accordingly, PMDC is directed to exercise due caution and care in future and to ensure that all rules and regulations are framed only after obtaining prior approval from the Federal Government.

11. PMDC made Regulations and Admission Policy 2025 and made it public through a public notice in the month of July 2025. Admission Policy provides a schedule to conduct MDCAT test by provincial governments and admission process in public and private medical colleges with a clear deadline. We have carefully examined the provisions of the Admission Policy, 2025, which lays down an exhaustive and complete mechanism for admissions in MBBS and BDS Programme. For the sake of convenience, Regulations 3, 4 and 5 are reproduced herein under:-

3. **Eligibility for Admission.-** (1) *Any person seeking admission in any undergraduate medical or dental college in Pakistan shall be eligible having fulfilled the following mandatory criteria;*
- a) *have passed the MDCAT examination;*
 - b) *obtained a Higher Secondary School Certificate qualification ("HSSC") or an equivalent 12th grade qualification recognized in Pakistan and having obtained a minimum of sixty percent (60%) marks therein, or a higher percentage as may be notified by the Pakistan Medical and Dental Council; and*
 - c) *passed the mandatory subjects of biology and chemistry. The student may opt to qualify either physics or mathematics in the examination of the Higher Secondary School Certificate or an equivalent 12th grade qualification recognized in Pakistan:*

Provided that the mandatory requirement of MDCAT shall not apply to students seeking admission on a special program seat predefined exclusively for foreign students and on the seats reserved for overseas Pakistanis. Such students shall qualify SAT-II with minimum score of 550 in each subject or a foreign MCAT examination or UCAT examination with 50% marks in the subjects as prescribed in Regulation 3 (c).

Provided further that Expatriate candidates having Intermediate/HSSC/A-Level with mandatory subjects of Chemistry and Biology are eligible for MBBS / BDS admissions on specified seats and the rest as optional subjects.

Provided further that a student admitted on a foreign seat shall pay the fee as a foreign student regardless of any change in status of such student during the program of study.

(2) The general principle to be applied shall be that admissions to medical colleges should be concluded prior to admissions of dental colleges, and admissions to the public sector colleges are concluded prior to admissions to private colleges.

<i>Public Medical Colleges</i>	<i>31st December each year</i>
<i>Private Medical Colleges</i>	<i>31st January each year</i>
<i>Public Dental Colleges</i>	<i>15th February each year</i>
<i>Private Dental Colleges</i>	<i>28th February each year</i>

4. Admissions Process.- (1) *Each province, Gilgit-Baltistan and Islamabad Capital Territory as per the policy and standards approved by the Provincial Governments and Federal Government respectively shall conduct on the dates approved by the Council, a single admission test based on the intermediate or equivalent syllabus for all students seeking admission in undergraduate programs both in public and private medical and dental colleges and universities.*

(2) *National University of Medical Sciences (NUMS) shall be the Admitting University responsible for admissions in all Armed Forces- Administered medical/dental colleges / institutes. NUMS admission test shall be considered only for admission in all Armed Forces Administered medical/dental colleges.*

(3) The government / admitting university shall formulate the merit and admission criteria for the public colleges as under:

MDCAT	50% weightage
F.Sc. (Pre-Medical)/HSSC/Equivalent	40% weightage
SSC/Matriculation/Equivalent	10% weightage

(4) The government may create category of seats such as disabled candidates, backward areas/under-developed districts and reciprocal / good will seats etc. in the public colleges for purposes of admission in accordance with applicable law. Subject to Regulation 3 (1) (c) no category shall be created which permits a student who has not qualified the MDCAT or admitted in violation of the fundamental principle of merit as mandatorily applicable under Article 37(c) of the Constitution of the Islamic Republic of Pakistan, 1973.

(5) The final criteria for merit and admission including all category of seats shall be publicly announced by or before 1st September of each year. A copy of the criteria and categories shall be provided to the Council by 1st September of each year.

(6) If any public scholarship or funded program requires seats to be allocated for its program in public colleges, the public authority responsible for such program shall seek and obtain the allocation of the required seats from the respective government or authority in respect of public colleges administered by them by or before 1st August of each year. All quotas and special seats shall be adjusted within the approved seat allocation by the Council for the institution.

(7) Self-Finance/Overseas Pakistanis/ Dual Nationals (Expatriates) and Foreign Quota Seats.-

(a) No candidate shall be eligible for Self-Finance Overseas / Dual Nationals (Expatriates) quota seats in the public and private medical and dental institutions unless, he holds a permanent foreign nationality or is an overseas (being a Pakistani citizen permanently resident in a foreign country) Pakistani, Green Card Holder, Iqama Holder, Maple Card Holder and who has studied and passed Intermediate/FSc/HSSC 12th grade examination or equivalent from within or outside Pakistan, accompanied by an equivalence certificate issued by the Inter Board Committee

of Chairmen (IBCC). Chemistry and Biology are mandatory subjects, and applicants must have secured at least 60% marks in their intermediate or equivalent qualification.

(b) Students admitted under this quota must complete their entire period of study within the same quota/category.

(c) The maximum annual tuition fee chargeable to candidates admitted under the Overseas Pakistani category shall be upto USD 15,000/-; though the institutions may charge up to USD 20,000 if duly justified by the institution and approved by the Council. The fee for students admitted under this quota will be collected in foreign exchange and to this effect. Each student will also be required to submit an undertaking or bond affirming that the terms and conditions of admission under this quota will remain applicable and unchanged throughout the entire course of study. This fee mechanism shall not apply to the 5% Federal Government special category seats (such as under the Pakistan Technical Assistance Program [PTAP] etc. which will continue to operate under the prevailing terms and conditions as decided by the Government).

(d) There shall be a 15% Quota for Self-Finance / Overseas Pakistanis / Dual Nationals (Expatriates) which shall be applicable to both public and private medical and dental colleges within their approved seat allocation purely on merit. The admissions under this category shall be managed by the respective admitting universities.

(e) In terms of admission requirements, applicants are required to have taken one of the following: the MDCAT Examination, the SAT-II (with a minimum score of 550 in each subject), the Foreign MCAT Examination, or the UCAT Examination with at least 50% marks in the required subjects.

(f) There shall be a 10% Quota for Foreigners, which will be shared equally (05% each) between public and private Colleges.

(i) The 05% quota of public Colleges shall be allocated over and above the relevant PM&DC approved seat allocation. This allocation is reserved for foreign nationals under special category seats defined exclusively for Federal Government programs established through bilateral agreements, such as the PTAP. Admissions under this quota shall be managed by the concerned public sector admitting universities.

(ii) The eligible candidates include foreign nationals and expatriates who have formally renounced their Pakistani citizenship by submitting a declaration on Form "X". Applicants must hold a Higher Secondary School Certificate (HSSC), FSc, or A-Level qualification, obtained either within or outside Pakistan, and an equivalence certificate issued by the Inter Board Committee of Chairmen (IBCC). Chemistry and Biology must be mandatory subjects, and candidates must have achieved a minimum of 60% marks in their intermediate qualification.

(iii) Students admitted under this quota are required to complete their entire course within the same quota. The prescribed fee shall be determined according to the policy of the Government. Furthermore, each student must submit an undertaking or bond affirming that the admission terms and conditions will remain applicable and unchanged throughout the entire duration of their study.

(iv) The 05% quota of private Colleges shall be allocated over and above the PM&DC approved seat allocation of the concerned medical and dental College. Admissions for this quota shall be made by the relevant admitting universities in consultation with an Oversight Committee. The Oversight Committee shall comprise of representatives from the PM&DC, each admitting university, the Surgeon General of the Pakistan Armed Forces, the Ministry of National Health Services, Regulations & Coordination (Islamabad), the Ministry of Foreign Affairs (Islamabad), and the Ministry of Education and Professional Training (Islamabad).

(v) Eligible applicants under this quota are foreign nationals and expatriates who have submitted a declaration on Form "X" renouncing their Pakistani citizenship. Candidates must possess a FSc, HSSC, 12th Grade, or equivalent qualification, with a minimum of 60% marks, and Biology and Chemistry as mandatory subjects. Applicants may qualify through one of the following examinations: SAT-II (minimum 550 in each subject), Foreign MCAT, or UCAT (minimum 50% marks in the required subjects). Foreigners residing in Pakistan may instead choose to take the MDCAT examination.

(vi) Students admitted under this quota shall complete the full duration of their course within the same category. The

prescribed annual fee for students under this quota shall be up to USD 15,000, though institutions may charge up to USD 20,000 if duly justified by the institution and approved by the Council. Each student must submit an undertaking or bond confirming that the admission conditions will remain binding and unchanged throughout their entire course of study.

(g) Where any seat of fifteen percent self-finance / overseas Pakistanis / Dual Nations (Ex-patriates) quota remains vacant due to unavailability of eligible candidates or otherwise, it shall stand transferred to open merit quota and the student shall be charged fee and charges prescribed for open merit seat. An ineligible candidate shall not be admitted against such seats.

(h) The annual quota of foreign seats and self-finance shall not be carried forward to admissions of any subsequent year. Cumulative seats for self-finance / overseas Pakistanis / Dual Nations [Ex-patriates) admission in medical and dental institutions shall not exceed fifteen percent of total allocated seats.

(i) The admission process shall be conducted through an online portal and in a transparent manner with the final merit lists and admission lists being provided to the Council for purposes of review and record on the date of issuance of the merit list and admissions list.

(8) Admissions to medical and dental programs shall be conducted separately and each student shall be required to apply separately to a medical or dental program. A student having not applied to a given program shall not be entitled to admission to such program.

(9) The merit lists shall be made public not later than 15th December and admissions to public medical colleges shall be completed by or before 31st December of each year. Admissions to all special category seats in public medical colleges not being on open merit shall be completed by 10th January of each year. The merit lists shall be made public not later than 10th February and admissions to public dental colleges shall be completed by or before 15th February of each year. Admissions to all special category seats in public dental colleges not being on open merit shall be completed by 28th February of each year.

(10) *The final list of admitted students shall be made public by or before the applicable final date notified by the Council pursuant to sub-regulation (2) of regulation 3. Thereafter, upon final verification by the relevant universities with whom the college is affiliated the verified list shall be submitted by the university to the Council in the prescribed manner through PM&DC Online portal within thirty days of completion of the admission. No admission shall be entertained, nor any student shall be registered by the Council if not admitted by or before the applicable final date.*

(11) *No public college shall admit any student beyond the total seats allocated by the Council:*

Provided that any students admitted on a special category seat pre-defined exclusively for a Federal Government program for foreign students under bilateral agreements with other countries who have not taken the MDCAT exam may be admitted over and above the allocated seats subject to such over and above admissions not being more than five percent of the total allocated seats of the college.

(12) *The admissions in public-sector medical and dental institutions shall be completed by displaying at least three consecutive merit lists by the concerned Admitting Authority University. Institution-wise list of all the successful candidates shall be displayed on the website of the concerned Admitting University. In case of failure to deposit the prescribed admission fee within three working days of display of merit list on the website or notice board of the Admitting University and such candidates shall have no vested right of admission in that year. The vacant seats occurring on account of non-deposit of prescribed admission fee within the stipulated period by selected candidates in first or second merit list shall be allocated to candidates who are next in merit, by displaying the third merit list. The candidates may be upgraded to another institution in the subsequent merit list based on merit and preference and the fee deposited by upgraded candidates in the previous institution shall be transferred to new institution without any deduction.*

(13) *Admissions on vacant seats shall be decided by the respective provincial government and respective authority in case of Gilgit-Baltistan and Islamabad Capital Territory. After closure of admission process, the Council shall notify a*

date to fill vacant seats. No admission shall be allowed on vacant seat after the notified date.

(5) Admissions Process for Private Colleges: (1) *In addition to the mandatory requirement of passing MDCAT, admissions to private colleges recognized by the Council shall be conducted and completed by each of the private college from the merit list displayed by the admitting university.*

(2) *Each of the private college shall publicly issue criteria and merit formulation as prescribed in the regulations for admissions as under:*

MDCAT	50 % weightage
F.Sc. Pre Medical / HSSC /Equivalent	40 % weightage
SSC/Matriculation/Equivalent	10 % weightage

(3) *All colleges shall publicly prescribe tuition fee and all applicable fee and charges and make the same available on their college website in accordance with section 20(7) of the Act and provide a copy to the Council. In case of any violation reported to the Council, the matter shall be dealt in accordance with Regulation 25.*

(4) *There shall be no admission which violates the fundamental principle of merit and all admissions shall be strictly on merit as the merit criteria announced by the college and pursuant to the fundamental principle of merit applicable under article 37 (c) of the Constitution of Islamic Republic of Pakistan, of 1973.*

(5) *The admission process shall be conducted through an online portal and in a transparent manner. Each college shall publicly open their admissions after announcement of MDCAT results and on the date notified by the Council each year.*

(6) *Within 3 days after the closing date of admission applications, each college shall submit to the council a provisional merit list of all students who have applied for the admissions.*

(7) *Admissions to medical and dental programs shall be conducted separately and each student shall be required to apply separately to a medical or dental program. A student having not*

applied to a given program shall not be entitled to admission to such program.

(8) No college shall charge an application fee of more than Pakistan rupees two thousand from a student when applying for admission. Prospectus shall be placed on the official website of the college and no fee shall be charged under the head of prospectus charges.

(9) A student may apply to both public sector and private sector colleges.

(10) Each college shall issue final merit list by or before 15th January after having completed all tests, interview etc. and taking into account results of MDCAT and other exams results for the purpose of calculating merit. The final merit list shall include all students who have applied to the college and fulfilled the minimum merit requirements. The merit list shall be issued on the official website of the college and a copy shall be provided to the Council.

(11) The final merit list shall represent an offer by the college to the students on the basis of their merit against the allocated seats of each college. Any student not accepting the offer shall enable the next student in the merit list to avail of the offer. The offer and acceptance of the admission shall be documented and duly communicated through email and / or courier.

(12) The admissions to private colleges shall be completed by or before applicable final date notified by the Council pursuant to sub-regulation 2 of regulation 3 each year. The final list of admitted students shall be submitted to the Council in the prescribed manner through PM&DC Online Portal by each college by or before the applicable final date notified by the Council pursuant to sub-regulation 2 of regulation 3. thereafter upon final verification of student credentials by the relevant universities with whom the college is affiliated the verified list shall be submitted by the University to the Council in the prescribed manner through PM&DC Online portal within sixty days of completion of of the admission. No admission shall be entertained, and no student shall be registered by the Council if not admitted by or before the final dated notified by the Council pursuant to sub-regulation (2) of regulation 3.

(13) Any allocated seat of a college which may remain vacant after the completion of admission shall remain vacant.

(14) A student when accepting admission to a college shall be under an obligation to disclose to the college if a prior admission has been accepted by them to any other college, and such student shall prior to accepting such later admission must in writing inform the prior college of cancellation of their acceptance with a copy to the designated email of the authority. Failure by a student to cancel the prior acceptance of admission shall render all admission offers of the student as void and the student shall be ineligible for admission. All colleges shall ensure that they properly apprise and educate the applicant students of this provision as part of their admissions policy, prospectus and at the time of making an offer of admission.

(15) No private college shall admit any student beyond the total seats allocated by the Council.

12. Regulation 3 pertained to admission eligibility, Regulation 4 pertained to the admissions in Public Sector Medical Colleges. Regulation 5 of the admission policy for private medical and dental colleges, emphasized that in admission to MBBS and BDS programme fundamental principle of merit articulated under Article 37(c) of the Constitution shall be followed. Article 37(c) of the Constitution binds the state to make technical and professional education generally available and higher education equally accessible to all on the basis of merit.

13. PMDC prescribed 55% and 50 % MDCAT marks for admission to the MBBS and BDS programme respectively as the minimum threshold of eligibility criteria for admissions in the academic session 2025–26. As per record admission process in public medical colleges stood finalized in the month of January 2026. However, for private medical colleges initial deadline to finalize the admissions was fixed as 14.02.2026 but by that time a large number of seats in MBBS and BDS programme remained vacant, as eligible candidates did not come forward to seek admissions, therefore extensions in deadline were granted.

14. It transpired from record that considerable number of seats remained vacant in private medical colleges in the Province of Sindh, with an allocation of approximately 1,500 seats for the MBBS programme. Out of the total

allocated seats, 1,216 were filled, whereas 284 seats remained vacant. PMDC has filed statement indicating that, as on 12.02.2026 about 284 seats continued to remain unfilled for want of eligible candidates applying for admission. The particulars are set out hereunder:

S. N o	Name of Institution	Total Allocated Capacity	Seats filled	Seats vacant
1.	<i>Al Tibri Medical College Karachi</i>	100	56	44
2.	<i>Isra University Hyderabad</i>	150	117	33
3.	<i>Sulemen Roshan Medical College</i>	100	81	19
4.	<i>Sir Syed College of Medical Sciences</i>	100	93	7
5.	<i>Muhammad Medical College</i>	100	54	46
6.	<i>Indus Medical College</i>	150	92	58
7.	<i>Liaquat College of Medicine & Dentistry</i>	150	90	60
8.	<i>Baqai Medical University</i>	100	79	21
9.	<i>Hamdard College of Medicine & Dentistry</i>	100	100	0
10.	<i>Jinnah Medical & Dental College</i>	100	100	0
11.	<i>Liaquat National Medical College</i>	100	100	0
12.	<i>Ziauddin University</i>	150	150	0
13.	<i>United Medical & Dental College</i>	100	100	0
	Total Vacant Seats			284

15. It is not the case that eligible candidates were not available to get admissions. Per record in all 14300 students passed MDCAT and secured more than 55 % and 50 % marks respectively, making them eligible for admissions in MBBS and BDS programme. As of February 14, 2026 admissions in private medical colleges stood finalized and 284 seats were lying vacant. Though more than ten thousand eligible students were available to fill the vacant seats; however, due to the exorbitant fees charged by private medical colleges, they were unable to secure admission.

16. From the record made available to this Court, it transpired that PMDC was under considerable pressure to relax the admission eligibility criteria. It being suggested that the prevailing criteria were not conducive to the private medical colleges in the country. It further appears from the record that, during the preceding academic session 2024-25, the PMDC had, in fact, granted such relaxation *vide* letter dated 13th May, 2025 (page 139 of the petition) by

reducing MDCAT eligibility criteria and accorded extension in admissions date. This relaxation in the eligibility criteria in no manner advanced the cause of merit, but, contrary thereto it provided space to non - meritorious students to enter in the noble profession. Private Medical Colleges were not established to earn money but with a noble cause to promote medical education on merits. For the sake of convenience and ready reference, the notification dated 13th May 2025 is reproduced hereunder:

PAKISTAN

MEDICAL & DENTAL COUNCIL

G-10/4, MAUVE AREA ISLAMABAD

PF-5-Adr-Council/PM&DC/2024/785 dated: 13th May 2025

Vice Chancellors

Admitting Universities (All)

Subject: REQUEST TO DECREASE MERIT PERCENTAGE FOR ADMISSION IN MBBS AND BDS TO FILL THE VACANT SEATS IN PRIVATE SECTOR MEDICAL/DENTAL UNIVERSITIES / COLLEGES FOR THE ACADEMIC SESSION 2024 - 25

Dear Sir,

Pursuant to request dated 16th April 2025, received from Liaquat University of Medical & Health Sciences, Jamshoro, Sindh, on above subject, conveying that substantial number of seats have remained vacant in various private medical and dental colleges due to the high merit threshold. To address this concern and to ensure that eligible and deserving candidates are not deprived of their right to higher education in medicine and dentistry, the council vide decision dated 13th May 2025 has approved a one time relaxation in the minimum eligibility criteria. Accordingly, private colleges are permitted to admit candidates with a minimum of 50 % marks for MBBS and 45 % marks for BDS, strictly to fill the remaining vacant seats.

Please note that this dispensation is granted solely for the 2024 - 25 academic session, in the interest of public good and to prevent the wastage of available vacant seats. It is a one time measure and shall not be treated as a precedent for future admission cycle.

All such admissions must be completed within (03) days from the date of this communication and must be construed in full compliance with PM&DC Admission regulations 2023.

This is issued with the approval of authority and in compliance of the decision of the Council.

*Sd/
Registrar*

17. It further transpired that the admitting university/ Respondent No. 2 addressed a letter to PMDC requesting a reduction in the MDCAT qualifying threshold to 45% and 40% for MBBS and BDS programme respectively. This premeditated step was taken to ensure that private medical colleges succeed to catch required number of students before the expiry of final timeline. The letter issued by admitting university was sent by PMDC to health department Government of Sindh for further advice. Health Department *vide* its letter dated 3rd March, 2026 declined to entertain such request of reducing eligibility criteria and advised PMDC not to compromise the merits. The letter dated 3rd March 2026 reads as under:

NO. CTO-II (PH)/PM&DC-1/2026
Government of Sindh
Health Department
Karachi dated the 3rd March 2026

To
The Registrar,
Pakiatn Medical & Dental Council
G-10/4, Mauve Area
Islamabad

**Subject: REQUEST FOR RATIONALIZATION OF MDCAT
PASSING CRITERIA AND EXTENSION OF AMDISSION
DEADLINE FOR SINDH**

Letter is received from your good office on the subject cited above bearing No.08/NA&SQ/Council-2026/1036 dated 23rd February, 2026.4.17.

The total number of vacant seats (showing total and filled seats as well) is reflected at Annexure (I)

(2) *As regards the provincial policy decision regarding vacant seats, it is informed that the same is under discussion at government level and will be finalized in due course of time.*

(3) *The health department categorically disapproves of any decision to lower the MDCAT eligibility criteria for the purpose of filling the vacant seats. The existing merit criteria is to be followed.*

However, in order to ensure maximum filling of the vacant seats, the Health Department has decided to extend the date of application for those candidates who fulfil the existing merit criteria.

This is being done to ensure that no candidate (who has attained the merit) should be left.

Sd/

*DR. ALLAH BUX MUSHTAQ
CHIEF TECHNICAL OFFICER - II (PH)*

18. Provincial Government's decision refusing to revise and reduce admission eligibility criteria was in consonance with and in compliance to the principles of merit and transparency. Medical Education is not a mere formality, it is a sacred cause and has direct consequences to the well being of the people of country. To get quality healthcare is fundamental right of the citizens and it cannot be compromised on the cost of giving leverage to private colleges to earn money.

19. PMDC, being an organ of the state is saddled with a sacred duty of oversight of medical education in the country. PMDC is under an obligation to ensure that students seeking admission in private medical colleges are treated as one and are similarly placed for the purpose of the Article 37(c) read with Article 25 of the Constitution. Article 37(c) enjoins upon the State, that it shall "*make technical and professional education generally available and higher education equally accessible to all on the basis of merit*". Article 25 ensures equality and equal protection of citizens before law.

20. The petitioners and other similarly placed candidates appeared in MDCAT, and their results were declared on the same dates. It was further observed that the petitioners had been rendered ineligible for admission to medical colleges, whereas a substantial number of otherwise eligible candidates, stated to be in excess of ten thousand, were unable to secure admission on account of financial constraints. While admission to higher education is, in the ordinary course, a matter of policy, such policy must

conform to the mandate of the Constitution. Any policy which infringes the fundamental rights of candidates, particularly those guaranteed under Article 37(c) read with Article 25 of the Constitution, would amount to creating an impermissible classification or a 'class within a class,' and, as such, cannot be sustained in law. It will be apt to reproduce Article 37 of the constitution:

37. *Promotion of Social Justice and eradication of social evils. The state shall.....*

(a) *promote with special care, the educational and economic interests of backward classes or areas;*

(b) *remove illiteracy and provide free and compulsory secondary education within minimum possible period;*

(c) *make technical and professional education generally available and higher education equally accessible to all on the basis of merit;*

(d) *ensure inexpensive and expeditious justice;*

(e) *make provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment;*

(f) *enable the people of different areas, through education, training, agricultural and industrial development and other methods, to participate fully in all forms of national activities, including employment in the service of Pakistan;*

(g) *prevent prostitution, gambling and taking of injurious drugs, printing, publication, circulation and display of obscene literature and advertisements;*

(h) *prevent the consumption of alcoholic liquor otherwise than for medicinal and, in the case of non-Muslims, religious purposes; and*

(i) *decentralize the Government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirements of the public.*

21. Article 37 of the Constitution, obligates the state to ensure that technical and professional education be made generally available and equally accessible to all on the basis of merit. The paramount consideration, therefore, would be whether reduction in admission eligibility criteria was consistent with and in compliance to the principles of policy enshrined under Article 37 of the Constitution. PMDC must ensure that private medical colleges adhere

themselves to principle of policy enshrined under Article 37 of the Constitution. It is incumbent upon private medical colleges to ensure the admissions in MBBS and BDS programme are done in total conformity to Regulation 5 of the admission policy 2025 -26 and in complete obedience to the Principles of Policy enshrined under Article 37 of the Constitution.

22. It has been observed that private medical colleges exert considerable level of pressure on PMDC and admitting universities to secure the filling of vacant seats through relaxation of prescribed eligibility criteria. The record indicates that PMDC, at close of the admission deadline, yielded-at least in part-to such pressure. It further emerges that Respondent No.2, the admitting University, *vide* letter dated 28.01.2026, well before the close of the stipulated deadline of 14.02.2026 for admissions in private medical colleges, had requested PMDC to reduce the eligibility criteria. PMDC succumbed to the pressure mounted by private Medical Colleges thus revised and reduced the minimum eligibility threshold to 52% and 47% MDCAT marks for MBBS and BDS programme respectively, *vide* notification dated 8th April, 2026 and extended the admission date until 15th April 2025. Though PMDC did not enjoy such discretion of reducing MDCAT marks either under PMDC Act or **“Medical and Dental Undergraduate Education (Admissions, Curriculum and Conduct) Policy and Regulations 2025.”** The reduction in eligibility criteria was a direct attack on the meritorious students and future of medical education in the country. This reflected PMDC’s failure to uphold and maintain the requisite standards of merits in medical education. The record further indicates that PMDC extended full cooperation to private medical colleges by granting extension in the admission deadlines and by lowering the eligibility threshold, thereby, facilitated the private institutions in money minting. This speaks volumes about the oversight status of PMDC, let alone such actions favour commercialization of medical education in utter disregard to merit.

23. Such practices of compromising merit in medical education has been expressly disapproved by the Hon’ble Supreme Court of Pakistan in the case of *Muhammad Zubair Choudhry & Others v. Pakistan Medical & Dental Council & Others* reported as **2023 SCMR 2145**. Para 13 of the judgment being relevant is reproduced herein below:

13. However, we are also concerned with the continuous and long-standing issues with respect to admissions in medical and dental colleges, recognition and enforcement of the rules and

regulations made by PM&DC/PMC, regulatory loopholes in the existing regulations and the enforcement of these rules. Therefore, in the light of the issues raised by the Learned Counsel for the Petitioners and the Learned Counsel for PM&DC, as well as this Court's opinion on the challenges brought before it by the regulator, medical and dental students, and medical and dental colleges, the following observations are made being fundamental to the issues raised before us:

i) Admissions on vacant seats:

During the present case as well as in earlier matters regarding admissions in medical and dental colleges the issue of vacant seats has been a constant grievance. On the one hand, medical and dental colleges have time and again contended that they be allowed to fill their entire quota of seats allocated for that year by PM&DC. On the other hand record, the record shows that these allowances also result in the admission of students who fall much lower on the merit lists but are offered admission into medical and dental institutions due to continuous extensions of the admission cut-off date as well as issuance of successive merit list.

In order to resolve this issue, we find that no admission against vacant seats left by "drop-out" students (defined under Regulation 2(d) of the 2018 Regulations) or against vacant seats left after passing of the admissions deadline set by PM&DC/PMC should be allowed under any circumstances whatsoever. It must also be ensured that no student whose aggregate scores and MDCAT results fails below the cut-off threshold, assigned by PM&DC /PMC for that academic year, is admitted into any medical or dental colleges. This should be done regardless of the number of vacant seats at medical or dental colleges or any other circumstances giving rise to surplus seats across the country.

Additionally, the practice of granting extensions to medical and dental colleges after the expiry of the admission deadline be allowed by the PM&DC/PMC must be discontinued, forthwith. Imparting medical and dental education is not a business and must not be motivated by a desire for profit maximization. The statutory and regulatory framework must be vigorously and strictly implemented and enforced with the sole objective of imparting the best possible medical and dental education and training on students of the highest possible merit whose abilities must be thoroughly checked through high standard examination at every level on the theoretical as well as practicable side. Merit, competence and ability must be ensured when

the students graduate because they would be dealing with human lives on a daily basis.

24. However, notwithstanding the authoritative pronouncement of the Honourable Supreme Court, PMDC appears to have extended undue indulgence to private medical colleges by granting repeated extensions in admission deadlines and, ultimately, by lowering the prescribed eligibility criteria so as to ensure 100% occupancy of seats. The policy framework governing admissions to private medical colleges should be aligned with the mandate of Article 37 of the Constitution. After the pronouncement in the case of *Muhammad Zubair (Supra)*, actions of PMDC reducing MDCAT passing marks threshold for admission in MBBS and BDS programme during the past years and the present academic year, may be construed as belligerent violation and defiance of the Honourable Supreme Court orders, potentially attracting proceedings within the contemplation of Article 204 of the Constitution. PMDC was precluded from effecting any reduction in the MDCAT qualifying threshold; nevertheless, it partially acceded to the request of the admitting university by revising the eligibility criteria from 55% and 50% to 53% and 47% MDCAT marks *vide* notification dated 08.04.2026. This sequence of events lends credence to the inference that the PMDC acted under institutional pressure from private medical colleges.

25. Adverting to the issue of vacant seats in private medical colleges of Sindh. In terms of Section 17 of the PMDC Act, the discretion to fill vacant seats fell within the domain of the respective provincial government and respective authority in case of Gilgit-Baltistan and Islamabad Capital Territory. Admitting University/ Respondent No 2 made an attempt to fill the vacant seats by recommending reduction in admission eligibility criteria. Sindh Government refused to entertain the request of admitting university to reduce the eligibility criteria. Under the statute, it was for provincial government and not the PMDC or admitting university to decide the fate of vacant seats. In order to address this question, it is pertinent to mention that a substantial number of eligible students were available to fill the vacant seats, stated to be in excess of ten thousand in the Province of Sindh but are unable to secure admission to private medical college on account of financial constraints and exorbitant charges by the private medical colleges. The policy threshold enshrines that admission in medical education should be given purely on merit. Compromise on merit may not usher in good results for this

noble profession, therefore, institutions must observe merit as a sole policy to admit any student in MBBS and BDS Course.

26. It is informed that Government of Sindh as yet has not devised any policy to fill the vacant seats. Although a large number of seats remained vacant, the absence of an enabling policy constituted a significant impediment to the admission of meritorious candidates, particularly those belonging to underprivileged segments of society. Rather than seeking a reduction in the prescribed eligibility criteria, private medical colleges, having failed to attract the requisite number of candidates, ought to have taken proactive measures to admit available eligible candidates by extending meaningful financial assistance, including reduction in tuition fees, to deserving and needy students. The record reflects that neither the Provincial Government nor the PMDC has devised a comprehensive and uniform policy governing the manner in which vacant seats are to be filled, despite the fact that the admission process had reached its deadline in the month of February 2026.

27. The issue of vacant seats hovers over the fee structure of private medical colleges, which is out of the reach of poor families. In order to accommodate needy meritorious students and to fill the vacant seats, health department must ensure that private medical institutions adhere to the principles articulated under the law of land. The Private Educational Institutions are contained under the provisions of *THE SINDH PRIVATE EDUCATIONAL INSTITUTIONS (REGULATION AND CONTROL) ORDINANCE, 2001* (Ordinance, 2001) in the province of Sindh. Institution in the Ordinance has been defined as a private managed university, college, school, technical, professional, vocational or commercial institution imparting any type of education. The petitioners in the present lis also seek admissions against vacant seats in the private medical colleges through a relaxation in minimum eligibility criteria. Section 2(iii) of the Ordinance, 2001 defines institution in the following manner:

(iii) *“institution” means a private managed University, College, School, technical, professional vocational or commercial institution imparting any type of education by any system of education or medium of instruction;*

28. All the private medical colleges operating in the province of Sindh are covered in the definition of “institution” envisaged under the Ordinance, 2001. The private medical colleges are under statutory obligations to run their

business in accordance with the provisions of the Ordinance, 2001 and rules framed thereunder. To carry out the purpose of the Ordinance, 2001, Section 15 authorized the Government to may make Rules or the Regulations as the case may be, and such rules included but not limited to provide criteria for registration of an institution; infrastructure including building, class rooms, laboratory, library, play ground canteen and safe-drinking water facilities; mode and procedure for monitoring and inspection of an institution; the procedure to be followed for settlement of dispute arising between the parents or guardian of a student or teachers or other staff of an institution and its management; provision of facilities to students, fixation of tuition fees and other sums to be realized from the students of an institution; grant of fee concessions and scholarships to the students of an institution; establishment and functions of the teachers employed in an institution; and any other matter required under any of the provisions of the Ordinance, 2001 to be prescribed by rules.

29. Education & Literacy Department, Government of Sindh vide notification NO:SO(ACD-II)9-6/2005 dated 20th September 2005 NOTIFICATION made the **Sindh Private Educational Institutions (Regulation & Control) Rules,2005 (Rules)** to carry out the purposes of the Ordinance, 2001. These rules provided guidance for registration of institutions, infrastructure building, admission policy and fee structure. Rule 13 obligated the institutions to allow fee concessions to deserving students and award scholarships to meritorious students and grant a full free-ship to at least ten percent of the total strength. Rules 13 reads as under:

13. The institution shall allow fee concession to deserving students and award scholarships to students having meritorious record; provided that at least ten percent of the total strength of the students in the institution shall be granted full free ship.

30. Provisions of Rule 13 of the Sindh Private Educational Institutions (Regulation & Control) Rules, 2005 are in consonance with and complete obedience to Article 37 of the Constitution. Rule 13 in fact creates room for admission of needy meritorious students through award of Scholarships and grant of full free-ship to the tune of ten percent of the total strength of admitted students. If provisions of rules 13 are acted upon by the private medical institutions, the issue of vacant seats would be resolved automatically. It is observed from the record that in private medical colleges no seats were available under the scholarship scheme. It is expected that

PMDC and Provincial Government will initiate a crucial consultative process to formulate a policy addressing the issue of vacant seats in private medical and dental colleges, keeping in view the provisions of Rule 13 *ibid*.

31. The right to education is a fundamental right of every individual and bears a direct nexus to the standard and quality of life. Access to education on the basis of merit for all citizens constitutes a core Principle of Policy enshrined in the Constitution. The petitioners have failed to point out that eligibility criteria fixed by PMDC for admission in MBBS and BDS programme infringed their fundamental rights, warranting a case for exercise of powers of judicial review by this Court under writ jurisdiction. On the contrary, acceptance of the relief sought would, rather than advancing the cause of justice, have effect of further deepening a sense of deprivation amongst meritorious candidates who have lawfully met the higher standards prescribed and were unable to start professional career.

32. Though admission to an institution is a policy matter and it is best suited to the concerned institution to make admission policy. It is settled notion by now that Courts should generally refrain from interfering in policy decisions taken by statutory bodies and authorities tasked with running the affairs of educational institutions, like PMDC in the present case. The rationale for the same is that matters of an academic nature necessitate the need for technical and professional expertise which may only be attained as a result of specialization and the experience of working with and in educational institutions. Courts are neither equipped with such expertise, nor do they possess the relevant experience that would allow for interference in such matters. However, it does not mean that the Courts should close eyes when such policy eroded the very essence of merit and fell short of the minimum requirements of principles of natural justice, transparency, offended the principles of law and resulted in grave injustice. The Court unhesitatingly interferes in cases where a principle of law has to be interpreted, applied or enforced with reference to or connected with education. Guidance in this regard can be sought from the judgments of Honorable Supreme Court in the case of Muhammad Ilyas v. Bahauddin Zakariya University (2005 SCMR 961) and Noor Muhammad Khan Marwat v. Vice-Chancellor (PLD 2001 SC 219).

33. In the present case, Petitioners intended to get reduction in merit criteria which has no statutory support. Though PMDC has granted such

concession partially by reducing minimum merit threshold, such an action by PMDC too was without statutory backing, thus cannot be appreciated at all and tantamount to assassinate the future of medical education in Pakistan. It is a huge dilemma that in the periods when our country was already facing dearth of qualified and quality doctors, as such allowing the practice of admissions to non-meritorious candidates would further aggravate the gravity of situation and may result in collapse of the health system. .

34. For the foregoing reasons, we do not find merit in the request of the petitioners to reduce the eligibility criteria of MDCAT marks for admission in the MBBS and BDS programme. It is held that merit must prevail in the admission process of medical education, and the eligibility criteria of MDCAT marks once fixed cannot be altered and reduced subsequently. We, therefore, dispose of this petition in the following terms:

a. PMDC shall, henceforth, issue an admission policy each year in advance, fixing a definite eligibility criteria and a final deadline for admissions in MBBS and BDS programme in public and private medical colleges. The prescribed eligibility criteria and admission schedule once fixed shall not be altered under any circumstances. However, in the event, when PMDC finds that a number of eligible candidates was less than the number of seats available on merit, it may reconsider and revise the eligibility criteria, but only in consultation with and subject to prior approval of the Federal and provincial Governments.

b. The Health Department, Government of Sindh shall initiate a consultative process with PMDC, private medical colleges and the admitting medical university, to devise a policy for admission against the vacant seats in public & private medical colleges, each year at the conclusion of the admission deadline.

c. The vacant seats in MBBS and BDS programme in both public and private medical colleges shall be filled strictly on merit. In no manner should the principle of merit be compromised in the process of admission.

d. The private medical colleges/universities in the Province of Sindh, instead of seeking relaxation in eligibility criteria, may consider and provide appropriate financial relief in educational fees, so as to facilitate the admission of meritorious yet

needy students, thereby ensuring that vacant seats are duly filled on merit.

e. PMDC, Health Department Government of Sindh, Admitting University and Private Medical Colleges / Universities in the province of Sindh shall ensure the compliance of Rule 13 of the Sindh Private Educational Institutions (Regulation & Control) Rules, 2005 by granting a full free-ship to ten percent of total strength of admitted students. In this regard, PMDC at the time of granting accreditation, recognition or registration of the private medical colleges / universities, shall obtain an undertaking to the effect that the institution shall offer full free-ship education to at least ten percent of the total strength of the admitted students in both MBBS and BDS programme. All the existing private medical Colleges and Universities shall furnish such undertaking to the PMDC and Health Department Government of Sindh affirming that, henceforth, they shall admit required number of students in MBBS and BDS programme in terms of Rule 13 of Sindh Private Educational Institutions (Regulation & Control) Rules, 2005. Failure, whereof, may entail penal consequences under the provisions of the PMDC, Act.

35. Let copy of this Judgment be sent to the Secretary Ministry of Health Services Government of Pakistan, Secretary to Government of Sindh Health Department, Registrar PMDC and Registrar Shaheed Muhtarrama Benazir Bhutto Medical University Larkana for compliance. PMDC shall circulate the copy of this judgment to the heads of all the private medical colleges and universities in the province of Sindh for compliance. Learned MIT - II to ensure compliance.

J U D G E

J U D G E

HEAD OF CONST. BENCHES

Approved for Reporting.