

No.MCI-5(3)/2003-Med./

MEDICAL COUNCIL OF INDIA

EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on Saturday the 23rd August, 2003, at 11.00 am in the Council office at New Delhi where the members of the Adhoc Committee appointed as per the Hon'ble Supreme Court order dated 20.11.2002 were also present.

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Present:

Dr. P.C.Kesavankutty Nayar - President (Acting)

Prof. P.N. Tandon] Adhoc Committee

Prof. N. Rangabashyam] Members

Dr.(Mrs.) S. Kantha]

Dr. K.S. Chugh

Dr. Ajay Kumar

Dr. Mukesh Kr. Sharma

Dr. Nitin S. Vora

Dr. P.M. Jadhav

Dr. D.K. Sharma

Dr. F.U. Ahmed

Lt. Col.(Retd.) Dr. A.R.N. Setalvad - Secretary

Apology for absence was received from Dr. V.K. Puri, Lucknow.

1. **Minutes of the Executive Committee meeting held on 28.7.2003 – Confirmation of.**

The minutes of the Executive Committee meeting held on 28/7/2003 were confirmed.

2. **Minutes of the last meeting of the Executive Committee – Action taken thereon.**

The Executive Committee and members of the Adhoc Committee noted the action taken on the various items included in the minutes of the Executive Committee meeting held on 28.7.2003 with following additions/corrections:-

The action taken under item Nos. 3,4,7,11, 13, 18, 20 be read amended as under:-

3. **Dr. Rajendra Prasad Govt. Medical College, Tanda – renewal of permission/approval of the college for the award of MBBS degree granted by Himachal Pradesh University:**

Decision of the Executive Committee sent to Central Govt. on 01.08.2003. The compliance report was forwarded to the Council on 21.8.2003 and the item is included in the agenda of today's meeting.

4. **Establishment of new medical college at Midnapore by Govt. of West Bengal – Compliance verification inspection report:**

Decision of the Executive Committee sent to Central Govt. on 01.08.2003. The compliance report was forwarded to the Council on 22.8.2003 and the item is included in the agenda of today's meeting.

7. **Swami Vivekanand Instt. of Medical Sciences and Research, Valia – renewal of permission for admission of 2nd batch of students during 2003-2004.**

Decision of the Executive Committee sent to Central Govt. on 30.7.2003. The compliance report was forwarded to the Council on 14.8.2003 and the item is included in the agenda of today's meeting.

11. **Alluri Sitarama Raju Academy of Medical Sciences, Eluru – renewal of permission for admission of 4th batch of students.**

Decision of the Executive Committee sent to Central Govt. on 31.7.2003. The compliance report was forwarded to the Council on 14.8.2003 and the item is included in the agenda of today's meeting.

13. **P.E.S. Instt. of Medical Sciences and Research, Kuppam – to consider the inspection report of 2nd July,2003.**

Decision of the Executive Committee sent to Central Govt. on 31.7.2003. The compliance report was forwarded to the Council on 14.8.2003 and the item is included in the agenda of today's meeting.

18. **S. Nijalingappa Medical College, Bagalkot – renewal of permission for admission of 2nd batch of students for the year 2003-2004.**

Decision of the Executive Committee sent to Central Govt. on 31.7.2003. The compliance report was forwarded to the Council on 18.8.2003 and the item is included in the agenda of today's meeting.

20. **Increase of MBBS seats from 107 to 150 at S.C.B. Medical College, Cuttack.**

Decision of the Executive Committee sent to Central Govt. on 30.7.2003. The compliance report was forwarded to the Council on 19.8.2003 and the item is included in the agenda of today's meeting.

3. **Establishment of Maharishi Markandeshwar Institute of Medical Sciences and Research at Maullana (Ambala) by Maharishi Markandeshwar Education Trust, Ambala City, Haryana – Grant of LOP.**

Read : The Council Inspectors report (30th & 31st July, 2003) for grant of LOP for establishment of Maharishi Markandeshwar Institute of Medical Sciences and Research at Maullana (Ambala) by Maharishi Markandeshwar Education Trust, Ambala City, Haryana.

The Executive Committee and the members of the Adhoc Committee considered the compliance verification report (30th and 31st July, 2003) and decided to recommend to the Central Government to issue Letter of Permission for establishment of Maharishi Markandeshwar Institute of Medical Sciences and Research at Maullana (Ambala) by Maharishi Markandeshwar Education Trust, Ambala City, Haryana for 150 students for the academic session 2003-2004 under section 10A of the Indian Medical Council Act, 1956.

4. **Establishment of new medical college at Institute of Post Graduate Medical Education & Research, Kolkata.**

Read : The compliance verification inspection report (7th & 8th August, 2003) for establishment of new medical college at Institute of Postgraduate Medical Education & Research, Kolkatta.

The Executive Committee and members of the Adhoc Committee considered the compliance verification inspection report (7th & 8th August,2003) and noted the following:-

1. The hostel for girls is under construction. In this proposed hostel premises there are 8 big halls each accommodating approximately 8 students. These rooms are not complete, electrical fittings, plumbing, fittings of panels of door windows, wash basin etc. still pending. There is no provision for mess in this hostel premise. This dormitory type of arrangement for undergraduate students is not acceptable.
2. There is no provision of hostel for the boys. A temporary arrangement is made in the Resident Doctors hostel which is not in the campus.
3. The mess in the Resident Doctors hostel shall be utilised by the boys and girls of undergraduate college. The mess is unclean, unhygienic, furnitures have broken & inadequate and vegetable waste, egg shell, dirt were lying on the floor. The rooms in this

hostel are very dirty and appeared that it is not cleaned for weeks/months. The space is inadequate for all these 3 types of students.

4. The problem of overcrowding in the nursing hostel still persists.
5. In the department of Anatomy, the cold storage for 8 bodies are available but are not functional. The museum is not ready, only space is made available. The dissection hall is also not ready only the space is earmarked.
6. In the department of Physiology, the labs for clinical physiology, experimental physiology and mammalian are not ready. About 50% of the equipments are not available, though the institution has claimed that the orders have been placed.
7. This proposed institution is running postgraduate courses in almost all the subjects, but the units in the department of TB & Respiratory Diseases, Dermatology, General Surgery, Ophthalmology, ENT are not as per the Council norms.
8. Registration in outdoor is manual and not computerised.
9. The number of normal deliveries needs to be increased. The present practice of accepting only referred and complicated cases needs to be revised so as to provide proper and adequate teaching material.
10. ICD-10 Coding System should be undertaken by the Medical Record Department. Computers though installed are not operational.
11. The renovation work of wards and OPDs needs to be expedited.
12. The autopsy room with the permission of medico legal department still not available.
13. Hospital - the status remains the same as regarding the overcrowding in the OPDs.
14. Staff deficiency for 100 admissions:

Professor	-	Nil
Associate Prof.	-	5
Assistant Prof.	-	6
Tutors	-	2
Senior Residents	-	5
Junior Resident	-	Nil

This deficiency is more than 5% of the total staff requirement.

15. Civil works of one examination hall is completed. However, electrical fittings and furnishing is yet to be completed.
16. Other observations/deficiencies pointed out in the inspection report.

In view of above, the Executive Committee and members of the Adhoc Committee decided to recommend to the Central Govt. not to issue Letter of Intent for establishment of medical college at Institute of Post Graduate Medical Education & Research, Kolkata and further decided to disapprove the scheme submitted by the college in view of the fact that the time period for getting Letter of Intent is already over by now.

5. **Establishment of Medical College at Haldwani by Uttranchal Forest Hospital Trust, Haldwani.**

Read : The compliance verification inspection report (7th & 8th August, 2003) for establishment of Medical college at Haldwani by Uttranchal Forest Hospital Trust, Haldwani.

The Executive Committee and members of the Adhoc Committee considered the compliance verification inspection report (7th & 8th August,2003) and noted the following:-

1. Dr. Veena Mathur shown as the Dean of the Medical College stated that she joined this Institution on 6th August 2003 but the letter submitted by her from Uttar Pradesh Government vide letter No. 1944/71-1-2003-P.F.-19/2003 dated 4th August 2003 stating that her voluntary retirement will be applicable from 12th of August 2003.
2. Though, there are two Lecture Theatres available, one is having capacity of 100 only.
3. The deficiency of non-teaching staff is still existing in most of the Departments.
4. The clinical material is grossly inadequate.
 Clinical material daily average-
 Total OPD attendance – 253
 Bed Occupancy percentage-14.66
 Casualty – Nil
 Major Surgery – 1 to 2
 Minor Surgery – Nil
 Delivery – 1 to 2
 Cesarean – 0 to 1
 Major Gyne. Operation – 0 to 1
 Minor Gynae Operation – 1 to 2
 X-Ray-26
 Ultrasound-10
 CT Scan – 1 to 2
 Pathology investigation – 65
 Histopathology- Nil
 Cytology – Nil
 Microbiology investigation – Nil
 Biochemistry investigation – 89
 Endoscopy – Nil
 Serology – 7
 Clinical material is inadequate.
5. Staff Deficiency:-

Professors-	2
Professors/Associate Professors-	7
Associate Professor-	5
Asstt. Professor –	4
Tutor/Sr. Resident-	9
Junior Residents-	<u>15</u>
Total	<u>42</u>

This deficiency is more than 5%
6. There is no furniture in the common rooms of boys and girls. There is no approach road from the main building to reach these common rooms.
7. In animal house, there are only 4 vacant rooms without any staff and animals. There is no facility for animal experiment.
8. In the library, there is no separate reading room for the staff.
9. The photographic unit is not available.
10. The residential quarters should be made available for teaching and non-teaching staff of the medical college.
11. There is no OPD for the ENT Department. Audiometry room is not air conditioned and sound proof. Audiologist is not available.
12. The teaching area is not provided in the wards and OPD
13. Medical Record Section needs computerization and improvement.

14. Casualty is not functional. Operation theatre in casualty is not functional. Resuscitative equipments are not available.
15. Dietician is not available.
16. In the department of Anatomy, cold room is not available. No wet specimen in the museum. Models and charts are not displayed. No catalogues. Museum needs total reorganization.
17. Except Community Medicine department, other Para-clinical departments are not provided any furniture and non-teaching staff.
18. Other observations/deficiencies pointed out in the inspection report.

In view of above, the Executive Committee and members of the Adhoc Committee decided to recommend to the Central Govt. not to issue Letter of Intent for establishment of Medical College at Haldwani by Uttranchal Forest Hospital Trust, Halwani and further decided to disapprove the scheme submitted by the college in view of the fact that the time period for getting Letter of Intent is already over by now.

6. **Malankara Orthodox Syrian Church Medical College, Kolencherry – Renewal of permission for the admission of 2nd batch of students for the year 2003-2004.**

Read : The compliance verification inspection report (30th & 31st July, 2003) for renewal of permission for admission of 2nd batch of students for the year 2003-2004.

The Executive Committee and the members of the Adhoc Committee considered the compliance verification report (30th and 31st July, 2003) and decided to recommend to the Central Government to renew the permission for admission of 2nd batch of 100 students at Malankara Orthodox Syrian Church Medical College, Kolencherry for the academic session 2003-04.

7. **To consider the inspection report of MR Medical College, Gulbarga carried out on 9th August, 2003 to verify the faculty member and available clinical material.**

Read : The inspection report of MR Medical College, Gulbarga carried out on 9th August, 2003 to verify the faculty member and available clinical material.

The Executive Committee and members of the Adhoc Committee considered the Council Inspectors report 9th August, 2003 and observed that there is gross evidence of irregularities in registering the patients in the main register of the hospital. Some of the entries are followed by the blank spaces and not by the entries of the patients. The Dean of the college could not give any explanation. Similar manipulation was also observed in the register of the operation theatre. The Committee also observed gross deficiencies in the clinical material, teaching and non-teaching staff etc.

In view of the above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee decided to constitute a Committee to look into these irregularities wherein the Chairman of the Ethical Committee and member of the Adhoc Committee shall be the members. The President (Acting) was authorized to nominate two other persons of the Council as members of this Committee.

The Executive Committee and members of the Adhoc Committee were clearly of the view that it would be against the interest of innocent students who, if not stopped, will be admitted in the college for the academic year 2003-2004. Accordingly, it was decided that the State Govt. be advised not to make admissions in the 1st year of the MBBS course for the academic year 2003-2004 at M.R. Medical College, Gulbarga. It was also decided that if the deficiencies are not removed necessary action under Section 19 be considered by the MCI for recommending to the Central Govt. for de-recognition.

The Committee also decided to refer the inspection report to the Postgraduate Medical Education Committee of the Council for consideration regarding postgraduate courses.

8. **Establishment of Medical College at Karimnagar by Arihant Education Society.**

Read : The compliance report submitted by the authorities of Arihant Education Society on the deficiencies pointed out in the inspection report (June, 2003) for establishment of Medical College at Karimnagar by Arihant Education Society.

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (23rd & 24th June,2003) for the establishment of Medical College at Karimnagar, Hyderabad and decided to reiterate its decision to return the same to the Central Govt. recommending disapproval of the scheme in view of the fact that the time period for getting Letter of Intent for starting of the new Medical College is already over by now.

9. **Prathima Instt. of Medical Sciences, Karimnagar – renewal of permission for admission of 2nd batch of students.**

Read : The compliance report submitted by the authorities of Prathima Instt. of Medical Sciences, Karimnagar on the deficiencies pointed out in the MCI inspection reports for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report dated 11.8.2003 submitted by the authorities of Prathima Instt. of Medical Sciences, Karimnagar through the Central Govt. and noted that the Committee at its meeting held on 28.7.2003 in view of the grossly inadequate clinical material, staff (teaching as well as non-teaching) and other irregularities etc. mentioned in the inspection report dated 2.7.03, decided to recommend to the Central Govt. not to grant first renewal to this college for the admission of 2nd batch of students for the academic session 2003-04. It was unanimously felt that these deficiencies which were gross in nature would require at least a period of 6 months after making sincere efforts for removal. Now the Council has received the compliance report on 13.8.2003 through the Central Govt. submitted by the college on 11.8.2003.

On verification of the compliance as well as the report along with the declaration forms submitted by the college at the time of inspection, it was observed that large number of teachers shown as faculty at this institution were also found working as faculty in other colleges as below:-

Sl.No.	Name of teacher	Department	Also found working at
1.	Dr. Keki Firoz	Anaesthesiology	a.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar b.Christian Medical College, Dichpalli
2.	Dr. R. Ram Chandra Rao	Forensic Medicine	a. Narayana Medical College, Nellore b.Alluri Sitaram Raju Medical College, Elluru
3.	Dr. Vijay Kumar	Forensic Medicine	a.Kamineni Instt. of Medical Sciences, Narketpalli
4.	Dr. N. Hari	Forensic Medicine	a.Warangal Instt. of Medical Sciences, Warangal b.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli c.Christian Medical College, Dichpalli
5.	Dr. P. Raja Rao	Forensic Medicine	a.NRI Instt. of Medical Sciences, Guntur
6.	Dr. T.P. Raghvan	Paediatrics	a.Christian Medical College, Dichpalli
7.	Dr. Y. Vijaysarathi	Physiology	a.Alluri Sitaram Raju Medical College, Elluru b.Warangal Instt. of Medical Sciences, Warangal c.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli
9.	Dr. Rama Mohan A	Anaesthesiology	a.PES Instt. of Medical Sciences, Kuppam

			b.Konassena Instt. of Medical Sciences, Amalapuram c.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli d.Christian Medical College, Dichpalli e.NRI Instt. of Medical Sciences, Guntur
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The Committee further noted that institution in its compliance report has not submitted declaration forms or the appointment order/joining report/relieving order of any faculty. The institution in its compliance had accepted all the deficiencies shown in the inspection report dated 2.7.03 and has merely conveyed that they have made up these deficiencies within a period of 6 weeks.

As decided in the earlier Executive Committee meeting dated 28.7.2003 where the members of the Adhoc Committee appointed as per Hon'ble Supreme Court order dated 20.11.2002 were also present, the Committee is of the firm view that the nature of the deficiencies pointed out in the report dated 2.7.03 are such gross that it is impossible to make up the deficiencies within the short period of 6 weeks.

In view of this, the Executive Committee and members of the Adhoc Committee decided to reiterate its earlier decision taken at its meeting held on 28.7.03 recommending to the Central Govt. not to grant first annual renewal for admission of 2nd batch of students at the college during the year 2003-04.

10. **MNR Medical College, Sangareddy – Renewal of permission for admission of 3rd batch of students.**

Read : The compliance report submitted by the college authorities on the deficiencies pointed out in the inspection report (June, 2003) for renewal of permission for admission of 3rd batch of students at MNR Medical College, Sangareddy.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of M.N.R. Medical College, Sangareddy received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (June,2003) for renewal of permission for admission of 3rd batch of students and decided to verify the same by way of an inspection.

11. **Renewal of permission for admission of students at Govt. Medical Colleges in Andhra Pradesh for the academic session 2003-2004.**

Read : The compliance report received from the Govt. Medical Colleges in Andhra Pradesh for renewal of permission for admission of students for the academic session 2003-2004 along with letter dated 4th August, 2003, received from M. Chaya Ratan, Principal/Secretary to Govt. Health Medical & Family Welfare Department of Andhra Pradesh requesting to ratify the action of the State Govt. for making admissions in the Medical Colleges of Andhra Pradesh during the year 2002-2003.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court along with the members of the Executive Committee of the Council considered the letters of the Central Govt. dated 16.8.2003 with regard to Rengaraya Medical College, Kakinada; Kurnool Medical College, Kurnool; Kakatiya Medical College, Warangal; S.V. Medical College, Tirupati and Govt. Medical College, Anantpur. It was observed by them that in all these colleges, Central Govt. was approached for grant of permission u/s 10A of the Act for seeking enhancement in the annual intake capacity for admissions in the MBBS course. The application u/s 10A with regard to Govt. Medical College, Anantapur is for establishment of the new medical college.

The initial permission was granted by the Central Govt. for the enhanced capacity and in the 5th case for the establishment of the new medical college, on the recommendations of the MCI. However, it was further observed that for the academic session 2002-03, upon the findings and observations of the inspection team, the MCI did not find itself in a position to recommend to the Central Govt. to grant annual renewal in favour of these colleges for the academic session 2002-03 on account of gross deficiencies in relation to infrastructural, teaching and other facilities in these

colleges. These deficiencies were communicated by the Central Govt. to the respective colleges for removal and then submitting compliance indicating removal of all the deficiencies. Detailed status notes separately for each of the above five colleges which were sent to Central Govt. were also seen. Most of these colleges have made repeated requests to the MCI for deferring the dates of inspections.

The Members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee of the Council also took note of the judgements of the Hon'ble Supreme Court in the case of *Union of India Vs. New Era Educational Trust – (2000) 5 SCC 57* and in *Union of India Vs. All India Children Care & Educational Development Society, Azamgarh & Anr. (2002) 3 SCC 649*, wherein it has been clearly laid down by the Hon'ble Supreme Court that unless permission u/s 10A is granted by the Central Govt. on the recommendations of the MCI on year to year basis, the college is not entitled to make admissions.

However, it has been observed that the above-mentioned four colleges, even in the absence of grant of statutorily mandatory renewal u/s 10A by the Central Govt., had made admissions for the academic session 2002-03. It was also shocking to note that the Govt. Medical College, Anantapur not only made 99 admissions for the academic session 2002-03 without obtaining the statutory annual renewal from the Central Govt. u/s 10A, also made 14 admissions in the NRI quota for the previous academic session 2001-02 claiming carry forward of unfilled seats of the previous academic year, which also is clearly contrary to the judgement of the Hon'ble Supreme Court in the case of **MCI Vs. Madhu Singh – (2002) 7 SCC 258**, wherein it has been decided by the Hon'ble Supreme Court that the principle of carry forward of unfilled seats does not at all apply in relation to admissions in medical courses. There is no provision for any carry forward of unfilled seats of a previous academic year to the next academic session.

Members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee of the Council also took note of the communication dated 03.08.2000 which had been addressed by the MCI to the Govt. of India in relation to excess admissions made by the Santosh Medical College, Ghaziabad. Through that communication dated 03.08.2000 sent by the MCI to the Central Govt., it was appealed by the MCI that the Central Govt. may consider to review and annul its decision dated 19.07.2000 which it had taken in favour of Santosh Medical College for regularising the excess admissions made in violation of law by the Santosh Medical College, by directing the said college to reduce equal number of seats in future years. This appeal dated 3.8.2000 by the MCI to the Central Govt. for reconsideration and nullifying the Govt. of India's letter dated 19.07.2000 issued in favour of Santosh Medical College seeking to regularise excess admissions made in violation of law, was inter-alia, on the following reasons: -

“(A) There is no provision either in the Indian Medical Council Act, 1956 or any of the statutory regulations made thereunder which empower the Central Government or the Medical Council of India to regularise any excess admissions made by any college in violation of law.

(B) Provisions of Section 10A, in fact, clearly prohibits any college from making any admission over and above its annual intake capacity as fixed by the Medical Council of India. The regulations of 1993 further provide stoppage of admissions altogether whenever there is any violation of the statutory regulations by any medical college.

(C) The provisions of Section 10B is a clear legislative mandate on the Central Government and the Medical Council of India to identify the excess admissions made by any college and declare the degrees obtained by such students as unrecognised. There is no escape or relaxation of this mandatory provision.

(D) The Central Government, as per the law laid down by the Hon'ble Supreme Court, is obliged to obtain the recommendations of the Medical Council of India. In the present case, the Central Government has not asked for and obtained the recommendations of the Medical Council of India.

(E) *It is an admitted position that in the academic year 1999-2000, Santosh Medical College has admitted 12 students in the MBBS course in excess of its annual admission capacity. There is no proportionate infrastructure, teaching and other facilities for these 12 students who are likely to continue for next 5 years in this college and will obtain absolutely sub-standard medical education. There is neither any logic nor any rationale to permit 62 students for next 5 years in the MBBS Course against the infrastructure for 50 students and for lesser number of students i.e. less than 50 in the subsequent batches, when infrastructure for 50 students may be available. This is, however, without prejudice to the contentions of the MCI that this kind of an arrangement is prohibited by law.*

(F) *It is further an admitted position that Santosh Medical College, Ghaziabad is still not recognised. It has been granted annual renewal of its permission only upto 1999-2000. Without prejudice to the contentions of the Council that regularisation of the illegal admissions is not permissible in law, it is stated that the arrangement accepted by the Central Government by its letter dated 19.7.2000 will squarely fall to the ground if the Santosh Medical College, Ghaziabad fails to obtain the further annual renewals from the Central Government as per the statutory scheme.*

(G) *The decision of the Central Government dated 19.7.2000 which is in clear and direct conflict with the statutory provisions, law laid down by the Hon'ble Supreme Court, if not reviewed and recalled as requested by the Council, will certainly make the legislative mandate incorporated in Sections 10A, 10B and the statutory regulations made thereunder as absolutely redundant and otiose. It will certainly frustrate the purpose sought to be achieved under the Indian Medical Council Act, 1956 for maintenance of highest standards of medical education."*

In this context, the Members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee, in relation to the excess admissions which had been made by Santosh Medical College also noticed that when the MCI had detected the excess admissions in Santosh Medical College, it had, in discharge of its obligations and responsibilities, undertook the following steps : -

- (i) It immediately requested Chaudhary Charan Singh University with which Santosh Medical College is affiliated not to permit students to sit in the examinations who had been admitted in violation of its annual intake capacity fixed by the Medical Council of India.
- (ii) It contested the writ petition filed by the college before the Allahabad High Court, wherein interim order was passed in favour of the college by the Single Judge. Appeal was filed before the Double Bench. The Double Bench had cancelled the order of the Single Judge which was passed in favour of the college.
- (iii) Students who were admitted in excess then obtained ex-parte order from Civil Judge, Meerut granting them permission to appear in the examination.
- (iv) Similarly, some of the students obtained ex-parte order from the Delhi High Court for permission to appear in the examinations.
- (v) Despite the strike of lawyers, the MCI got the appeal prepared overnight against the order of the Single Judge of the Delhi High Court. The Secretary and Asstt. Secretary of the MCI appeared before the Double Bench of the High Court and obtained orders.
- (vi) However, the Central Govt., as stated above, passed an order dated 19.07.2000 regularising all the excess illegal admissions in Santosh Medical College.
- (vii) Though the MCI is constituted by the Central Govt. under the IMC Act, in discharge of its responsibilities the Executive Committee passed a resolution dated 24.07.2000 and forwarded it to the Central Govt. through a communication dated 03.08.2000 highlighting the

regularisation of excess illegal admissions is not a good and, therefore, an appeal was made to the Central Govt. by the MCI to withdraw the regularisation order.

The steps which have been taken by the MCI opposing any benefit to illegally admitted excess students in Santosh Medical College was also reviewed by the Delhi High Court in another PIL filed in the name of All India Lawyers' Forum Vs. Union of India, wherein it was observed by the High Court in its judgement dated 21.3.2001 that these excess admissions had been regularised by the Central Govt. and this fact was incorporated in that judgement of the High Court. It was also observed that the criticism of the MCI by the Delhi High Court in judgement dated 23.11.2001 in LPA No.299/2001, is not justified or well founded. Sher-e-Kashmir Institute of Medical Science, Srinagar, which is a Govt. Medical College had made 78 admissions for the session 1999 for which the necessary approval from the MCI and the Central Govt. had not been obtained. The MCI had initiated the process u/s 10B of the Act for declaring those degrees to be unrecognised. Similarly, for Kasturba Gandhi Medical College, Manipal, it has been observed from the records that there was no excess admissions as per the annual intake capacity fixed for the two constituent colleges of this Deemed University at any given point of time. However, this Deemed University on the basis of an order dated 16.04.1999 passed by the Hon'ble Supreme Court in W.P. No.23/1999 as claimed by the University, it was admitting 25% seats of management quota. D.Y. Patil Medical College, when it was granted permission by the Central Govt. in the year 1995 and was granted time upto 2000 for completely setting up of its own hospital. It had the attachment of the Municipal Corporation Hospital. In June, 2000, during the inspection it was found that the college had constructed its own hospital and the attachment with Municipal Corporation Hospital was also continuing. On the day of inspection, there was 86% bed occupancy in the Municipal Corporation Hospital which fact was not shown to the High Court. As such, from the records, it is seen that MCI has discharged its responsibilities in accordance with its rules and regulations and only on account of omission to consider these relevant facts, certain adverse observations had been made against the functioning of the MCI by referring to these colleges which does not appear to be justified and well founded.

Coming back to the issue at hand with regard to aforementioned colleges in Andhra Pradesh, it was also observed that for the academic session 2003-04, the Central Govt. by its letter dated 08.08.2003 has forwarded the compliance by these colleges claiming removal of deficiencies for verification of claimed compliance and which has been received in the office of the Council on 11.08.2003. In other words, for the academic session 2003-04, the MCI has not even carried out the inspection for verifying the claimed compliance and the communication dated 16.08.2003 of the Govt.of India indicates that the Govt.of India has granted permission to these colleges **as a one-time measure** for admission of fresh batch of students without obtaining the recommendations of the MCI, as required under law.

It is also observed that the Govt. has, however, stipulated in this communication dated 16.08.2003 that the permission for the academic session 2003-04 granted by the Central Govt. is subject to condition that the State Government shall ensure compliance of all the requirements under the MCI Regulations and any deficiencies pointed out by Medical Council of India in respect of above medical colleges. Thus, it is observed that the Govt. has imposed the following two pre-conditions on these medical colleges in the State of Andhra Pradesh before they make any admission for the academic session 2003-04: -

- (a) The above permission is subject to condition that the State Government shall ensure compliance of all the requirements under the MCI Regulations and any deficiencies pointed out by Medical Council of India in respect of above medical colleges.
- (b) This permissions is further subject to the condition that the Government of Andhra Pradesh shall sort out the pending issues of admissions made in these colleges during the year 2002-03 with Medical Council of India.

The Members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee of the Council decided to immediately approach the Central Govt. making an earnest appeal to review its decision to grant even this conditional renewal of permission to the above-mentioned colleges for the academic session 2003-04, on the basis of the above-mentioned reasons and also in the light of the judgement of the Hon'ble Supreme Court in the case of **K.S. Bhoir Vs. State of Maharashtra – (2001) 10 SCC 264**, wherein it has been clearly held by the Hon'ble Supreme Court that Section 10A does not give any permission for grant of admissions even as **one-time measure**. The relevant portion of the judgement of the Hon'ble Supreme Court in the case of K.S. Bhoir is as under : -

“..... 9. It was then urged by the learned Counsel appearing for the appellants that provisions of Section 10-A do not prohibit the possibility of one-time enhancement of intake capacity for admissions to medical colleges and, thus, permission ought to have been granted by the Central Government for such a one-time enhancement or creation of additional number of seats beyond 150 in view of the extraordinary situation and the refusal on the part of the Central Government to grant such permission was erroneous. It was also argued that sub-sections (1) to (5) of Section 10-A being merely procedural, sub-section (7) of Section 10-A providing for factors to be taken into consideration for an increase in the admission capacity in a medical college has an overriding effect on the procedural provisions of sub-sections (1) to (5) and, therefore, the Central Government committed an error in refusing to permit one-time increase in admission capacity in Medicine and Dentistry courses in the medical colleges. We do not find any merit in the submission. Sub-section (1) of Section 10-A is a substantive provision in itself and begins with *non-obstante* clause ‘notwithstanding anything contained in the Act.....’, it means there is a prohibition in the matter of an increase in the admission capacity in a medical college unless previous permission of the Central government is obtained in accordance with the recommendations of the Medical Council of India. The entire scheme of Section 10-A of the Act has to be read in consonance with other sections to further the object behind the amending Act. The object being to achieve the highest standards of medical education. The said objective can be achieved only by ensuring that a medical college has the requisite infrastructure to impart medical education. As noticed earlier, the object of amending Sections 10-A, 10-B, 10-C was for a specific purpose of controlling and restricting the unchecked and unregulated mushroom growth of medical colleges without requisite infrastructure resulting in decline in maintenance of highest standards of medical education. **The highest standards of medical education is only possible when the requirement of provisions of Section 10-A and the regulations are complied with. It has been experienced that unless there is required infrastructure available in the medical college, the standard of medical education has declined. Unless an institution can provide complete and full facilities for training to each student who is admitted in various disciplines, the medical education would remain incomplete and the medical college would be turning out half-baked doctors which, in turn, would adversely affect the health of the public in general. Thus, for every increase in the admission capacity, either it is one-time or permanent, the Council is obliged to ensure a proportionate increase of infrastructure facilities. The Medical Council can only make recommendations to the Central Government for grant of permission for one-time intake capacity in seats only when it is satisfied that scheme to be submitted by the medical colleges fulfils all the requirements. Unless such a scheme providing for all the requirements provided for in the Act and the regulations is submitted to the Central Government and the Medical Council of India is satisfied that the scheme complies with all the requirements and makes a recommendation to that effect, only then the Central Government can consider for grant of permission for increase of admission capacity in a medical college.**

Similarly, the Central Government without compliance with the Act and the regulations cannot grant, without recommendation of the Medical Council, any permission for one-time increase in admission capacity in various courses conducted by the Central Government. For the aforesaid reasons, we are of the view that the Central Government was fully justified when it rejected the request of the State Government for grant of permission for one-time increase in the admission capacity in Medicine and Dentistry courses in various medical colleges in the State of Maharashtra.....

11. The increase in admission capacity is permissible only when a scheme, in accordance with the Regulations, is submitted by a medical college under Section 10-A of the Act to the Central Government

and the Medical Council is satisfied that the scheme complies with the requirement of the Act and the Regulations and thereafter the Medical Council recommends for such an increase in admission capacity. So long as the requirements under Section 10-A of the Act are not complied with, no permission can be granted by the Central Government.....”

It was further decided to immediately address a communication to the above-mentioned five colleges calling upon them not to make any further admissions in the academic session 2003-04 without complying with all the requirements of MCI regulations and further without the finalisation of the dispute regarding illegal and void admissions made by these colleges against the increased capacity for the academic session 2002-03. Additionally, in the case of Government Medical College, Anantapur, the 14 completely illegal and void admissions in the alleged NRI quota for the already expired academic session 2001-02 by claiming carry forward, are also required to be dealt with in accordance with law.

The attention of these colleges be also invited again to the provisions of **Section 10B** of the Act and the 1997 statutory regulations titled as “**Medical Council of India (Criteria for Identification of students admitted in excess of the approved admission capacity of medical colleges) Regulations, 1997**”, the relevant portions whereof are as under : -

“10B. Non-recognition of the medical qualification in certain cases-(1) Where any medical college is established except with the previous permission of the Central Government in accordance with the provisions of section 10A, no medical qualification granted to any student of such medical college shall be a recognised medical qualification for the purpose of this Act.

(2) Where any medical college opens a new or higher course of study or training (including a post-graduate course of study or training) except with the previous permission of Central Government in accordance with the provisions of section 10A, no medical qualification granted to any student of such medical college on basis of such study of training shall be a recognised medical qualification for the purpose of this Act.

(3) Where any medical college increases its admission capacity in any course of study of training except with the previous permission of the Central Government in accordance with the provision of section 10A, no medical qualification granted to any student of such medical college on the basis of the increases of its admission capacity shall be a recognised medical qualification for the purposes of this Act.

Explanation- For the purpose of this section, the certificate for identifying a student who has been granted a medical qualification on the basis of such increases in the admission capacity shall be such as may be prescribed.

Relevant portion of Regulations 5 & 9 of “Medical Council of India (Criteria for Identification of students admitted in excess of the approved admission capacity of medical colleges) Regulations, 1997 :

*“..... 5. **Medical colleges to furnish year-wise list of students** – All medical colleges conducting undergraduate/postgraduate course shall, within 3 months of publication of these regulations in the official gazette, furnish year-wise lists of students admitted during the academic sessions commencing in the year 1992 till the year in which these regulations are published for Bachelor of Medicine and Bachelor of Surgery and postgraduate course (for each course separately) to the Council.....”*

9. Identification of excess admission & non-recognition of medical qualifications – *The Council shall find out the excess admissions in a medical college and no medical qualification granted to any identified student of the medical college which comes under the excess admission shall be recognized medical qualification for the purpose of Indian Medical Council Act, 1956 (102 of 1956). The names and other particulars of students so identified shall be*

intimated by the Council to all concerned for taking action under the provisions of the Act.....”

It was seen by the members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee of the Council that the communications by the Principal Secretary of the State of Andhra Pradesh to the Govt. of India do not set out the correct factual position when in one of such communications dated 04.08.2003, it has been stated that repeated letters had been sent by the State Authorities to MCI but there was no response either from the MCI or from the Govt. of India directing the State Authorities not to make admissions. It is also stated in the letter dated 4.8.2003 of the Principal Secretary of the State Govt. that they were under the impression that because of procedural delays grant of temporary recognition was perhaps delayed and in the meanwhile, as the admissions for the 2002-03 have already been scheduled, the State Govt. directed the University to make admissions for the year 2002-03 as was done during the last year as the State Govt. was very keen to restore the academic year which was badly derailed. The Executive Committee and the Members of the Ad-hoc Committee appointed by the Supreme Court observed that these statements in the letters of the Principal Secretary of the State Govt. are not correct. There was no delay on the part of the MCI in taking the necessary action. The status note with regard to each of the above-mentioned five colleges, which are enclosed herewith, clearly show the necessary timely action taken by the MCI in each case. The statement that there were procedural delays which was presumed by the State Authorities as permission for them to go ahead with the admissions is completely incorrect.

It was also decided by the Members of the Ad-hoc Committee appointed in accordance with the order dated 20.11.2002 passed by the Hon'ble Supreme Court, that they would approach Mr. Harish Salve, Sr. Advocate (*Amicus Curie*) bringing to the notice of the Hon'ble Supreme Court the above-mentioned communications dated 16.08.2003 issued by the Central Govt. in favour of five medical colleges in the State of Andhra Pradesh and for seeking appropriate directions/orders in that regard. The Committee also decided that the Council Advocate may be requested to coordinate with Mr. Harish Salve, Sr. Advocate in obtaining appropriate direction from the Hon'ble Supreme Court.

The Members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee further decided that till such time the issue with regard to the above-mentioned five colleges in the State of Andhra Pradesh regarding illegal admissions without fulfilling the requirements of proportionate infrastructural, teaching and other facilities for each admission is resolved in accordance with the Act and the regulations made thereunder, further processing of all other pending applications for permissions/renewals u/s 10A for making recommendations to the Central Govt. shall remain deferred till that time.

The office of the Council has been directed to forthwith send the necessary communications to the Central Govt. and the above-mentioned colleges also, on consideration of the fact that even though the grant of permission by the Central Govt. would not be in accordance with the provisions of the Act and the law laid down by the Supreme Court.

12. **Approval of Indira Gandhi Medical College, Nagpur for the award of MBBS degree granted by Nagpur University for the increased number of seats from 60 to 100.**

Read : The compliance report received from the Dean, Indira Gandhi Medical College, Nagpur on the deficiencies pointed out in the MCI inspection report (May, 2003) for approval of the college for the award of MBBS degree granted by Nagpur University for the increased number of seats from 60 to 100.

The Executive Committee and members of the Adhoc Committee considered the compliance report received from the Dean, Indira Gandhi Medical College, Nagpur on the deficiencies pointed out in the MCI inspection report (May, 2003) and decided to verify the same by way of an inspection.

13. **Increase of MBBS seats from 65 to 100 at Silchar Medical College, Silchar u/s 10A of the IMC Act, 1956.**

Read : The matter with regard to increase of MBBS seats from 65 to 100 at Silchar Medical College, Silchar.

The Executive Committee and members of the Adhoc Committee considered the matter with regard to increase of MBBS seats from 65 to 100 at Silchar Medical College, Silchar and noted that

- inspection for increase of seats from 65 to 100 in first MBBS course at Silchar Medical College, Silchar was carried out by the Council Inspectors on 29th & 30th August,2002 and the inspection report was considered by the Executive Committee at its meeting held on 9. 9.2002.
- In view of the various deficiencies pointed out in the inspection report the Committee did not recommend for the proposed increase of seats at the college.
- Compliance report on the deficiencies pointed out in the above inspection report received through the Central Govt. vide letter dated 21.10.2002 was considered by the Executive Committee at its meeting held on 9.1.2003.
- Since the institution had only contested the remarks made in the inspection report instead of sending a proper compliance, the Committee decided to direct the college authorities to send a proper compliance touching on all the deficiencies pointed out in the inspection report. The letter was sent to the college authorities on 17.1.2003 with the request to send a proper compliance. No further communication has been received from the college authorities.

In view of above, the Executive Committee and members of the Adhoc Committee decided to recommend to the Central Govt. to disapprove the scheme for increase of MBBS seats from 65 to 100 as submitted by the authorities of Silchar Medical College, Silchar in view of the fact that the time period for getting Letter of Intent is already over by now.

14. **Khaza Banda Nawaz Instt. of Medical Sciences, Gulbarga – renewal of permission – Reg.**

Read : The matter with regard to renewal of permission for admission of 3rd batch of students for the year 2003-2004 at Khaza Banda Nawaz Instt. of Medical Sciences, Gulbarga.

The Executive Committee and members of the Adhoc Committee considered the letter dated 7.8.2003 received from the Central Govt., Ministry of Health & F.W. requesting to arrange inspection of Khaza Banda Nawaz Instt. of Medical Sciences, Gulbarga for renewal of permission for admission of 3rd batch of students for the year 2003-2004 and noted that the Central Govt. has declined to grant renewal of permission for admission of 3rd batch of students for the academic session 2002-03 and the office of the Council has sent a letter to the concerned authorities of the college to comply with the directions passed by the Hon'ble High Court of Karnataka regarding the admissions made for the said session in pursuance of the orders passed by the Hon'ble Court. As no information has been received from the college authorities as well as from the University authorities regarding the status of students admitted for the academic session 2002-03, the Committee decided to reiterate its earlier decision taken at its meeting held on 28.7.2003 that the matter with regard to carry out the inspection for the academic session 2003-04 be placed before the Committee only after the information is received.

15. **Preparation of Action Plan for implementation of National Health Policy-2002-inputs reg.**

Read : The preparation of Action Plan for implementation of National Health Policy, 2002 – pertaining to State of Public Health Infrastructure.

The Executive Committee and members of the Adhoc Committee decided to refer the matter to the Curriculum Revision Committee of the Council.

16. **Regarding payment of TA claim of Dr. S.K. Sharma, Member, Ethical Committee.**

Read : The matter regarding payment of TA Claim to Dr. S.K. Sharma, Member, Ethical Committee.

The Executive Committee and members of the Adhoc Committee decided to refer back the matter to the Finance Committee.

17. **Reservation for person with disability of 'Colour Blindness' for admission in PG courses.**

Read : The report of the Sub-Committee constituted by the Executive Committee at its meeting held on 30/6/2003 with regard to reservation for person with disability of Colour Blindness for admission in PG courses.

The Executive Committee and members of the Adhoc Committee accepted the report of the Sub-Committee constituted by the Executive Committee at its meeting held on 30.6.2003 with regard to reservation for person with disability of Colour Blindness for admission in P.G. courses, the summary of which reads as under:-

“As Ophthalmologist, the members of the Sub-Committee have drawn your attention to the concept that defining colour deficiency is important as various types and categories exist.

As Ophthalmologist we feel that there is no sense of reserving seats in MBBS admission for colour deficient individuals in the general disability category as international studies published in peer-reviewed journals have clearly demonstrated that the performance of colour deficient individuals is sub-optimal in certain fields. There is no logic in lowering standards in India by actively attracting colour perception deficient individuals to pursue a career in medicine by providing a reserved seat.

Those suffering from disorders of colour perception, if they get admission by merit, should be granted admission after appropriate counseling. This is highlighted by the fact that even general practitioners with an MBBS degree need to be counseled about specific aspects of clinical practice for which they need to exercise caution to avoid harming themselves professionally or providing less than adequate service to their patients. In addition a comprehensive list of all the specialities of medicine with guidelines with reference to the exact extent of colour perception that is essential for safe performance of anticipated duties be prepared. As Ophthalmologists we are not the competent authority to decide for other disciplines, but can assist in setting down the criteria for detection, quantification and definition of colour vision deficiency.”

18. **To consider the inspection report of Adichunchanagiri Instt. of Medical Sciences, Bellur carried out on 9th August, 2003.**

Read : The inspection report of Adichunchanagiri Instt. of Medical Sciences, Bellur carried out on 9th August, 2003.

The Executive Committee and members of the Adhoc Committee considered the inspection report dated 9th August, 2003 of Adichunchanagiri Instt. of Medical Sciences, Bellur and found gross deficiencies in terms of teaching staff, clinical material etc.

In view of gross deficiencies which were observed in the inspection report the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee were clearly of the view that it would be against the interest of innocent students who, if not stopped, will be admitted in the college for the academic year 2003-2004. Accordingly, it was decided that the State Govt. be advised not to make admissions in the 1st year of the MBBS course for the academic year 2003-2004 at Adichunchanagiri Instt. of Medical Sciences, Bellur. It was also decided that if the deficiencies are not removed the necessary action under Section 19 be considered by the MCI for recommending to the Central Govt. for de-recognition.

The Committee also decided to refer the inspection report to the Postgraduate Medical Education Committee of the Council for consideration regarding postgraduate courses.

19. **To consider the inspection report of Dr.B.R.Ambedkar Medical College, Bangalore carried out on 9th August, 2003.**

Read : The inspection report of Dr. B.R. Ambedkar Medical College, Bangalore carried out on 9th August, 2003.

The Executive Committee and members of the Adhoc Committee considered the inspection report dated 9th August,2003 of Dr. B.R. Ambedkar Medical College, Bangalore and found gross deficiencies in terms of teaching staff, clinical material etc.

In view of gross deficiencies which were observed in the inspection report the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee were clearly of the view that it would be against the interest of innocent students who, if not stopped, will be admitted in the college for the academic year 2003-2004. Accordingly, it was decided that the State Govt. be advised not to make admissions in the 1st year of the MBBS course for the academic year 2003-2004 at Dr. B.R. Ambedkar Medical College, Bangalore. It was also decided that if the deficiencies are not removed the necessary action under Section 19 be considered by the MCI for recommending to the Central Govt. for de-recognition.

The Committee also decided to refer the inspection report to the Postgraduate Medical Education Committee of the Council for consideration regarding postgraduate courses.

20. **Admission on increased seats in Govt. Medical College, Aurangabad for the year 2003-2004.**

The Executive Committee and members of the Adhoc Committee considered the letter dated 18.8.2003 received from the Principal Secretary, Govt. of Maharashtra, Medical Education & Drugs Department, Mantralaya stating therein that in view of the recent judgement given by the Apex Court in W.P.(Civil) No. 350 of 1993 dated 14.8.2003, the selection process for admission in various Govt. and private medical colleges in the State of Maharashtra is likely to commence soon. He has requested that reinspection of the college if necessary may be taken up immediately to enable them to admit students within the time given by the MCI. He has further requested if it is not possible to give final approval continuation of provisional approval may be given.

However, the neutralization formula for rectifying the excess admissions made during the years 1998-99 and 1999-2000 has not been indicated in the said letter.

Since, the neutralization formula for rectification and regularization of the excess admissions as shown above has not been received so far either from the Govt. of Maharashtra or from the Dean of the colleges, it was decided to reiterate its earlier decision to obtain the list of students admitted at the college as stated above and compliance verification inspection should be carried out only after the information is received.

21. **Recognition of Sri Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar – Lifting of ban for starting PG courses in the college.**

Read : The letter of the Director/Principal, Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar received through the Ministry of Health & F.W. for lifting of ban for starting of PG course in the college.

The Executive Committee and members of the Adhoc Committee considered the letter dated 24.4.2003 of the Director/Principal, Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar forwarded by the Central Govt. for seeking the comments of the Council and noted that Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar is approved by the Council for the award of MBBS degree granted by Baba Farid University of Health Sciences for 50 students. While approving the college it was decided that in case if any further increase in intake capacity or to run the postgraduate course at the institute they have to come up with the proposal under the IMC Act and Regulations made thereunder which stipulates that hospital should be in the campus of the college.

As such the Council has not imposed any ban for starting of postgraduate courses in the said college they can apply for starting of postgraduate courses in regular channel as per regulations of the Council.

22. **To approve the estimate of Rs.5 lakh for holding the regional workshops on behalf of the Council.**

The Executive Committee and members of the Adhoc Committee approved the estimate of Rs. 5 lakhs for holding the regional workshops on behalf of the Council.

23. **Establishment of medical College at Chinnakakani, Guntur by NRI Academy of Sciences, Vijaywada - Grant of LOP.**

Read : The Council Inspectors report 21st August, 2003 for grant of LOP for establishment of Medical College at Chinnakakani, Guntur by NRI Academy of Medical Sciences, Vijayawada .

The Executive Committee and the members of the Adhoc Committee considered the compliance verification report (21st August, 2003) and decided to recommend to the Central Government to issue Letter of Permission for establishment of medical college at Chinnakakani by NRI Academy of Medical Sciences, Chinnakakani, Guntur for 150 students for the academic session 2003-2004 under section 10A of the Indian Medical Council Act, 1956.

24. **Establishment of medical college at Piparia, Vadodra by K.M. Shah Charitable Trust, Vadodra – Grant of LOP.**

Read : The inspection report 21st August, 2003 for grant of LOP for establishment of Medical College at Piparia, Vadodra by KM Shah Charitable Trust, Vadodara.

The Executive Committee and the members of the Adhoc Committee considered the compliance verification report (21st August, 2003) and decided to recommend to the Central Government to issue Letter of Permission for establishment of medical college at Piparia by K.M. Shah Charitable Trust, Vadodara for 150 students for the academic session 2003-2004 under section 10A of the Indian Medical Council Act, 1956.

25. **Increase of MBBS seats from 100 to 150 at J.N. Medical College, Swangi, Wardha.**

Read : The compliance verification inspection report 18th August, 2003 for increase of MBBS seats from 100 to 150 at J.N. Medical College, Swangi Wardha.

The Executive Committee and the members of the Adhoc Committee considered the compliance verification report (18th August, 2003) and decided to recommend to the Central Government to issue Letter of Permission for increase of MBBS seats from 100 to 150 at J.N.Medical College Swangi, Wardha, for the academic session 2003-2004 under section 10A of the Indian Medical Council Act, 1956.

26. **Renewal of permission for admission of 3rd batch of students against the increased intake i.e. from 50 to 100 at Karnataka Instt. of Medical Sciences, Hubli.**

Read : The compliance verification inspection report (7th & 8th August, 2003) for renewal of permission for admission of 3rd batch of students against the increased number of MBBS seats i.e. from 50 to 100 at Karnataka Instt. of Medical Sciences, Hubli.

The Executive Committee and the members of the Adhoc Committee considered the compliance verification report (7th and 8th August, 2003) and decided to recommend to the Central Government to renew the permission for admission of 3rd batch of students against the increased intake i.e. from 50 to 100 students at Karnataka Instt. of Medical Sciences, Hubli for the academic session 2003-04.

27. **Chhatisgarh Institute of Medical Sciences, Bilaspur - renewal of permission for admission of 3rd batch of students (2003-2004).**

Read : The Council Inspectors report (18th & 19th August, 2003) for renewal of permission for admission of 3rd batch of students at Chhattisgarh Instt. of Medical Sciences, Bilaspur.

The Executive Committee and the members of the Adhoc Committee considered the inspection report (18th and 19th August, 2003) and decided to recommend to the Central Government to renew the permission for admission of 3rd batch of 100 students at Chhattisgarh Instt. of Medical Sciences, Bilaspur for the academic session 2003-04.

28. **Katuri Medical College & Hospital, Guntur - renewal of permission for admission of 2nd batch of students – consideration of compliance report.**

Read : The compliance report submitted by the authorities of Katuri Medical College & Hospital, Guntur through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 15th & 16th July, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of Katuri Medical College & Hospital, Guntur received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (July,2003) for renewal of permission for admission of 2nd batch of students and decided to verify the same by way of an inspection.

29. **PES Instt. of Medical Sciences, Kuppam - renewal of permission for admission of 2nd batch of students - consideration of compliance report.**

Read : The compliance report submitted by the authorities of PES Instt. of Medical Sciences, Kuppam received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 26th & 27th May, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report dated 13.8.2003 submitted by the authorities of PES Instt. of Medical Sciences, Kuppam through the Central Govt. and noted that the Committee at its meeting held on 28.7.2003 in view of the grossly inadequate clinical material, staff (teaching as well as non-teaching) and other irregularities etc. mentioned in the inspection report dated 2.7.03, decided to recommend to the Central Govt. not to grant first annual renewal to this college for the admission of 2nd batch of students for the academic session 2003-04. It was unanimously felt that these deficiencies which were gross in nature would require at least a period of 6 months after making sincere efforts for removal. Now the Council has received the compliance report on 18.8.2003 through the Central Govt. submitted by the college on 13.8.2003.

On verification of the compliance as well as the report along with the declaration forms submitted by the college at the time of inspection, it was observed that large number of teachers shown as faculty at this institution were also found working as faculty in other colleges as below:-

Sl.No.	Name of teacher	Department	Also found working at
1.	Dr. Rama Mohan A.	Anaesthesiology	a. Konaseena Instt. of Medical Sciences, Amalapuram b. Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli c. Christian Medical College, Dichpalli d. NRI Instt. of Medical Sciences, Guntur e. Prathima Instt. of Medical Sciences, Karimnagar
2.	Dr. V. Premaswarup	Anaesthesiology	a. Konaseena Instt. of Medical Sciences, Amalapuram b. Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli
3.	Dr. S.C. Purushotham	Anatomy	a. Warangal Instt. of Medical Sciences, Warangal b. S.V.S. Medical College, Mahboobnagar

			c.Christian Medical College, Dichpalli d.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar
4.	Dr. K. Sundershwaran	Anatomy	a.Warangal Instt. of Medical Sciences, Warangal b.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli c.Christian Medical College, Dichpalli d.Medical College at Malapuramba, Malapuram Distt., Kerala
5.	Dr. S. Lakshmi	Forensic Medicine	a.Alluri Sitaram Raju Medical College, Elluru
6.	Dr. A. Shekharan	Forensic Medicine	a.Katuri Medical College, Guntur
7.	Dr. D. Rama Manohana Reddy	Forensic Medicine	a.Narayana Medical College, Nellore
8.	Dr. R. Vishva Kumar	Biochemistry	a.Narayana Medical College, Nellore b.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar
9.	Dr. K. Rama Kumar	Biochemistry	a.Warangal Instt. of Medical Sciences, Warangal b.Konaseena Instt. of Medical Sciences, Amalapuram c. NRI Instt. of Medical Sciences, Guntur
10.	Dr. Hanumantha Rao	General Medicine	a. Narayana Medical College, Nellore b. Konaseena Instt. of Medical Sciences, Amalapuram c. Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli
11.	Dr. D. Pariarah Chetty	Paediatrics	a.Katuri Medical College, Guntur b.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar c.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli d.Warangal Instt. of Medical Sciences, Warangal
12.	Dr. G.E. Reddy	Pathology	a.S.V.S. Medical College, Mahboobnagar b.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar c.Kamineni Instt. of Medical Sciences, Narketpalli
13.	Dr. M. Panchela Reddy	Pathology	a.Narayana Medical College, Nellore b.NRI Instt. of Medical Sciences, Guntur
14.	Dr. C. Tyagrajan	Pharmacology	a.Narayana Medical College, Nellore b.Warangal Instt. of Medical Sciences, Warangal
15.	Dr. K. Krishna Murthy	Physiology	a.Alluri Sitaram Raju Medical College, Elluru b.GSL Medical College, Rajamundry c.Warangal Instt. of Medical Sciences, Warangal d.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli e.Christian Medical College, Dichpalli
16.	Dr. K. Ananda Kumar	Physiology	a.Alluri Sitaram Raju Medical College, Elluru b.GSL Medical College, Rajamundry c.Warangal Instt. of Medical

			d. Narayana Medical College, Nellore e. Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar f. Konaseena Instt. of Medical Sciences, Amalapuram g. Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli h. Christian Medical College, Dichpalli
17.	Dr. N. Sachidanandan	Physiology	a. GSL Medical College, Rajamundry
18.	Dr. R. Devisigananai	Physiology	a. Katuri Medical College, Guntur
19.	Dr. A. Venugopal Sharma	Community Medicine	a. Narayana Medical College, Nellore b. NRI Instt. of Medical Sciences, Guntur
20.	Dr. P. Jayachandran	Physiology	a. Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar

The Committee further noted that institution in its compliance report has not submitted declaration forms or the appointment order/joining report/relieving order of any faculty. The institution in its compliance had accepted all the deficiencies shown in the inspection report dated 2.7.03 and has merely conveyed that they have made up these deficiencies within a period of 6 weeks.

As decided in the earlier Executive Committee meeting dated 28.7.2003 where the members of the Adhoc Committee appointed as per the Hon'ble Supreme Court order dated 20.11.2002 were also present, the Committee is of the firm view that the nature of the deficiencies pointed out in the report dated 2.7.03 are such gross that it is impossible to make up the deficiencies within the short period of 6 weeks.

In view of this, the Executive Committee and members of the Adhoc Committee decided to reiterate its earlier decision taken at its meeting held on 28.7.03 recommending to the Central Govt. not to grant first annual renewal for admission of 2nd batch of students at the college during the year 2003-04.

30. **Alluri Sitarama Raju Academy of Medical Sciences, Eluru - renewal of permission for admission of 4th batch of students – consideration of compliance report.**

Read : The compliance report submitted by the authorities of Alluri Sitarama Raju Academy of Medical Sciences, Eluru received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 19th & 20th June, 2003 for renewal of permission for admission of 4th batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report dated 12.8.2003 submitted by the authorities of Alluri Sitarama Raju Academy of Medical Sciences, Eluru through the Central Govt. and noted that the Committee at its meeting held on 28.7.2003 in view of the grossly inadequate clinical material, staff (teaching as well as non-teaching) and other irregularities etc. mentioned in the inspection report dated 2.7.03, decided to recommend to the Central Govt. not to grant 3rd renewal of permission to this college for the admission of 4th batch of students for the academic session 2003-04. It was unanimously felt that these deficiencies which were gross in nature would require at least a period of 6 months after making sincere efforts for removal. Now the Council has received the compliance report on 18.8.2003 through the Central Govt. submitted by the college on 13.8.2003.

On verification of the compliance as well as the report along with the declaration forms submitted by the college at the time of inspection, it was observed that large number of teachers shown as faculty at this institution were also found working as faculty in other colleges as below:-

Sl.No.	Name of teacher	Department	Also found working at
1.	Dr. Parabelhini Behera	Anaesthesia	a. Narayana Medical College, Nellore
2.	Dr. Niranjana Tripathi	Anatomy	a. Narayana Medical College, Nellore

			b.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar
3.	Sukhanthi Panigrahi	Anatomy	a.Narayana Medical College, Nellore b.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli
4.	Dr. K.Karuna Murthi	Community Medicine	a.MNR Medical College, Sangareddy
5.	Dr. M. Bhupathi Reddy	Community Medicine	a.MNR Medical College, Sangareddy
6.	Dr. T.Bhaskar Rao	Community Medicine	a.MNR Medical College, Sangareddy
7.	Dr. S. Laxshmi	Forensic Medicine	a.P.E.S. Instt. of Medical Sciences, Kuppam
8.	Dr. R. Ram Chandra Rao	Forensic Medicine	a.Narayana Medical College, Nellore b.Prathima Instt. of Medical Sciences, Karimnagar
9.	Dr. K. Krishna Murthy	Physiology	a.P.E.S. Instt. of Medical Sciences, Kuppam b.GSL Medical College, Rajamundry c.Warangal Instt. of Medical Sciences, Warangal d.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli e.Christian Medical College, Dichpalli
10.	Dr. K. Ananda Kumar	Physiology	a.P.E.S. Instt. of Medical Sciences, Kuppam b. GSL Medical College, Rajamundry c.Warangal Instt. of Medical Sciences, Warangal d.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar e.Konaseena Instt. of Medical Sciences, Amalapuram f.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli g.Narayana Medical College,Nellore h.Christian Medical College, Dichpalli
11.	Dr. V. Vijaysarathi	Physiology	a.Warangal Instt. of Medical Sciences, Warangal b.Prathima Instt. of Medical Sciences, Karimnagar c.Dr. Pinnamaneni Siddhartha Instt. of Medical Sciences, Chinnoutpalli
12.	Dr. G. Mallikarguna Rao	Anatomy	a.NRI Instt. of Medical Sciences, Guntur b.Maharaja Instt. of Medical Sciences, Vijayanagaram
13.	Dr. R.V. Seshatram	Anatomy	a.GSL Medical College, Rajamundry
14.	Dr. Satyakam Jana	Forensic Medicine	a.Chalmeda Anand Rao Instt. of Medical Sciences, Karimnagar

The Committee further noted that institution in its compliance report has not submitted declaration forms or the appointment order/joining report/relieving order of any faculty. The institution in its compliance had accepted all the deficiencies shown in the inspection report dated 2.7.03 and has merely conveyed that they have made up these deficiencies within a period of 6 weeks.

As decided in the earlier Executive Committee meeting dated 28.7.2003 where the members of the Adhoc Committee appointed as per the Hon'ble Supreme Court order dated 20.11.2002 were also present, the Committee is of the firm view that the nature of the deficiencies pointed out in the report dated 2.7.03 are such gross that it is impossible to make up the deficiencies within the short period of 6 weeks.

In view of this, the Executive Committee and members of the Adhoc Committee decided to reiterate its earlier decision taken at its meeting held on 28.7.03 recommending to the Central Govt. not to grant 3rd renewal of permission for admission of 4th batch of students at the college during the year 2003-04.

31. **Medicity Institute of Medical Sciences, Ghanpur - renewal of permission for admission of 2nd batch of students -Consideration of the compliance report.**

Read : The compliance report submitted by the authorities of Medicity Institute of Medical Sciences, Ghanpur received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 26th & 27th May, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of Medicity Institute of Medical Sciences, Ghanpur received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report (26th & 27th May,2003) for renewal of permission for admission of 2nd batch of students and decided to verify the same by way of an inspection.

32. **Establishment of new medical college at Dhamtari by Mennonite Medical Board, Dhamtari, Chhattisgarh – consideration of compliance report.**

Read : The compliance report submitted by the authorities of Medical College, Dhamtari received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 13th & 14th June, 2003, 2003 for establishment of new medical college at Dhamtari by Mennonite Medical Board, Dhamtari, Chhattisgarh.

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (13th & 14th June,2003) for the establishment of new medical college at Dhamtari, Chhattisgarh and decided to reiterate its decision to return the same to the Central Govt. recommending disapproval of the scheme in view of the fact that the time period for getting Letter of Intent for starting of the new medical college is already over by now.

33. **K.J. Somaiya Medical College, Mumbai - renewal of permission for the admission of 4th batch of students against the increased intake from 50 to 100 for the year 2003-2004- consideration of compliance report.**

Read : The compliance report submitted by the authorities of K.J. Somaiya Medical College, Mumbai received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 9th & 10th June, 2003 for renewal of permission for admission of 4th batch of students against the increased intake i.e. from 50 to 100.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of K.J. Somaiya Medical College, Mumbai on 11.8.2003 to the Central Govt. and received in the office of the Council on 14.8.2003 and noted that the following deficiencies are not yet rectified:-

1. Accommodation in the hostels for students is grossly inadequate. Total accommodation for 100 students has been provided outside the campus as against the accommodation required for 400 students within the campus. No hostel for students is available within the campus at present. The explanation provided by the college that in a city like Bombay students are not preferring to stay in hostels is infact not the compliance of the deficiency. It is desirable that the students should be accommodated in the hostels within the campus. Hence the deficiency is still continuing.
2. The accommodation for residents has been provided only for 78 students as against 125 required as per norms. The college has not offered any compliance on this.
3. The residential quarters for non-teaching staff has not been provided as per the norms. The college has reported that accommodation for 8 essential non-teaching staff has been purchased in the vicinity of the hospital and allotment orders have been issued. However, looking to the total requirement of the accommodation required for essential non-teaching staff in the campus, this is still inadequate.

4. No details have been provided about the accommodation for nursing staff.
5. The deficiency of inadequate space in the casualty still persists. The college has not mentioned in its compliance how the additional space has been provided in the casualty. The deficiency is still continuing.
6. There is no CT Scan in the hospital. The college has submitted that the hospital is already using CT Scan facilities located at a distance of 2-3 kms. from the hospital. This is not as per the norms and the deficiency is continuing.
7. The supply of the journals as per Council norms is still pending. The college has submitted that M/s J. Gate has supplied 1500 journals which includes 400 journals with full text and 1100 with abstracts only which are now available on line. However, only 8 computers are available in the library for use by the students and staff. In addition to this 41 Indian journals and 17 foreign journals are also available in the print media. It seems that the college is relying upon the electronic medium for the supply of journals in which case 8 computers are grossly inadequate to meet the requirements of the undergraduate & postgraduate students and the staff. Hence, the deficiency is still continuing.
8. The OPD space is still inadequate. By and large all the OPDs are located in one central room where in 2-3 consultants examine the patient and 3-4 small clinical examination rooms. In some of the OPDs x-ray view box, examination trays were not available. The space provided for Skin & VD and T.B. & Chest OPD is still inadequate. No satisfactory compliance has been offered by the college for this.
9. There is no research laboratory in the department of Preventive & Social Medicine.
10. The books in the departmental libraries in several departments are inadequate.
11. Other observations/deficiencies pointed out in the inspection report.

In view of above, the Executive Committee and members of the Adhoc Committee decided to recommend to the Central Govt. not to renew the permission for admission of 4th batch of students against the increased intake from 50 to 100 at K.J. Somaiya Medical College, Mumbai for the academic session 2003-2004.

34. **S. Nijalingappa Medical College, Bagalkot - renewal of permission for admission of 2nd batch of students for the year 2003-2004 - consideration of compliance report.**

Read : The compliance report submitted by the authorities of S. Nijalingappa Medical College, Bagalkot received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 13th & 14th June, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of S. Nijalingappa Medical College, Bagalkot received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 13th & 14th June, 2003 for renewal of permission for admission of 2nd batch of students and decided to verify the same by way of an inspection.

35. **K.V.G. Medical College, Sullia - renewal of permission for admission of 2nd batch of students – Consideration of the compliance report.**

Read : The compliance report submitted by the authorities of K.V.G. Medical College, Sullia received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 17th & 18th June, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of K.V.G. Medical College, Sullia received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report (17th & 18th June, 2003) for renewal of permission for admission of 2nd batch of students and decided to verify the same by way of an inspection.

36. **Establishment of medical college at Malapuramba, Malapuram Distt. by Muslim Education Society, Calicut - consideration of compliance report.**

Read : The compliance report submitted by the authorities of Medical College, Malapuramba received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 27th & 28th June, 2003 for establishment of new medical college at Malapurmaba, Malapuram.

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (27th & 28th June,2003) for the establishment of Medical College at Malapuramba, Malapuram Distt. and decided to reiterate its decision to return the same to the Central Govt. recommending disapproval of the scheme in view of the fact that the time period for getting Letter of Intent for starting of the Medical College is already over by now.

37. **S.C.B. Medical College, Cuttack – increase of MBBS seats from 107 to 150 – consideration of compliance report.**

Read : The compliance report submitted by the authorities of S.C.B. Medical College, Cuttack received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 4th & 5th June, 2003 for increase of MBBS seats from 107 to 150.

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (4th & 5th June,2003) for increase of MBBS seats from 107 to 150 at S.C.B. Medical College, Cuttack and decided to reiterate its decision to return the same to the Central Govt. recommending disapproval of the scheme in view of the fact that the time period for getting Letter of Intent is already over by now.

38. **Swami Vivekanand Instt. of Medical Sciences and Research, Valia - renewal of permission for admission of 2nd batch of students during 2003-2004 – consideration of compliance report.**

Read : The compliance report submitted by the authorities of Swami Vivekanand Instt. of Medical Sciences and Research, Valia received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 9th & 10th July, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of Swami Vivekanand Instt. of Medical Sciences and Research, Valia on 13.8.2003 to the Central Govt. and received in the office of the Council on 21.8.2003 and noted that the following deficiencies are not yet rectified:-

1. The shortage of teaching staff is more than 10%. The college has not submitted any compliance in this regard. Declaration forms have not been attached with the compliance report to indicate how the deficiency has been rectified.
2. The deficiency in number of teaching beds is 57. The wards are congested with inadequate bed space and inadequate toilet facilities. The college has not offered any compliance and has submitted that the construction for 180 beds is being completed partially which itself means that these beds are not functional at present and the deficiency is still continuing.
3. The hospital building expansion is still under construction. As per the statement in the compliance report itself it has admitted that it is not yet complete.
4. There is inadequate space in hospital for patients. The space provided for clinical departments located in hospital building is inadequate.
5. There are no teaching rooms in the OPD. Only few teaching rooms are present in department which are shared and not properly furnished.
6. The infrastructural facilities for the departments of Pathology, Pharmacology, Microbiology, Forensic Medicine and PSM are not yet established and are not functional.

7. The number of deliveries and operations performed is inadequate. No reliable data have been given by the hospital to indicate that the clinical material has improved.
8. From the inspection report and compliance, it is evident that the college building and hospital are separated by a 60 feet wide road. Hence, the basic requirement in Qualifying Criteria of a single plot of 25 acres of land is still not available.
9. Hostel facilities are available for 112 students against the requirement of 200 students at this stage. The rooms are only partially furnished. No compliance has been offered for this.
10. No compliance has been submitted by the college for the inadequate clinical material in terms of
 - (a) Number of deliveries (1.2 per day)
 - (b) Number of major and minor surgeries (approx.3.33 per day)
 - (c) Number of investigations (total 19 investigations per day for Biochemistry, clinical pathology and Microbiology combined) is inadequate.
11. Mechanised laundry is not available as yet.
12. Nursing staff is deficient by almost 40%. Other non-teaching staff is also inadequate than as required as per the norms. No compliance has been reported by the college.
13. Other observations/deficiencies pointed out in the inspection report.

In view of above, the Executive Committee and members of the Adhoc Committee decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 100 (hundred) students at Swami Vivekanand Inst. of Medical Sciences & Research, Valia for the academic session 2003-2004.

39. **Maharaja Agrasen Instt. of Medical Sciences, Agroha- Renewal of permission for admission of 2nd batch of students during the year 2003-04 – consideration of compliance report.**

Read : The compliance report submitted by the authorities of Maharaja Agrasen Instt. of Medical Sciences, Agroha received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 13th & 14th May, 2003 for renewal of permission for admission of 2nd batch of students.

The Executive Committee and members of the Adhoc Committee considered the compliance report submitted by the authorities of Maharaja Agrasen Instt. of Medical Sciences, Agroha received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (May,2003) for renewal of permission for admission of 2nd batch of students and decided to verify the same by way of an inspection.

40. **Increase of MBBS seats from 65 to 100 at Indira Gandhi Medical college, Shimla – consideration of compliance report.**

Read : The compliance report submitted by the authorities of Indira Gandhi Medical College, Shimla received through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 26th & 27th Nov., 2002 for increase of MBBS seats from 65 to 100.

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (26th & 27th Nov.,2002) for increase of MBBS seats from 65 to 100 at Indira Gandhi Medical College, Shimla and decided to reiterate its decision not to issue LOI for increase of seats and further decided to return the compliance report to the Central Govt. recommending

disapproval of the scheme in view of the fact that the time period for getting Letter of Intent is already over by now.

41. **Matter regarding recognition of service/training done by Doctors in foreign countries, for counting as experience for teaching post in India.**

Read : The matter regarding recognition of service/training done by Doctors in foreign countries, for counting as experience for teaching post in India.

The Executive Committee and members of the Adhoc Committee considered the matter regarding recognition of service/training done by doctors in foreign countries for counting as experience for teaching post in India and decided to refer the matter to the T.E.Q. Sub-Committee.

42. **Graduate Medical Education (Amendment) Regulations, 2003.**

Read : The Graduate Medical Education (Amendment) Regulations, 2003 as approved by the Central Govt. and as vetted by the Ministry of Law to be published in the Gazette of India.

The Executive Committee and members of the Adhoc Committee considered the Graduate Medical Education (Amendment) Regulations, 2003 as approved by the Central Govt. and vetted by the Ministry of Law and noted that the amendments to regulation 14 as proposed by the Council have been modified by the Central Govt. in respect of the distribution of marks in the disciplines of Biochemistry and Microbiology as under:-

Biochemistry

	Proposed by MCI	Changed by Govt.
Theory – Two papers of 60 marks each (one applied question of 10 marks in each paper)	80	120
Internal assessment (theory)	20	30
Total	100	150
Practical	60	90
Oral (viva-voce)	60	30
Internal assessment (Practical)	20	30
Total	100	150
Grand Total for Biochemistry	200	300

Microbiology

	Proposed by MCI	Changed by Govt.
Theory – Two papers of 60 marks each (one applied question of 10 marks in each paper)	80	120
Internal assessment (theory)	20	30
Total	100	150
Practical	60	90
Oral (viva-voce)	20	30
Internal assessment (Practical)	20	30
Total	100	150
Grand Total for Microbiology	200	300

The Committee further noted that the following which have been proposed by the Council have not been incorporated in those which have been approved by the Central Government:-

Regulation	Existing	Proposed	Remarks
4(1)	He/she has completed the age of 17 years on or before first day of July of the year commencing the	He/she has completed the age of the 17 years on or before 31 st December of the year of his/her admission to	Govt. has not accepted

	prescribed academic session of the said course.	the first MBBS course.	
5 (i) and (ii)	<p>To be eligible for competitive entrance examination, the candidate must have passed any of the qualifying examinations as enumerated under the head note "eligibility criteria;"</p> <p>Provided also that –</p> <p>(i) In case of admission on the basis of qualifying examination, a candidate for admission to medical course must have obtained not less than 50% marks in English and 50% marks in Physics, Chemistry and Biology taken together at the qualifying examination.</p> <p>(ii) In case of admission on the basis of a competitive entrance examination, a candidate for admission to medical course must obtain not less than 50% marks in English and 50% marks in Physics, Chemistry and Biology taken together both at qualifying and competitive examinations;</p> <p>Provided further that in respect of candidates belonging to Schedule Castes/Scheduled Tribes and Other Backward Classes (OBCs) the marks obtained be read as 40% instead of 50%.</p>	<p>Provided that –</p> <p>(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 of equivalent).</p> <p>(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.</p> <p>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%.</p> <p>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.</p>	Govt. has not accepted

The Committee decided to seek clarification from the Central Govt. in the above matter and further decided that the matter be discussed in the General Body.

43. **Youth with 6 months training can practice medicine.**

Read : The fax received from Prof. N. Rangabashyam, Member of the Adhoc-Committee appointed by the Hon'ble Supreme Court regarding the news item appearing in Pharmabiz Hospital Review, August 16-31, 2003 issue pertaining to youth with 6 months training can practice medicine.

The Executive Committee and members of the Adhoc Committee considered the fax dated 22.8.2003 from Prof. N. Rangabashyam, member of the Adhoc Committee appointed by the Hon'ble Supreme Court regarding the news item appearing in Pharmabiz Hospital Review issue pertaining to youth with 6 months training can practice medicine and noted that the Govt. of Rajasthan has planned to employ more than 1000' youths with high school education who would be given 6 months medical training for treatment of common diseases in rural areas and supplied with a kit containing medicines, injections and dressing material to work in the backward areas of the State. The Govt. would also issue a certificate to these practitioners for treatment of illness in villages.

The Committee further noted that the General Secretary, Medical Practitioners Society, Jaipur has pointed out in the report that the move to give certificates to such persons is against the Medical Council of India Act.

The Committee decided to obtain the clarification from the Govt. of Rajasthan, Director of Medical Education, Govt. of Rajasthan and Registrar, Rajasthan Medical Council in the matter as they were of the opinion that such persons cannot be allowed to practice medicine.

44. **Request of extension of time for joining the services of the Council.**

Read : The request of Dr.Virender Mohan for grant of extension of time for joining the services of the Council as Whole Time Inspector.

The Executive Committee and members of the Adhoc Committee considered the request of Dr. Virender Mohan for extension of time upto 01.04.2004 for joining the duties of the Council as Whole-time Inspector. The Committee decided not to allow extension of time as requested by him and further decided that he may be asked to join the duties immediately.

45. **Proposal for payment of Local conveyance charges to the officials of Council for attending the office on holidays/late hours etc.**

Read : The matter with regard to payment of Local conveyance charges to the officials of Council for attending the office on holidays/late hours etc.

The Secretary has submitted that the detailed proposal will be submitted before the Executive Committee through the Finance Committee. Therefore, the item was withdrawn.

46. **To consider the compliance reports received through the Central Govt.**

The Executive Committee and members of the Adhoc Committee considered the compliance reports received through the Central Govt. in respect of following medical colleges :-

- (a) Medical College, Arogyavaram by CSI Arogyavaram Medical Centre, Chittoor, A.P. (establishment of the college).
- (b) Co-operative Medical College, Kochi (renewal of permission for admission of 3rd batch)
- (c) Medical College Midnapore by Govt. of West Bengal (Establishment of new medical college).
- (d) Govt. Medical College, Tanda (renewal of permission for admission of 5th batch).

The decision of the Committee in respect of each medical college is recorded as under:-

- (a) **Medical College, Arogyavaram by CSI Arogyavaram Medical Centre, Chittoor, A.P. (establishment of the college).**

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (8th & 9th July,2003) for the establishment of new medical college at Arogyavaram and decided to reiterate its decision to return the same to the Central Govt. recommending disapproval of the scheme in view of the fact that the time period for getting Letter of Intent for starting of the new medical college is already over by now.

(b) **Co-operative Medical Kochi (Renewal of permission for admission of 3rd batch):**

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (5th & 6th May,2003) for renewal of permission for admission of 3rd batch of students during 2003-2004 and decided to verify the same by way of an inspection.

(c) **Medical College Midnapore by Govt. of West Bengal (Establishment of new medical college).**

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection reports (March & July,2003) for the establishment of new medical college at Midnapore by Govt. of West Bengal and decided to reiterate its decision to return the same to the Central Govt. recommending disapproval of the scheme in view of the fact that the time period for getting Letter of Intent for starting of the new medical college is already over by now.

(d) **Govt. Medical College, Tanda (renewal of permission for admission of 5th batch).**

The Executive Committee and members of the Adhoc Committee considered the compliance report received through the Central Govt. on the deficiencies pointed out in the MCI inspection report (July,2003) for renewal of permission for admission of 5th batch of students during 2003-2004 and decided to verify the same by way of an inspection.

47. **Pt. B.D. Sharma PGIMS, Rohtak – Renewal of permission for admission of 4th batch of students against the increased intake from 115 to 150.**

Read : The compliance report submitted by the authorities of Pt. B.D. Sharma PGIMS, Rohtak on the deficiencies pointed out in the inspection report (June, 2003) for renewal of permission for admission of 4th batch of students against the increased intake i.e. 115 to 150.

The Executive Committee and members of the Adhoc Committee considered the compliance report and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of students against the increased intake i.e. from 115 to 150 at Pt. B.D. Sharma Postgraduate Instt. of Medical Sciences, Rohtak for the academic session 2003-2004.

48. **Basavewara Medical College & Hospital, Chitradurga- Renewal of permission for admission of 3rd batch of students for the academic session 2003-2004.**

The Executive Committee and members of the Adhoc Committee considered the letter dated 22.8.2003 received from the Central Govt., Ministry of Health & F.W. requesting to arrange inspection of Basavewara Medical College & Hospital Chitradurga for renewal of permission for admission of 3rd batch of students for the year 2003-2004 and noted that the Central Govt. has declined to grant renewal of permission for admission of 2nd batch of students for the academic session 2002-03 and the office of the Council has sent a letter to the concerned authorities of the college to comply with the directions passed by the Hon'ble High Court of Karnataka regarding the admissions made for the said session in pursuance of the orders passed by the Hon'ble Court. As no information has been received from the college authorities as well as from the University authorities regarding the status of students admitted for the academic session 2002-03, the Committee decided to reiterate its earlier decision taken at its meeting held on 28.7.2003 that the matter with regard to carry out the inspection for the academic session 2003-04 be placed before the Committee only after the information is received.

The members of the Executive Committee and of the Adhoc Committee also took cognizance of the Central Government letter in which the deadline of 15th September was prescribed for the MCI to take the decisions on the question of granting/renewing the permissions. In view of the deadline so prescribed, the Secretary of the Council was asked by the members of the Executive Committee and of the Adhoc Committee, to convey the decisions taken in today's meeting in respect of permissions/renewals of the medical colleges to the Central Government immediately.

(Lt. Col.(Retd.) Dr. A.R.N. Setalvad)
Secretary

New Delhi, dated the
23rd August,2003

A P P R O V E D

(Dr. P.C. Kesavankutty Nayar)
President (Acting)