

The Executive Committee considered Council Inspectors report (10th & 11th August, 98) and decided to recommend to the Central Govt. to renew the permission for admission of students in the 4th batch, i.e. for the session 1998-99 at Academy of Medical Sciences, Pariyaram, Kannur for 100 (hundred) admissions annually.

12. Shri Bhausaheb Hire Govt. Medical College, Dhule - Increase of MBBS seats from 50 to 100 u/s 10A of the I.M.C. Act, 1956.

Read : The compliance verification report (2nd and 3rd July, 1998) on the compliance made on the defects and deficiencies pointed out in the inspection report (Aug., 96) received through the Central Govt. vide their letters dated 3.12.97 and 18.6.98 for increase of MBBS seats from 50 to 100 at Sh. Bhausaheb Hire Govt. Medical College, Dhule u/s 10A of the I.M.C. Act, 1956.

The Executive Committee considered the compliance verification report (2nd & 3rd July, 98) on the compliance received through the Central Govt. and decided to recommend to the Central Govt. not to issue Letter of Intent for increase of MBBS seats from 50 to 100 u/s 10A at Shri Bhausaheb Hire Govt. Medical College, Dhule in view of the deficiencies in staff, beds and other infrastructural facilities as pointed out in the inspection report.

13. Dr. B.R. Ambedkar Medical College, Bangalore - Renewal of permission for increase of MBBS seats from 100 to 120 for the session 1998-99.

Read : The Council Inspector's report (22nd and 23rd July, 1998) for renewal of permission for increase of MBBS seats from 100 to 120 for the session 1998-99 at Dr. B.R. Ambedkar Medical College, Bangalore.

The Executive Committee considered the Council Inspectors report (22nd & 23rd July, 98) and decided to recommend to the Central Govt. not to renew the permission for increase of MBBS seats from 100 to 120 for the session 1998-99 at Dr. B.R. Ambedkar Medical College, Bangalore in view of the deficient clinical material (49% bed occupancy).

14. MBBS (Calcutta University) - Continuance of recognition in respect of students being trained at Calcutta Medical College, Calcutta.

Read : the compliance report received from the authorities of Calcutta Medical College, Calcutta on the deficiencies pointed out in the periodical inspection report (March, 96) for continuance of recognition of MBBS degree granted by Calcutta University.

The Executive Committee noted that the periodical inspection report carried out in March, 96 on the facilities for undergraduate teaching and training existing at Calcutta Medical College, Calcutta along with the compliance report received was considered by the Committee at its meeting held on 10.12.97

wherein the institution was given six months time for sending a detailed compliance touching on all the deficiencies pointed out in the inspection report since the compliance submitted was not satisfactory.

The Executive Committee considered the further compliance received now on the deficiencies from the Director, Medical Education, Govt. of West Bengal alongwith his latest letter dated 24.8.98 wherein he himself has intimated the shortage of 31 teachers. The Committee decided to give final three months time to the institution for complying with the deficiencies regarding the staff and other deficiencies in the infrastructure facilities. The compliance thus received be-brought back to the Committee for its consideration.

15. MBBS (Calcutta University) - Continuance of recognition in respect of students being trained at N.R.S. Medical College, Calcutta.

Read : The compliance report received from the authorities of the N.R.S. Medical College, Calcutta on the deficiencies pointed out in the periodical inspection report (April, 96) for continuance of recognition of MBBS degree granted by Calcutta University.

The Executive Committee noted that the periodical inspection report carried out in April, 95 on the facilities for undergraduate teaching and training existing at N.R.S. Medical College, Calcutta along with the compliance report received was considered by the Committee at its meeting held on 16.3.98 wherein the institution was given six months time to send the detailed compliance. However, this request was extended by another three months on the request of the Director, Medical Education, Govt. of West Bengal for sending a detailed compliance.

The Executive Committee considered the further compliance received now on the deficiencies from the Director, Medical Education, Govt. of West Bengal alongwith his latest letter dated 24.8.98 wherein he himself has intimated the shortage of 36 teachers. The Committee decided to give final three months time to the institution for complying with the deficiencies regarding the staff and other deficiencies in the infrastructure facilities. The compliance thus received be brought back to the Committee for its consideration.

16. MBBB (Calcutta University) - Continuance of recognition in respect of students being trained at R.G. Kar Medical College, Calcutta.

Read : The compliance report received from the authorities of R.G. Kar Medical College, Calcutta on the deficiencies pointed out in the periodical inspection report (March, 96) for continuance of recognition of MBBS degree granted by Calcutta University.

The Executive Committee noted that the periodical inspection report carried out in March, 96 on the facilities for undergraduate teaching and training existing at R.G.Kar Medical

College, Calcutta along with the compliance report received was considered by the Committee at its meeting held on 10.12.97 wherein the institution was given six months time for sending a detailed compliance touching on all the deficiencies pointed out in the inspection report since the compliance submitted was not satisfactory.

The Executive Committee considered the further compliance received now on the deficiencies from the Director, Medical Education, Govt. of West Bengal alongwith his latest letter dated 24.8.98 wherein he himself has intimated the shortages of 32 teachers. The Committee decided to give final three months time to the institution for complying with the deficiencies regarding the staff and other deficiencies in the infrastructure facilities. The compliance thus received be brought back to the Committee for its consideration.

17. MBBS (Calcutta University) - Continuance of recognition in respect of students being trained at Calcutta National Medical College, Calcutta.

Read : The compliance report received from the authorities of Calcutta National Medical College, Calcutta on the deficiencies pointed out in the periodical inspection report (April, 96) for continuance of recognition of MBBS degree granted by Calcutta University.

The Executive Committee noted that the periodical inspection report carried out in April, 96 on the facilities for undergraduate teaching and training existing at Calcutta National Medical College, Calcutta along with the compliance report received was considered by the Committee at its meeting held on 10.12.97 wherein the institution was given six months time for sending a detailed compliance touching on all the deficiencies pointed out in the inspection report since the compliance submitted was not satisfactory.

The Executive Committee considered the further compliance received now on the deficiencies from the Director, Medical Education, Govt. of West Bengal alongwith his latest letter dated 24.8.98 wherein he himself has intimated the shortages of 28 teachers. The Committee decided to give final three months time to the institution for complying with the deficiencies regarding the staff and other deficiencies in the infrastructure facilities. The compliance thus received be brought back to the Committee for its consideration.

18. MBBB (Calcutta University) - Continuance of recognition in respect of students being trained at Burdwan Medical College, Burdwan.

Read : The compliance report received from the authorities of Burdwan Medical College, Burdwan on the deficiencies pointed out in the periodical inspection report (Jan., 1997) for continuance of recognition of MBBS degree granted by Calcutta University.

The Executive Committee noted that the periodical inspection report carried out in January, 97 on the facilities for undergraduate teaching and training existing at Burdwan Medical

College, Burdwan along with the compliance report received was considered by the Committee at its meeting held on 10.12.97 wherein the institution was given six months time for sending a detailed compliance touching on all the deficiencies pointed out in the inspection report since the compliance submitted was not satisfactory.

The Executive Committee considered the further compliance received now on the deficiencies from the Director, Medical Education, Govt. of West Bengal alongwith his latest letter dated 24.8.98 wherein he himself has intimated the shortages of 9 teachers. The Committee decided to give final three months time to the institution for complying with the deficiencies regarding the staff and other deficiencies in the infrastructure facilities. The compliance thus received be brought back to the Committee for its consideration.

19. MBBB (Calcutta University) - Continuance of recognition in respect of students being trained at R.S. Medical College, Bankura.

Read : The compliance report received from the authorities of B.S. Medical College, Bankura on the deficiencies pointed out in the periodical inspection report (Nov., 96) for continuance of recognition of MBBS degree granted by Calcutta University.

The Executive Committee noted that the periodical inspection of B.S. Medical College, Bankura was carried out in Nov., 96 and sent for observations of the University. Since no observations from the University/college were received, the report was considered by the Executive Committee at its meeting held on 17.9.97 wherein the concerned authorities were advised by way of a final letter to send the observations immediately. In the meantime a letter from Director of Medical Education requesting the Council to extend the time for sending the compliance report was received. This letter was considered by the Committee at its meeting held on 10.12.97 wherein the Committee decided to give six months time for sending a detailed compliance report.

The Executive Committee considered the compliance received now on the deficiencies from the Director, Medical Education, Govt. of West Bengal alongwith his latest letter dated 24.8.98 wherein he himself has intimated the shortages of 16 teachers. The Committee decided to give final three months time to the institution for complying with the deficiencies regarding the staff and other deficiencies in the infrastructure facilities. The compliance thus received be brought back to the Committee for its consideration.

20. MBBB (Jiwaji University) - Continuance of recognition in respect of students being trained at G.R. Medical College, Gwalior.

Read : The compliance report received from the authorities of G.R. Medical College, Gwalior on the deficiencies pointed out in the periodical inspection report (Oct., 95) for continuance of recognition of MBBS degree granted by Jiwaji University.

The Executive Committee considered the compliance report received from the authorities of G.R. Medical College, Gwalior on

the deficiencies pointed out in the periodical inspection report (October, 1995) and observed that still there are many deficiencies for rectification and the college authorities vide MCI letter dated 27.7.98 were requested to send a detailed compliance report after rectifying all the deficiencies to which no reply has been received.

The Committee decided that a show cause notice be issued to the concerned authorities as to why steps should not be initiated to recommend to the Central Govt. to de-recognise the institution for the award of MBBS degree granted by Jiwaji University for not sending the compliance report rectifying the deficiencies. The Committee decided to give one month's time to the institution to send a reply. If no reply is received within the stipulated period action be initiated as decided.

Copy of letter send to the authorities be also marked to the Chief Secretary, Secretary (Health), Director of Medical Education, Registrar of the University and member of the Council representing the State Govt.

21. MBBS (L.N. Mithila University) - Continuance of recognition in respect of students being trained at Darbhanga Medical College, Laheria Sarai.

Read : The compliance verification report (22nd & 23rd April, 1998) for continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Laheria Sarai.

The Committee noted that while considering the periodical inspection report of Darbhanga Medical College, Lahariasarai carried out during Sept., 93 at its meeting held on 8.3.97 along with the compliance received from the authorities concerned had decided to verify the same by an inspection. Since the inspection report dated back to Sept., 93, a fresh inspection of the infrastructure facilities available at the college was carried out in April, 98 along with the verification of the compliance received.

The Committee noting that the deficiencies in the infrastructure facilities are still persisting decided to give three months time to the authorities to rectify the deficiencies as reported in the inspection report and send a compliance to that effect for further consideration in the matter.

22. MBBB (Gujarat University) - Continuance of recognition in respect of students being trained at Smt. N.H.L. Municipal Medical College, Ahmedabad.

Read : The letter dt.1/8/1988 received from the Dean, Smt. N.H.L. Municipal Medical College, Ahmedabad regarding compliance of some of the deficiencies pointed out in the periodical inspection report (Oct., 96).

The Executive Committee noted that the periodical inspection report (Oct.96) alongwith the compliance report received from the college authorities was considered by the Executive Committee at its meeting held on 2.7.98 and it was observed that certain deficiencies were still existing. The Committee decided to give

3 months time to the institution to rectify the deficiencies and to send a compliance report for further consideration in the matter.

The Committee further noted the letter now received from the Dean, Smt. NHL Municipal Medical College, Ahmedabad in response to the above decision regarding compliance of some of the deficiencies and decided to give final 3 months time to the authorities for sending the compliance.

23. Amendments to Graduate Medical Education Regulations, 1997 - relating to marks in the professional examinations.

Read : Amendments to Graduate Medical Education Regulations, 1997 - relating to marks in the professional examination.

The Executive Committee decided to defer the consideration of the matter to its next meeting.

24. Amendments to Graduate Medical Education Regulations regarding criteria for selection of students for admission to MBBS course.

Read : The amendments to Graduate Medical Education Regulations regarding criteria for selection of students for admission to MBBS course.

The Executive Committee noted that following amendments as recommended by the General Body of the Council at its meeting held on 23.10.97 as also later by circulation to the existing proviso to clause 5(5) relating to criteria for selection of students for admission to MBBS course of the Regulations on Graduate Medical Education, 1997, were sent to the Central Govt. for approval on 12.3.98:-

Provided also that;

- (i) in case of admission on the basis of qualifying examination, a candidate for admission to medical course must have passed in Physics, Chemistry, Biology and English individually and must have obtained 60% marks taken together in the three subjects, namely, Physics, Chemistry and Biology at the qualifying examination (10+2 or equivalent).

provided further that in respect of candidates belonging to Scheduled Castes/Scheduled Tribes and other Backward Classes (OBCs), the marks obtained be read as 55% instead of 60%.

- (ii) in case of admission on the basis of competitive entrance examination, a candidate must fulfil the stipulation as laid

down in (i) above so far as the qualifying examination is concerned and in addition must come in the merit list prepared as a result of such competitive entrance examination."

Thereafter, a meeting was taken by the Addl. Secretary (Health) on 19th May, 98 to consider the above proposal for amending clause - 5(5) of the Graduate Medical Education Regulations, 1997 wherein it was suggested that the Council should re-frame the amendment by retaining the prescription of 50% marks in English and 50% marks in Physics, Chemistry and Biology taken together at the qualifying examination and the qualifying marks for SC/ST/OBCs should be retained as 40% - as already provided in the existing Regulations, 1997. It was also discussed that there was no need to prescribe the minimum marks at the competitive entrance examination also and only merit should be taken into consideration for admission through the entrance examination.

Then the Sub-Committee on amendments to the Graduate Medical Education Regulations, 1997 made a number of recommendations for amendments to various clauses of the Regulations including an additional provision under clause 5(5). The Sub-Committee did not agree with the above suggestions of the Ministry to make any changes in the eligibility marks in the qualifying examination which was already approved by the Council and sent to Central Govt.

The Executive Committee then finally recommended the proviso to clause 5(5) as follows at its meeting held on 2.7.98:-

"Provided that -

- (i) In case of admission on basis of qualifying examination, a candidate for admission to medical course must have passed in Physics, Chemistry, Biology and English individually and must have obtained 60% marks taken together in the three subjects, namely, Physics, Chemistry and Biology at the qualifying examination (10+2 or equivalent).
- (ii) In case of admission on the basis of competitive entrance examination, a candidate must fulfil the stipulation as laid down in (i) above so far as the qualifying examination is concerned and in addition must come in the merit list prepared as a result of such competitive entrance examination.

Provided further that in respect of candidates belonging to Scheduled Castes/Scheduled Tribes and Other Backward Classes (OBCs) the marks obtained be read as 55% instead of 60% in (i) above.

Provided further that a candidate who has appeared in the qualifying examination the result of which has not been declared, may be provisionally permitted to take up the competitive entrance examination and in case of selection for admission to a medical college, he shall not be admitted

unless in the meanwhile he has acquired the said eligibility."

In view of above, the Executive Committee decided to reiterate its earlier decision taken at its meeting held on 2.7.98 as quoted above.

25. MBBS (Gorakhpur University) - Continuance of recognition in respect of students being trained at B.R.D. Medical College, Gorakhpur.

The Committee noted the letter dt. 6th July, 1998 written by the Central Govt. to the Govt. of Uttar Pradesh in light of the decision taken by the Council at its meeting held on 17/3/98 regarding withdrawal of recognition of MBBS degree granted by Gorakhpur University in respect of students being trained at B.R.D. Medical College, Gorakhpur u/s 19 of the I.M.C. Act, 1956.

26. MBBS (Delhi University) - Continuance of recognition in respect of students being trained at UCMS, Delhi.

The Committee noted the compliance report received from the Principal, University College of Medical Sciences, Delhi in response to the decision taken by the Executive Committee duly approved by the Council at its meeting held on 23rd Oct., 1997.

27. MBBS (Punjab University) - Continuance of recognition in respect of students being trained at Christian Medical College, Ludhiana.

The Committee noted the compliance report received from the Principal, Christian Medical College, Ludhiana in response to the decision taken by the Executive Committee duly approved by the Council at its meeting held on 23rd Oct., 1997.

28. To note the Central Govt. letter dt. 14th July, 1998 granting permission for increase of MBBS seats from 100 to 150 at J.S.S. Medical College, Mysore u/s 10A of the I.M.C. Act, 1956.

The Committee noted the Central Govt. letter dated 14th July, 1998 granting permission for increase of MBBS seats from 100 to 150 at J.S.S. Medical College, Mysore u/s.10A of the I.M.C. Act, 1956.

29. To note the Central Govt. letter dt. 22nd July, 1998 granting provisional recognition to Govt. Medical College, Chandigarh for a further period of one year w.e.f. 31st August, 1998.

The Committee noted the Central Govt. letter dated 22nd July, 1998 granting provisional recognition to Govt. Medical College, Chandigarh for a further period of one year w.e.f 31st August, 1998..

30. Rajiv Gandhi Medical College & Chhatrapati Shivaji Maharaj Hospital, Thane - Recognition of the college for the award of MBBS degree granted by University of Mumbai.

Read : The compliance verification report (12th Aug., 1998) for recognition of Rajiv Gandhi Medical College & Chhatrapati Shivaji Maharaj Hospital, Thane.

The Executive Committee noted that the first inspection of Rajiv Gandhi Medical College & Chhatrapati Shivaji Maharaj Hospital, Thane for recognition of the college for the award of MBBS degree granted by University of Mumbai was carried out in May, 97. Upon consideration of this report by the Committee at its meeting held on 7.6.97, the recognition was not recommended in view of the reported shortages in staff and other infrastructural facilities. The institution was granted six months time to rectify the deficiencies. The compliances as and when received have been verified by way of inspections carried out in March and June, 1998. These compliance verification reports were considered by the Committee at its meeting held on 2.7.98 wherein certain deficiencies in the infrastructural facilities especially staff and clinical material were noted. The institution was again advised to rectify the same and take positive steps to improve the clinical material and send a compliance to this effect.

The compliance report received from the college authorities vide their letter dated 3.8.98 has been verified by the Council Inspectors on 12th August, 98 the report of which is under consideration of the Committee. After deliberation on this inspection report, the Committee has noted that the infrastructural facilities, the available staff and clinical material including the beds etc. are now adequate and hence, decided to recommend that Rajiv Gandhi Medical College & Chhatrapati Shivaji Maharaj Hospital, Thane be recognised for the award of MBBS degree granted by University of Mumbai with 60 (sixty) annual admissions.

31. Sri Guru Ram Das Instt. of Medical Sciences and Research, Sri Amritsar - Renewal of permission for admission of 2nd batch of MBBS students.

Read: The compliance verification report (20th Aug., 1998) alongwith the previous inspection report for renewal of permission for admission of 2nd batch of MBBS students at Sri Guru Ram Das Instt. of Medical Sciences and Research, Amritsar.

The Executive Committee considered the compliance verification report (20th Aug., 98) along with the previous inspection report (May, 1998) and decided to recommend to the Central Govt. to renew the permission for admission of students in the 2nd batch i.e. for the session 1998-99 at Sri Guru Ram Das Instt. of Medical Sciences and Research, Amritsar for 50 (fifty) admissions annually.

32. Acharya Shri Chander College of Medical Sciences and Hospital, Jammu - Renewal of permission for admission of the 3rd batch of MBBS students.

Read : The Council Inspectors report (21st & 22nd Aug., 1998) for renewal of permission for admission of the 3rd batch of MBBS students.

The Executive Committee considered the Council Inspectors report (21st & 22nd Aug., 98) and decided to recommend to the Central Govt. to renew the permission for admission of students in the 3rd batch i.e. for the session 1998-99 at Acharya Sri Chander College of Medical Sciences and Hospital, Jammu for 100 (Hundred) admissions annually.

33. Fixing of intake at 1st MBBS at J.J.M. Medical College, Davangere.

Read : The Council Inspectors report (13th & 14th Aug., 1998) for fixing of intake at 1st MBBS course at J.J.M. Medical College, Davangere request of which was received through the Central Govt.

The Executive Committee considered the Council Inspectors report (13th & 14th August, 98) and noted that JJM Medical College, Davangere was permitted for the intake of 245 annual admissions vide its meeting held on 17.3.89. The institution was admitting 328 students from 1992-93 till 1995-96 as per the number fixed by the State Govt. The institution applied u/s 10A of the I.M.C. Act, 1956 as per the directions of the Hon'ble High Court of Karnataka dated 1.10.96 in WP No. 8413/96. On receipt of the application, the Council arranged for an inspection and the report was considered by the Executive Committee at its meeting held on 17.10.96 wherein the Committee noted that the college is fulfilling the requirements for admission of 150 students annually, hence, it was decided to recommend to admit 150 students annually to the Central Govt. Thereafter, a lot of correspondence had taken place between the institution, MCI and the Central Govt. The Central Govt. had finally fixed the intake of the institution at 150 vide its letter dated 19.5.98 with immediate effect. In response to that, the institution represented to Central Govt. and forwarded a compliance which was referred by the Central Govt. to MCI vide its letter No.U.12012/95/96-ME(P), dated 3.8.98 for recommendation/comments of the Council.

In view of this, an inspection was arranged which was carried out in August, 98. Upon consideration of this inspection report, the Committee is of the opinion that the institution has marginal deficiencies in staff and other infrastructural facilities for 245 annual admissions. The institution may be advised to take remedial measures on these deficiencies and certain observations of the Council Inspectors on the academic matters within one year and the compliance be sent to the Council within the stipulated period.

34. Jawahar Lal Nehru Medical College, Aligarh - Renewal of permission for increase of MBBS seats from 100 to 150 u/s 10A of the I.M.C. Act, 1956.

Read : The Council Inspector's report (13th & 14th Aug., 1998) for renewal of permission for increase of seats from 100 to 150 at Jawahar Lal Nehru Medical College, Aligarh.

The Executive Committee considered Council Inspectors report (13th & 14th Aug., 98) carried out for renewal of permission for increase of MBBS seats from 100 to 150 u/s 10A of the I.M.C. Act, 1956 and decided to recommend to the Central Govt. not to renew the permission for the increase of 50 seats over and above the 100 sanctioned for the session 1998-99 due to shortage of staff, beds and other infrastructural facilities as reported in the inspection report.

35. SLP No. 4536/98 - MCI - vs - State of Himachal Pradesh and others.

To note and consider the Council Inspector's report (Aug., 98) carried out under the directions of Hon'ble Supreme Court of India regarding establishment of Dr. Rajendra Prasad Medical College, Tanda (H.P.).

A representation was made by the State authorities before the Hon'ble Supreme Court that all the deficiencies have been removed. Accordingly, by its order dated 10.8.98 the Hon'ble Supreme Court of India had directed the MCI to carry out an inspection of the infrastructural, staff and other facilities at the above mentioned medical college. The inspection of the college was conducted by the Inspectors of the Council on 17th & 18th of August, 98. The report of the Inspectors has been placed before the Executive Committee.

The Executive Committee noted that since the State Govt. have failed to fulfil all the conditions incorporated in the letter of intent, the Council was constrained to recommend to the Central Govt. by its letter dated 19.9.97, not to grant letter of permission to the State Govt. for establishment of the medical college. It is relevant to note that in August, 97 itself the Council had expressed its apprehension about the ability of the authorities for the basic infrastructure for the para-clinical subjects and departments and had insisted the setting up of the same at the beginning itself. It is a matter of record and an admitted position that the college authorities had sought two months time in August, 97 to provide this basic infrastructure. This was not done by the State authorities and they had sought one month's time in Nov., 97 but failed to do anything in this regard. The Hon'ble Himachal Pradesh High Court had granted permission to the State authorities to admit students in the college which was stayed by the Hon'ble Supreme Court.

Even before the Hon'ble Supreme Court the State authorities had sought time till May, 98 for providing the entire infrastructure for the para-clinical departments. It is also a necessary and fundamental requirement under the statutory regulations for every applicant to own and manage its teaching

hospital in the same campus where the college is sought to be established. The teaching hospital and all the infrastructural facilities are required to be set up and provided in the same campus within a maximum period of four years. The authorities were obviously under obligation to comply with the stay order passed by this Hon'ble Court.

The perusal of the inspection report clearly reveals that the dormitories which were proposed to be used for setting up of the para-clinical departments in August, 97, were now being vacated and there is no infrastructure facility for the teaching of the subjects in the 2nd year of MBBS. No steps what so ever have been taken by the State authorities for setting up of the teaching hospital of the required strength at the proposed site of the college. The Committee noted the gross deficiencies with regard to hostel facilities, accommodation facilities etc. which are enumerated in the inspection report.

The authorities have not complied with the stay order passed by the Hon'ble Supreme Court and the students who were allegedly admitted pursuant to the judgement of the Hon'ble High Court are studying in the college, contrary to the statement made on behalf of the petitioner before the Hon'ble Supreme Court. The Inspectors found that the college authorities had sent the students on leave two-three days before the date of actual inspection intimated by the Council to the college authorities and were supposed to join classes from 19.8.98 i.e. immediately after the inspection.

The Secretary of the Council is directed to place the inspection report before the Hon'ble Supreme Court as per the order dated 10.8.98.

36. Regional Institute of Medical Sciences, Imphal - (i) Continuance of recognition of MBBS degree granted by Manipur University (ii) increase of MBBS seats from 85 to 100 request of which was received u/s 10A of the I.M.C. Act, 1956.

Read : The Council Inspectors report (May 20, 21st & 22nd, 97) and (31st July & 1st Aug., 1998) for (i) continuance of recognition of MBBS degree and (ii) increase of MBBS seats from 85 to 100 u/s 10A of the I.M.C. Act, 1956 at Regional Institute of Medical Sciences, Imphal.

The Executive Committee considered the Council Inspectors report (20th, 21st & 22nd May, 97) and (31st July & 1st Aug., 98) carried out for the purposes of continuance of recognition of MBBS degree and increase of seats u/s 10A respectively. The Committee noted that the infrastructural facilities, available staff, beds and clinical material are adequate.

The Committee decided to recommend that recognition of MBBS degree granted by Manipur University in respect of students being trained at Regional Institute of Medical Sciences, Imphal be continued.

The Executive Committee further decided to recommend to the Central Govt. to issue Letter of Permission for increase of MBBS seats from 85 to 100 u/s 10A at Regional Institute of Medical Sciences, Imphal on permanent basis.

37. MBBS (Kanpur University) - Continuance of recognition in respect of students being trained at G.S.V.M. Medical College, Kanpur.

Read : The reply received from the Principal, G.S.V.M. Medical College, Kanpur on the decision taken by the Executive Committee at its meeting held on 2/7/98.

The Executive Committee noted that at its meeting held on 2.7.98 it had decided to issue a show cause notice to the authorities concerned intimating that why steps should not be initiated for stopping the admission at G.S.V.M. Medical College, Kanpur with immediate effect in view of the gross deficiencies existing in staff, clinical material and other infrastructural facilities.

In response to the letter issued on the above decision, the Principal of the college has sent two letters in Aug., 98 informing that details of the bed occupancy as mentioned in the inspection report of Feb., 97 were not correct. Some information was left by mistake in the figure sent for OPD as well as bed occupancy of various hospitals attached to the college, which information has now been corrected.

The Committee on perusal of the information furnished in both the letters of the Principal noted that the replies sent are not satisfactory and the arrangements made by the authorities by appointing guest faculty of retired persons and private practitioners on payment of Rs. 200/- per lecture are not acceptable, since there is no provision in the Regulations prescribed by the Council for appointment of such teachers in a medical college. Further the statement of the Principal that the medical colleges are being converted into Societies for better functioning and these societies when established will be able to fill up the vacant posts within three months of their establishment do not clarify as to how many vacant posts have been entrusted to these Societies to be filled up on behalf of the Govt.

In view of the above observations, the Executive Committee decided to give three months time to the authorities to send a proper compliance failing which it will be constrained to recommend to the Central Govt. derecognition of G.S.V.M. Medical College, Kanpur for the award of MBBS degree granted by Kanpur University.

38. MBBS (Shivaji University) - Continuance of recognition in respect of students being trained at Govt. Medical College, Miraj.

Read : The letter dt.17/8/98 received from the Secretary,

Govt. of Maharashtra, Medical Education & Drugs Deptt., Mumbai in response to the decision taken by the Executive Committee at its meeting held on 2/7/98. He has requested the Council to give three months time to comply with the requirements i.e. 31/10/98 and defer taking any action against the college till such time.

The Executive Committee considered the fax letter dated 17.8.98 of the Secretary, Govt. of Maharashtra, Medical Education & Drugs Deptt., Mumbai received in response to the show cause notice issued to the authorities concerned of Govt. Medical College, Miraj as to why steps be not initiated to recommend to the Central Govt. for derecognition of the institution for the award of MBBS degree granted by Shivaji University. Considering the request of the Secretary to Govt. of Maharashtra, the Committee decided to give three months time to the institution to send a satisfactory compliance as requested.

39. Query whether medical graduates can perform simple forms of anaesthesia like Spinal anaesthesia etc. in connection with Family Welfare Planning.

Read : The letter dt. 5/8/98 received from the Addl. Dy.Dir.General(RHS), Directorate General of Health Services, Nirman Bhawan, New Delhi seeking comments of the MCI, whether medical graduates can perform simple forms of anaesthesia like spinal anaesthesia etc. in connection with Family Welfare Planning.

The Executive Committee considered the letter dated 5.8.98 from the Addl.Dy.Dir.General(RHS), Directorate General of Health Services, Nirman Bhawan, New Delhi seeking comments whether medical graduates can perform simple forms of anaesthesia like spinal anaesthesia etc. in connection with Family Welfare Planning. In view of the provisions laid down in Medical Council of India - Regulations on Graduate Medical Education, 1997 wherein it is clearly mentioned that as a part of the internship programme MBBS trainees are expected to train in anaesthesia and acquire "knowledge, skills and attitude to perform lumbar puncture, spinal anaesthesia and simple nerve blocks", the Committee decided to communicate to the Addl.Dy.Dir.General(RHS), Directorate General of Health Services, Nirman Bhawan, New Delhi that the medical graduates can be permitted to perform simple forms of anaesthesia such as spinal anaesthesia and simple nerve blocks etc. for family welfare planning.

40. Proposal to issue an ordinance to amend the Indian Medical Council Act, 1956 to provide for Screening Test for holders of foreign medical qualification for registration with the MCI/State Medical Council to practice medicine in India.

Read : The Draft note for the Cabinet received from the Central Govt., Ministry of Health & F.W. to consider the proposal to issue an ordinance to amend the Indian Medical Council Act, 1956 to provide for Screening Test for holders of foreign medical qualification for registration with the MCI/State Medical Council to practice medicine in India.

The Executive Committee considered the draft note for the

Cabinet received from the Central Govt. and made the following suggestions:-

- (i) Eligibility criteria as laid down in the Regulations on Graduate Medical Education which are mandatory before pursuing MBBS or its equivalent course should be made as a pre-requisite for making a candidate eligible to appear in the screening test.
- (ii) The candidate must possess the degree which should be recognised and entitle him for registration in that country by virtue of its being a recognised qualification in that country and further that the name of this qualification is included in the WHO directory.
- (iii) There should be 4 papers of multiple choice questions namely (a) pre-clinical, (b) para-clinical, (c) clinical medicine & its allied subjects and (d) clinical surgery & its allied subjects including Obst. & Gynae. The duration of the examination in these papers should be 3 hours for each paper.
- (iv) Not more than 3 attempts be allowed for appearing in the screening test.

Regarding the clarification whether MCI would like to conduct the test itself or entrust the responsibility to AIIMS and NBE or some similar organisation, the Executive Committee was of the opinion that it will not be possible for the MCI to conduct this test. The Central Govt. may consider entrusting the responsibility to AIIMS/NBE as deemed fit.

41. Recognition of MBBS degree granted by International Medical and Technological University, IMTU, Dar-Es-Salaam, Tanzania.

Read : The matter with regard to recognition of MBBS degree granted by International Medical and Technological University, IMTU, Dar-Es-Salaam, Tanzania, request received from Indian High Commission in Tanzania, Tanzania High Commission in India & Ministry of Health & F.W.

The Executive Committee considered the matter with regard to recognition of MBBS degree granted by International Medical & Technological University, IMTU, Dar-Es-Salaam, Tanzania and was of the opinion that no institution can be recommended for recognition without physical verification by way of an inspection and moreover the college under reference has been established in March, 97 and the first batch has not yet passed from this institution.

42. Annual Report of the Medical Council of India for the year 1997-98 - Approval of.

The Executive Committee approved the Annual Report of the Medical Council of India for the year 1997-98.

43. Medical Education - MBBS - Creation of 53 extra seats during 1995-96 session - Admission of students - Exceeding the sanctioned intake - Approval thereof.

Read : The letter No. 51868/ME-II/96, dated 13.8.98 from the Director of Medical Education, Chennai enclosing therewith judgement/order delivered by the Hon'ble Supreme Court on 9.8.1994 in contempt petition, 43 to 54/94 in W.P.(C) No. 607 of 1992 and the Hon'ble Supreme Court direction in contempt petition No. 214 of 94 in W.P.(C) No. 454 of 1994 in connection with rules of reseravation to be followed in MBBS admissions.

The Executive Committee perused the request of the D.M.E. as contained in the letter for creation of 53 extra seats and detailed order dated 18th August,1994 of the Hon'ble Supreme Court of India delivered in contempt petition No. 43 to 54 of 1994 in W.P.(C) No. 607 of 1992 with several other Writ Petitions. The Committee noted that the Hon'ble Supreme Court has vide its order directed "the Govt. of Tamil Nadu to create 52 extra seats in Govt. Medical Colleges for the current academic year 1994-95. The Medical Council of India and other appropriate authorities shall forthwith grant the necesssry permission for this enhanced capacity for this year. As against these 52 seats plus 10 seats available in Ramachandra Medical College, Chennai - a total of 62 students out of the conslolidated merit list shall be admitted.-----".

The Committee further noted that the Hon'ble Court vide its order dated 21.4.1995 in contempt petition 214 of 1994 in W.P.(Civil) CX.No.(s)454 of 1994 has directed that ".....the orders made by this Court in respect to the academic year 1994-95 shall continue to be valid and applicable and shall be followed. In short the process that has been adopted in the academic year 1994-95 shall be repeated for the next year."

In view of the above directions of the Hon'ble Supreme Court of India, the Executive Committee of the Council decided to recommend to the Central Govt., Ministry of Health & F.W. to issue "Letter of Permission" for creation of 52 extra seats in Govt. Medical Colleges in Tamil Nadu for the academic years 1994-95 and 53 extra seats for the academic year 1995-96 as under:-

<u>Name of the Medical College</u>	<u>Extra seats created</u>	
	<u>1994-95</u>	<u>1995-96</u>
Chennai Medical College, Chennai	10	6
Stanley Medical College, Chennai	10	13
Kilpauk Medical College, Chennai	10	23
Coimbatore Medical College, Coimbatore	5	11
Madurai Medical College, Madurai	7	-
Tirunelveli Medical College, Tirunelveli	5	-
Thanjavur Medical College, Thanjavur	5	-
	52	53

44. To note the letter of Intent/Permission/Renewal of Permission issued by the Central Govt. for establishment of new medical colleges/increase of seats u/s 10A of the I.M.C. Act, 1956.

The Executive Committee noted the letter of Intent/Permission/Renewal of Permission issued by the Central Govt. for establishment of new medical colleges/increase of seats u/s 10A of the Indian Medical Council Act, 1956 as under:-

- | | |
|---|---|
| 1. Venkatesha Education Society
MVJ Medical College &
Research Hospital, Bangalore. | As per directions of the Hon'ble High Court of Karnataka W.P. No. 14896 dated 21.5.98 the Central Govt. vide its letter dated 17.8.98 has issued conditional Letter of Intent for the establishment of MVJ Medical College at Bangalore with annual intake of 100 students with prospective effect. |
| 2. KAP Viswanathan Govt.
Medical College, Trichy | The Central Govt. vide its letter dated 8.8.98 had issued Letter of Permission for establishment of KAP Viswanathan Govt. Medical College, Trichy with an annual intake of 100 students with prospective effect. |
| 3. Dr. D.Y. Patil Medical
College for Women, Pimpri,
Pune. | The Central Govt. vide its letter dated 14.8.98 has renewed the permission for admission of 2nd batch of MBBS students with annual intake of 100 admissions with immediate effect. |
| 4. TKVTSS Educational and
Charitable Trust - Medical
College at Karaikal,
Pondicherry. | The Central Govt. vide its letter dated 3.8.98 has not renewed the permission for admission of 3rd batch of students during 1998-99 as recommended by the Executive Committee at its meeting held on 2.7.98. |
| 5. Govt. Medical College,
Rajkot. | The Central Govt. vide its letter dated 7.8.98 has renewed the permission for admission of 4th batch of students at Medical College, Rajkot with an annual intake of 50 admissions as recommended by the Executive |

6. Govt. Medical College,
Bhavnagar.
- Committee at its meeting held on 2.7.98.
- The Central Govt. vide its letter dated 11.8.98 has renewed the permission for admission of 4th batch of students at Medical College, Bhavnagar with an annual intake of 50 admissions as recommended by the Executive Committee at its meeting held on 2.7.98.
7. Indira Gandhi Medical College, Nagpur.
- Increase of MBBS seats from 60 to 100.
- The Central Govt. vide its letter dated 12.8.98 has renewed the permission for admission of 2nd batch of students at Indira Gandhi Medical College, Nagpur against the increased intake i.e. from 60 to 100 for a further period of one year i.e. 1998-99 as recommended by the Executive Committee at its meeting held on 2.7.98.
8. Govt. Medical College, Aurangabad.
- Increase of MBBS seats from 100 to 150.
- The Central Govt. vide its letter dated 12.8.98 has not renewed the permission for admission of 2nd batch of students during 1998-99 at Govt. Medical College, Aurangabad against the increased intake from 100 to 150 as recommended by the Executive Committee at its meeting held on 2.7.98.
9. Vinayaka Mission's Medical College, Salem.
- The Central Govt. vide its letter dated 19.8.98 has renewed the permission for admission of 4th batch of MBBS students with annual intake of 100 admissions for the academic session 1998-
10. Shri Vasant Rao Naik Govt. Medical College, Yavatmal.
- Increase of seats from 50 (fifty) to 100 (hundred).
- The Central Govt. vide its letter dated 12th August, 98 has issued Letter of Intent for increase of seats from 50 to 100 at Shri Vasant Rao Naik Govt. Medical College, Yavatmal.

45. Consideration of Migration Rules as contained in the Regulations on Graduate Medical Education, 1997.

Read : Letter dated 20.8.98. from Dr. K.R.Shetty, Member, MCI requesting to consider the Migration Rules as prescribed in the Regulations of the Council on Graduate Medical Education, 1997 under Rule 6.

The Executive Committee decided to refer the matter to the General Body of the Council.

46. Recognition of qualifications granted by institutions in Bulgaria - Letter of Ministry of Health & F.W. along with letters from Indian Embassy in Bulgaria.

Read : The copies of letters from Indian Ambassador in Bulgaria along with copies of letters of First Secretary, Embassy of India, Sofia addressed to the Director, Ministry of External Affairs as forwarded by the Ministry of Health & Family Welfare to this Council.

The Executive Committee noted that the main contents of the letters are that some of recruitment agents, recruiting students for medical studies in various institutions in Bulgaria are fleecing them by giving them very rosy picture. One of the allegations against the recruitment agents is that the medical course is being taught in the English language as against students facing the problem that the said courses after one or two years are being taught in Bulgarian language. The other points for consideration are that the accommodation and the fees are not as informed by the recruitment agents.

The Committee also considered the contents of the Ministry of Health & F.W. regarding issue of press note to caution the students from joining foreign medical institutions. The Executive Committee noted that the problems faced by the candidates are not because of the recognition status of the institutions in Bulgaria but Committee felt that this problem could multiply at a later date and may reach a point of no return - as experienced in the cases of certain other institutions located in certain other countries.

The Committee was of the opinion that the recognition of the following institutions which are already included in the Schedules to the I.M.C. Act, 1956 be limited upto the year 2006 so that the batch which may be getting admission this year is not affected adversely:-

1. Diploma in Medicine & Surgery (Faculty of Medicine of the Vervenka Eye Instt. of Medicine, Sofia), Bulgaria.
2. "Physician" Medical Academy, Sofia (Higher Instt. of Education, Sofia).
3. "Physician" Medical Academy, Sofia (Higher Medical Institute, Plovdiv).

4. "Physician" Medical Academy, Sofia (Higher Medical Institute, Varna).

The Committee also noted that recognition of "Physician" MD (Bachelor of Medicine) Medical Academy, Sofia (Higher Medical Institute, Pleven), Bulgaria" is already notified by the Central Govt. as recognised when granted upto 16th September, 2001.

The Committee therefore decided to recommend to the Council to add the following foot note in Part-II of the Third Schedule to the I.M.C. Act, 1956 for limiting recognition of the above mentioned four qualifications granted by institutions in Bulgaria:-

"The above qualifications shall be recognised when granted upto September, 2006."

47. Mamatha Educational Society, Khammam - Admissions for the academic year 1998-99, Court order dated 3.2.98 and 13.8.98.

Read : University of Health Sciences, Vijayawada AP letter No. 1413/EA1/98, dated 9.6.98 from the Registrar enclosing therewith a copy of Hon'ble High Court of Judicature: Andhra Pradesh : at Hyderabad, order dated 3.2.98 in Writ Petition No. 1413/98. and also the order dated 13.8.98 of the said High Court in the Writ Petition No. 22675 of 1998 and the legal opinion obtained from the Council Advocate on the said orders of the Hon'ble High Court.

The Executive Committee noted that the Hon'ble High Court of Andhra Pradesh vide its order dated 3.2.98 in the Writ Petition No. 1413 of 1998 filed by Mamatha Educational Society, Khammam while issuing show cause notice to the affiliating University has passed interim direction pending further orders to the authorities of University of Health Sciences AP"-----to allot candidates to the petitioner institution in MBBS first year course in accordance with the rules pending affiliation by the first respondent - University without insisting on the permission of the Govt. of India.-----"

The Committee further noted that the Hon'ble High Court vide its order dated 13.8.98 in Writ Petition No. 22675 of 98, while issuing show cause notice to the University has ordered that "pending further orders, there shall be interim direction to the respondent to allot the candidates to the petitioner institution in MBBS 1st year in accordance with rules."

The Committee also noted from the legal opinion obtained from Council Advocate by the office in this regard that "the Central Govt. had not taken the decision on the recommendations of the Council, (for having recommended grant of letter of permission to the college for admission of students in the MBBS course).-----This order which gives the exemption to the college from complying with the provisions of Section 10A and the Regulations made thereunder of the Indian Medical Council Act, is not correct and justified. The Medical Council of India is not a party before the High Court in the abovementioned writ

petition and it appears that the Central Govt. also did not challenge the order dated 3.2.98 and is bound by the same. Accordingly, it is not open to the Central Govt. to take a stand that it has granted the letter of permission prospectively from this year when it has apparently accepted the order dated 3.2.1998."

"Under these circumstances, the Medical Council of India should go ahead with the procedure to be followed under the statutory regulations by conducting the inspection of the infrastructural and other facilities for the purpose of annual renewal of the permission. Thereafter, it is open to the Medical Council of India to seek impleadment in the abovementioned writ petition and place the inspection report before the Hon'ble Court or to forward the inspection report to the Central Govt. requesting them to place the same before the Hon'ble Court for further appropriate orders. The Council may take a decision in this regard."

In view of the above orders of the Hon'ble High Court of Andhra Pradesh at Hyderabad and the legal opinion from Council Advocate, the Executive Committee decided to carry out an inspection of verification of achievements of annual targets at Mamatha Educational Society, Khammam for renewal of permission for admission of students in the 1st MBBS course as per statutory regulations.

President is authorised to take any action further on receipt of the inspection report.

48. Non-appointment of Executive Committee members as Inspectors.

Read : Letter No. V.12017/10/97-PMS, dated 9.7.98 received from the Central Govt., Ministry of Health & FW on the subject of non-appointment of EC members as Inspectors, along with legal opinion obtained in this regard.

The Executive Committee noted the contention; of the Central Govt. contained in their letter dated 9.7.98 that "since members of the Executive Committee have to consider the report of Inspectors, they should not be appointed as Inspectors for conducting the inspection of Dental/Medical Colleges....."; among other things and also the legal opinion obtained from the Council Advocate in this regard. As per the legal opinion "...matter of appointment of Inspectors u/s 17 of the Act lies within the exclusive domain of the Executive Committee and this power or duty cannot be whittled down by any regulations. Therefore, the suggestion that the selection of Inspectors may be entrusted to a Committee which represents different regions of the country, as contained in the said letter dated 9.7.98, would be contrary to the provisions of the Act.----- it is not mandatory that medical Inspectors have to be appointed from any panel as has been suggested in the said letter.-----provisions of Section 18 indicates that any person, whether he is a member of the Council or not, can be appointed as visitor. The only restriction is that an Inspector cannot be appointed as visitor for the same inspection of examination for which he was appointed Inspector.-----there does not appear to be any provisions, express or implied, in the Act which debar members of the

Executive Committee or, for that matter, members of the Council from being appointed as Inspectors.-----the Executive Committee does not function as an appellate authority while considering the report of Inspectors. At most, as a matter of propriety, the member of the Executive Committee who has been appointed as Inspector may not participate in the deliberations when his report is being considered by the Executive Committee or put to vote.-----the Executive Committee is expected to be diligent in not appointing an interested person as medical Inspector."----- among other things.

The Advocate in his legal opinion on the question regarding powers of the Central Govt. in issuing directions to the Council, does not find any provisions in the Act which authorise the Central Govt. to do so."

In view of the above, the Executive Committee reiterates its earlier decision to authorise the President to appoint Inspectors for all purposes.

49. Judgement and order dated 22.4.1998 in Ardhendu Shekhar Pandey Versus Union of India & Ors. CWP No. 4953 of 1997 & 24 other similar matters and (ii) Judgement and order dated 22.4.1998 in Meenakshi Vs. Union of India & Ors.:CWP No.4743 of 1996 and Nityanand Ghosh Vs. Medical Council of India; CWP No. 4591 of 1996 of a learned Single Judge of the Hon'ble Delhi High Court.

Read : The further Hon'ble High Court of Delhi order dated 31.7.98 in CWP No. 4953 of 1997 and 24 other similar matters.

In compliance with the Court order dated 31.7.98 passed by the Hon'ble Delhi High Court in the above matter, representative Advocates of the students Shri Mukul Rohtagi, Sr. Advocate; Shri Sandeep Sethi; Shri N.K. Shangle; Shri R.S. Dhull; Shri R.K. Gupta and Advocates appearing on behalf of the Medical Council of India i.e. Shri Maninder Singh & Shri Navin Prakash were invited to attend the meeting to find out some pragmatic solution for resolving the issues relating to non-registration of the candidates who returned from erstwhile USSR after studying in different medical institutions in the erstwhile States of USSR.

At the threshold itself, it was brought to the notice of the Learned Counsel appearing for the students that some of the students had studied in unrecognised medical institutions for a period of more than one year and one of them had studied about 5 years. After hearing the submissions made on behalf of the Learned Counsel for the students and discussing with them various options, everyone agreed to accept the following solution:-

- A) All such students who had undergone a part of their M.D.(Physician) course in unrecognised college shall, in addition to their one year mandatory internship, undergo an additional period of internship equivalent to half the period of their studies which they had undergone in an unrecognised institutions respectively. For example, if a student had undergone studies and training for two years in an unrecognised institution, then he shall be required to undergo an internship of two years (one year mandatory


undergo an internship of two years (one year mandatory internship + one year of additional internship being half of two years).

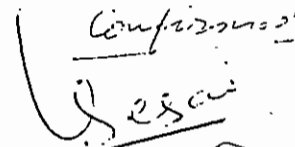
- B) Any student who had initially taken admission in an unrecognised institution shall not be entitled for any benefit of the above-mentioned decision at para A above.
- C) Every student in this category shall be required to undergo the mandatory one year internship and they will not claim any benefit of any training which they have stated to have undergone prior to their acquiring the medical qualification i.e. M.D. (Physician) degree.
- D) The Council shall complete the formalities for grant of provisional registration to such students within a period of two weeks from the date of receipt of all the required relevant documents from the concerned candidates. The Learned Counsel appearing for the students had also agreed and accepted that this decision which the Council has taken with due regard and deference to the Hon'ble Court and keeping in mind the interest of the students, shall not be challenged by the students any further and accordingly they shall withdraw their petitions pending before the Hon'ble Delhi High Court.

New Delhi
Dated the 25th Aug., 1998.


(DR. M. SACHDEVA)
SECRETARY.

A P P R O V E D


(Dr. Ketan Desai)
Chairman.

Confidential

(Dr. Ketan Desai)
Chairman.