

# Medical Council of India New Delhi

## Minutes of the 30<sup>th</sup> meeting of Board of Governors

The 30<sup>th</sup> Meeting of the Board of Governors was held on 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> September, 2013 at 11.00 A.M. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077. The following members of the Board of Governors attended the meeting :-

- 1) Dr. R.K. Srivastava, Chairman, BOG, - In Chair
  - 2) Dr. K. Mohandas, Member, BOG.
  - 3) Dr. K.S. Sharma, Member, BOGs.
  - 4) Dr. Raja Babu Panwar, Member, BOGs.
  - 5) Dr. A.K. Bardhan, Member, BOGs
  - 6) Dr. Brijendra Kumar Rao, Member, BOG
  - 7) Dr. Manoj K. Singh, Member, BOG;
- and Dr. P. Prasanaraj, Additional Secretary, MCI.

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Leave of absence was granted to Members of BOGs as under :

- 1) Dr. K. Mohandas, Dr. K.S. Sharma and Dr. Raja Babu Panwar, for 2<sup>nd</sup> September;
- 2) Dr. K. Mohandas, Dr. A.K. Bardhan and Dr. Brijendra Kumar Rao, BOGs for 3<sup>rd</sup> September; and
- 3) Dr. A.K. Bardhan for 4<sup>th</sup> September.

2. The following items, as per Agenda circulated, were considered by the Board of Governors and decision taken thereon as under :

2.1 **Confirmation of Minutes of 28<sup>th</sup> BOG Meeting held on 27<sup>th</sup> August, 2013** : The minutes were confirmed.

2.2 **Use of MCI Logo in the advertisement by Animal Simulators** : The Board of Governors took serious note of an advertisement published by an Animal Simulator (Elsevier Health Services, 14<sup>th</sup> Floor, Building No.10B, DLF Cyber City, Phase-II, Gurgaon (Haryana) titled "Introducing Animal Simulator", a CAL (computer assisted learning) tool for experimental pharmacology and physiology for UG and PG market of Medicine/Pharmacy, with the MCI Logo. After some discussion, the Board of Governors

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decided to issue a Legal Notice to the above firm, viz., Elsevier Health Services as to why penal action permissible under the law should not be taken against them for using the MCI Logo in their advertisements without prior permission of the Council.

**2.3 Proposal to optimize giving of Annual Maintenance Contract (AMC) of various technical items to Original Equipment Manufacturer (OEM)/Consideration of other Tenders for AMCs :** The Board of Governors considered all aspects of the issues involved and decided to approve the proposal for giving AMC for various technical items to Original Equipment Manufacturer (OEM), who are already supplying the items at present, for a period up to 31.3.2013.

However, regarding the other Tenders for AMCs, the Office was directed to place before the BOGs a comprehensive proposal indicating exact financial implication involved in each category.

**2.4 Dr. P.S. Jain, Former Secretary, MCI's computation of pensionary benefits :** In view of urgency, this item was approved and minutes of the same was issued separately on 3.9.2013 itself so that the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi could be informed of the matter in the context of hearing of CP 687/2012 in TA No.1128/2009 fixed for 5.90.2013.

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**2.5 Proposal for upgradation of existing Leased Line connectivity from 2 MBPS to 10 MBPS through MTNL/GOI :** The proposal is for re-vamping of the IT infrastructure of MCI to avail the technological benefits for achieving operational excellence in the day to day functioning. At present the Council has a 2 MBPS leased line connectivity not only for internet connection but also as intra-net LAN related functions of various Sections of the Council. Currently for the 2 MBPS leased line, the MCI is spending Rs. 5,73,081/- annually to MTNL. The Board of Governors discussed about the urgent need for upgrading the present connectivity of bandwidth of leased line circuit (presently copper wired with speed 2MBPS) by a dedicated circuit (Optical Fiber cable with speed 10 MBPS). It was also noted by the Board of Governors that the yearly cost of hiring such connectivity from M/s MTNL would come to Rs. 13,25,750/- as against the present investment of Rs. 5,73,081/- The said additional investment of Rs. 7,52,669/- will also meet the connectivity requirement of other IT initiatives such as hiring of call centre service, augmenting UIDAI based faculty impersonification control system, Graduation from present static IMR to live IMR with improved networking with State Medical Councils, strengthening of virtual class room project, facilitation support of e-journal consortium of approved Medical Colleges with National Medical Library, etc. After detailed discussion, the Board of Governors approved the proposal.



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2.6 **Compliance with common order dated 1.3.2013 in WP Nos.20957, 21192 of 2008 and 16871 of 2009 of the Hon'ble High Court of Judicature at Hyderabad - Dr. NTR University of Health Sciences :** The Board of Governors discussed the matter in detail and accorded its approval to the admission of 12 candidates in compliance of common order dated 1.3.2013 in WP Nos.20957, 21192 of 2008 and 16871 of 2009 of the Hon'ble High Court of Judicature at Hyderabad - Dr. NTR University of Health Sciences, and directed that a communication in this regard be sent to the Dr. NTR , University of Health Sciences in response to their letter dated 20.6.2013.

2.7 **Consideration of the Representation of Dr. Mohammed Hafeez dated 31.5.2013 in accordance with the directions of the Hon'ble High Court of Karnataka dated 9.7.2013 in W.P. No.27267 of 2013 :** The Board of Governors noted that the Hon'ble High Court has directed the representation to be considered in the light of the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. It was noted that the matter relates to a person who has completed his MBBS with locomotor disability of upper limb and now intends to pursue postgraduate course in

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medicine. He has been denied the benefit of reservation for physically challenged persons as the Post-Graduate Regulation provides for 3% reservation for persons with locomotor disability of lower limb only. The Standing Medical Board in the All India Institute of Medical Sciences/Safdurjung Hospital, be therefore asked to determine the extent to which Dr. Mohammed Hafeez is affected with the disability of upper limb. Further, the Board noted that such matters are required to be taken up in the light of report of the Committee constituted by the Ministry of Health and Family Welfare, Government of India for the purpose of eligibility of Persons with Disability for pursuing medical education and amendments to the Notifications issued by the Ministry of Health & Family Welfare , in this regard. The matter is therefore required to be decided in consultation with the Ministry of Health and Family Welfare and Ministry of Social Justice & Empowerment. Necessary communication may therefore be sent to Dr. Mohammed Hafeez, to get the extent of his disability determined by the Standing Medical Board of either AIIMS or Safdurjung Hospital. Meanwhile the Committee in MOHF&W be also requested to examine the matter.

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2.8 **Consideration of the Minutes/observation of PG Committee meeting dated 4<sup>th</sup> & 5<sup>th</sup> June, 2013 for recommendation of recognition of various PG courses u/s 11 (2) of IMC Act, 1956 – (Item 1 to 15) :** The Minutes were considered and the Board of Governors' decisions thereon are as indicated in **Annexure-1**.

2.9 **Consideration of the Minutes/observation of PG Committee meeting dated 31<sup>st</sup> July & 1<sup>st</sup> August, 2013 for recommendation of recognition of various PG courses u/s 11 (2) of IMC Act, 1956 – (Item 1 to 150) :** The Minutes were considered and the Board of Governors' decisions thereon are as indicated in **Annexure-2**.

2.10 **Change of affiliation of medical colleges of Assam from their respective affiliating university to Srimanta Sankaradeva University of Health Sciences, Guwahati, Assam :** The Board of Governors noted the complaint of Registrar, Srimanta Sankaradeva University of Health Sciences, Guwahati, that while the Central Govt. has



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issued a notification dated 12.2.2013 for change of affiliation of medical colleges of Assam from their respective affiliating university to Srimanta Sankaradeva University of Health Sciences, certain courses conducted by the University have been wrongly appeared in the MCI website under different Universities. It was also noted that the Council had indeed recommended to the Central Government vide letter dated 8.11.2012 for notifying the following courses under Srimanta Sankaradeva University of Health Sciences, Guwahati but the same has not yet been notified :

(A) Assam Medical College, Dibrugarh (Earlier affiliated to Dibrugarh University, Dibrugarh)

1. Diploma in Clinical Pathology
2. MD-Forensic Medicine/Forensic Medicine & Toxicology
3. MD-Radio-Therapy (Permitted and there is no need for notification)
4. MD-Microbiology
5. MS-ENT
6. MS - General Surgery
7. MS – Orthopaedics



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(B) Gauhati Medical College, Guwahati (Earlier affiliated to Gauhati University, Guwahati)

8. DM-Endocrinology (Permitted and there is no need for notification.)

(C) Silchar Medical College, Silchar (Earlier affiliated to Assam University, Silchar)/

1. MD-Biochemistry

2. MD-Dermatology, Venerology & Leprosy.

3. MD-Forensic Medicine/Forensic Medicine & Toxicology.

4. MD-Microbiology

5. MD-Paediatrics

6. MD-Pharmacology

7. MD-Physiology.

8. MD/MS-Anatomy.

After discussion, the Board of Governors decided that the matter may be immediately taken up with the Central Government (MOH&FW) with the request to notify the above courses under the Srimanta Sankaradeva University of Health Sciences, Guwahati.

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2.11 **Consideration of compliance verification assessment report of UG Committee meeting minutes of 22.8.2013** : The Board of Governors considered the Recognition Assessment of ACS Medical College & Hospital; Compliance Verification Assessment of Raipur Institute of Medical Sciences, Raipur (Lord Budha); and Compliance submitted by Great Eastern Medical College & Hospital and indicated its decisions on respective files.

2.12 **Continuation of MBBS Course by Sri Chandan Kumar Roy at Calcutta National Medical College, Kolkata** : The Additional secretary was directed to compile all such cases and put up a consolidated proposal for consideration by the Board of Governors.

2.13 **Challenge to the vires of clause 4(3) of the Screening Test Regulations, 2002 in WP(C) No.1655 of 2013 captioned as Rohit Naresh Nagpal vs. Union of India** : The Board of Governors perused the Agenda item and the Joint Secretary's note and decided to collect all statistics available in reference to success rate of Foreign Medical graduates in the screening Test, conducted by National Board of Examination, since its commencement. This statistics will confirm and demonstrate that the quality of Medical Education in foreign Medical Institutes is not up to the mark the country needs. The course, content, curriculum, internship are inadequate and these institutions lacks in infrastructure, Teaching faculty and clinical material. MCI as regulatory body, in Principle, does not allow twin Campuses program partly in one college and partly in other college of same country or another. Therefore, the Council has brought said provision (that on or

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after 16.4.2010 - date of notification - two campus would not be allowed, student studying abroad should have passed from unitary campus) in order to ensure that the students coming out from Foreign medical institution complete their entire course of education at one place and do not indulge in running from one institution to another. By amendment of these regulations the council put a hold on such type of Migrations.

Therefore, keeping in mind, the interest of public at large, a person who does not have proper medical education and practical hands on training, cannot be permitted to involve himself in public health care and play with the lives of human beings.

The Council presently does not have any provision under the Act and mechanism to verify the standards of Medical education in foreign countries. Therefore whatsoever, Regulations under the statutes which are framed therein are mandatory and has to be followed. The Board of Governors after due deliberation, was of the view that the statistic and the status be informed to the Hon'ble High Court for taking appropriate decision based on the recommendations of Board of Governors, MCI.

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STATISTICS IN REF TO SUCCESS RATE OF STUDENTS APPEARING FOR FMG  
EXAMINATION CONDUCTED BY NATIONAL BOARD

YEAR	APPLIED	QUALIFIED	PERCENTAGE
SEPT. 2008	2360	358	15.16%
MARCH 2009	2289	460	20.09%
SEPT. 2009	3881	584	20.90%
MARCH 2010	4534	1300	28.67%
SEPT. 2010	5581	1380	24.73%
MARCH 2011	6346	1326	20.90%
SEPT. 2011	6925	2249	32.48%
MARCH 2012	6706	1411	21.04%
SEPT. 2012	7771	2146	27.62%
MARCH 2013	6182	1802	29.15%

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2.14 **Proposal for Engagement of Dr. Ranjit Roy Chowdhary, former Member, BOG and Dr. Anantha Narayanan of JIPMER** : The Board of Governors deliberated on the proposal and it was decided to engage both Dr. Ranjit Roy Chowdhary, former Member, BOG and Dr. Anantha Narayanan of JIPMER for the purpose of taking up review of UG Curriculum. While Dr. Ranjit Roy Chowdhary to be given the designation of Chief Adviser, Dr. Anantha Narayanan is to be designated as Adviser. The Chief Adviser will be paid same allowances as are applicable to Members of BOG and the Adviser will be given the allowances applicable to the Members of PG Committee.

2.15 **Appointment of a Financial Consultant** : The Board of Governors noted the urgent need for appointment of a Consultant for looking the work of Accounts Section. Accordingly, it was proposed to appoint Shri V.K. Rheel, former DS(IF Division) of MoH&FW as Financial Consultant. His monthly remuneration will be fixed after negotiating with him. Dr. Manoj Kumar Singh and Dr. P. Prasannaraj have been authorized by the Board of Governors for conducting the negotiation in this regard.

2.16 **Strengthening of CCTV surveillance mechanism** : Board of Governors noted the urgent need for strengthening of the CCTV surveillance mechanism in the Council so as to improve the efficacy of utility. For this purpose, it was decided to appoint a retired Police Officer, who is well versed with the CCTV surveillance system. DS(Administration) is to pursue the matter further.

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**2.17 Consideration of grant of provisional/permanent registration to the candidates who have obtained their medical degree from Angeles University Foundation, Philippines :** The Board of Governors considered the matter with regard to grant of provisional/permanent registration to the candidates who have obtained degree from Angeles University Foundation and done their study partly abroad and partly in India along with legal opinion dated 26.8.2013 of the Law Officer in the case of two candidates, viz., (i) Shri Patel Nirav Laxmanbhai and (ii) Shri Suraj Abhay Kothari, and decided to grant the provisional/permanent registration to the candidates who have studied partly abroad and partly in India and obtained degree from Angeles University Foundation, Philippines and who have completed their entire study from Angeles University Foundation, Philippines, subject to fulfillment of the condition laid down in the Screening Test Regulations, 2002 and its amendment notification dated 16.4.2010.

**2.18 Consideration of Dr. A.S. Nayyar's case for formulating view of MCI to be placed before the Chairman, National Commission for SC/ST :** The present position was explained to the Board of Governors. The Board deliberated on the matter and directed the Council to obtain the status position on the reinvestigation of the case, in terms of the Hon'ble Court of Special Judge, Tis Hazari Court, Delhi, order dated 1.9.2009, on the Closure Report in respect of FIR No. DLI-0061(A)/2005 filed by ACB, CBI, Delhi, on 21.11.2005.

The meeting ended with a vote of thanks to the Chair.

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2. In the light of urgency expressed by the Additional Secretary, the Board of Governors took up for consideration of Item No. 14 of the Agenda, viz., "Dr. P.S. Jain, former Secretary, Medical Council of India's computation of pensionary benefits". The Board of Governors noted that the proposal involved a payment of arrears amounting to Rs. 21,56,586/- (Rupees Twenty one lakh, fifty six thousand five hundred eighty six only) to Dr. P.S. Jain, on account of computation of arrear of his pay plus pensionary benefits towards the service rendered by him before his retirement from MCI. The Board of Governors also noted that this payment is in full and final implementation of the Orders dated 29.11.2010 and 22.5.2013 passed by the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi in CP 687/2012 in TA No.1128/2009. The Board of Governors directed the Council office to ensure release of the above payment to Dr. P.S. Jain on 4<sup>th</sup> September, 2013 and inform the Hon'ble Tribunal on the next date of hearing of the CP fixed on 5.9.2013.



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