

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

MEDICAL COUNCIL OF INDIA

EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on Tuesday the 3rd February, 2004 at 12 noon in the Council office, Aiwan-E-Galib Marg, Kotla Road, New Delhi -2 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)](Former Dean, Govt. Medical]College)Trivandrum
Padamshree Prof. P.N.Tandon	]Former Prof. & Head of Neuro-]Surgery, A.I.I.M.S, New Delhi and]Member, Adhoc Committee]appointed by the]Hon'ble Supreme Court
Dr. (Mrs.) S.Kantha	]Former Vice Chancellor,][Rajiv Gandhi University of Health]Sciences, Karnataka and Member,]Adhoc Committee appointed by]the Hon'ble Supreme Court
Padamshree Prof. K.S. Chugh	]Emeritus Professor of Nephrology]P.G.I., Chandigarh
Dr.D.K. Sharma	]Former Prof. & Head]Deptt. of Paediatrics]LLRM Medical College]Meerut.
Dr.P.M. Jadhav	]Prof. of Orthopaedics,]Aurangabad and MGM Hospital.
Dr.Ajay Kumar	]Consultant Urologist]Hony. Secretary,]Urologist Society of India](USI)
Dr.M.K. Sharma	]Deptt. of Surgery, SMS Medical]College, Jaipur.
Dr. V.K. Puri	]Prof.& Head, Deptt. of Cardiology,]K.G.Medical College,Lucknow.
Dr. P.K. Sur	]Professor of Radio-therapy,]Medical College,]Kolkatta.
Dr. G.B. Gupta	]Prof. of Medicine, Pt.JNM Medical]College, Raipur

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

Apologies for absence were received from Prof. N. Rangabashyam, Member, Adhoc Committee and Dr. Nitin S. Vora, Member of the Executive Committee.

1. **Minutes of the Executive Committee held on 30th December, 2003 – Confirmation of.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council confirmed the minutes of the Executive Committee meeting held on 30th December, 2003.

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

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the action taken on the minutes of the Executive Committee meeting held on 30th December, 2003 with following modifications:-

- (a) Item No. 6 “Mahatma Gandhi Instt. of Medical Sciences, Wardha – increase of seats in 1st MBBS course from 65 to 100”.

The action taken in the matter be read amended as under:-

“The decision of the Executive Committee communicated to the Central Govt. on 31.12.2003. LOI issued on 19.01.2004.”

- (b) Item No. 13 “C.W.J.C. No. 420/2001 filed by Citizen cause Vs. State of Jharkhand & Ors.”

In the action taken report it was recorded as under:-

“An affidavit has been filed through the Council Advocate in the Hon’ble High Court of Jharkhand.

Deficiencies/remarks pointed out in the inspection report are also being placed before the Postgraduate Committee at its meeting held on 27.1.2004 as an agenda item.”

The action taken in the matter be read corrected as under:-

“An affidavit has been filed through the Council Advocate in the Hon’ble High Court of Jharkhand.

Deficiencies/remarks pointed out in the inspection report will be placed before the Postgraduate Committee meeting scheduled to be held on 25.2.2004 as an agenda item.”

- (c) Item Nos. 14, 15 & 16:

14. Establishment of new medical college at Arogayavaram by CSI Arogayavaram Medical Centre, Chittor, A.P. – Consideration of compliance report

15. Establishment of new medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad – Consideration of compliance report.

16. Establishment of new medical college at Warangal by Medicare Educational Trust, Warangal – Consideration of compliance report.

Actions taken in these matters be read corrected as under:-

“Inspections have been arranged and the items are included in the agenda of today’s meeting.”

- (d) Item No. 19 “Kempegowda Instt. of Medical Sciences, Bangalore – consideration of compliance verification inspection report (24th & 25th Nov.,2003) for continuance of recognition of MBBS degree”.

The last paragraph of the action taken in the matter be read corrected as under:-

“Deficiencies/remarks pointed out in the inspection report will be placed before the Postgraduate Committee meeting scheduled to be held on 25.2.2004 as an agenda item.”

- (e) Item No. 21 “Continuance of recognition of MBBS degree granted by Dibrugarh University in respect of students being trained at Assam Medical College, Dibrugarh – consideration of compliance report”.

Action taken in the matter be read corrected as under:-

“Compliance verification inspection was arranged for 28th & 29th Jan.,2004. The college has requested for postponement”.

- (f) Item No. 28 “Appointment of Retainer Advocate in the Council office”.

The action taken in the matter be read corrected as under:-

“Appointment order issued and he has joined w.e.f. 01.01.2004”.

- (g) Item No. 29 “Renaming of the Medical Institutes to (I) Kazakh National Medical University & (II) Higher Institute of Medicine, Pleven, Bulgaria – reg.”

The action taken in the matter be read corrected as under:-

“The matter will be placed before the General Body of the Council”.

- (h) Item No. 36 “Establishment of National Institute of Medical Sciences, Jaipur by Indian Medical Trust, Jaipur”.

The action taken in the matter be read amended as under:-

“Decision of the Executive Committee communicated to the Central Govt. vide MCI letter dated 31.12.2003. LOI issued on 19.1.2004”.

- (i) Item No. 40 “Establishment of a new medical college at Asaripallam by Government of Tamilnadu”.

The action taken in the matter be read amended as under:-

“Decision of the Executive Committee communicated to the Central Govt. vide MCI letter dated 31.12.2003. LOI issued on 19.1.2004”.

- (j) Item No. 56 “Confirmation of employees of Medical Council of India”.

The action taken in the matter be read corrected as under:-

“Noted for further action”.

3. **Pending items arising out of decisions of General Body/Executive Committee.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council reviewed the list of pending items arising out of the decisions of the Executive Committee and directed the Secretary as under:-

- (a) The pending inspections of following medical colleges should be carried out:-

[i] Lady Hardinge Medical College, New Delhi

- [ii] Guntur Medical College, Guntur
- [iii] Pt. JNM Medical College, Raipur
- [iv] Assam Medical College, Dibrugarh
- [v] Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati

- (b) As regards item No. 34 of the meeting of the Executive Committee dated 02.06.2003 regarding uniform procedure in Medical Institutions for examining visually handicapped students in light of experience of AIIMS in the case of CSP Anka Toppo, the members of the Adhoc Committee and of the Executive Committee of the Council decided that Dr.H.K.Tiwari, AIIMS, New Delhi may be designated as Convenor of the Sub-Committee and in place of Dr. K.K. Singh, Dr. S.K. Verma, VIMHANS, New Delhi may be nominated. The Sub-Committee may be requested to submit its report within six weeks.
- (c) As regards item No. 4 regarding clarification of rules of Medical Council of India regarding illegal allopathic practices and item No. 33 regarding problem of hospital treatment of terminally ill patients of the meeting of the Executive Committee dated 30.06.2003, the Secretary was directed to request the Chairman of the Ethics Committee to expedite the matter.
- (d) As regards item No. 6 of the meeting of the Executive Committee dated 30.06.2003 regarding the admission policy in medical colleges in the State of Tamil Nadu, the Health Secretary, Director of Medical Education and Vice-Chancellor of the University may be issued a final reminder.
- (e) As regards item No. 29 of the meeting of the Executive Committee dated 30.6.2003 regarding medical examination of MBBS students before registration, the Secretary was directed to request the Sub-Committee to expedite the report.
- (f) As regards item No. 7 of the meeting of the Executive Committee dated 23.08.2003 regarding the inspection report of M.R.Medical College, Gulbarga, the Secretary was directed to request the Sub-Committee to expedite the report.
- (g) Regarding item No. 41 of the meeting of the Executive Committee dated 23.08.2003 in the matter of recognition of service/training done by Doctors in foreign countries for counting as experience for teaching post in India, the Secretary was directed to request the Chairman of the Teachers' Eligibility Qualifications Sub-Committee to expedite the matter.
- (h) Regarding item No. 22 of the meeting of the Executive Committee dated 19.9.2003 regarding cadre review for different posts in the Council office, the Secretary was directed to finalise the process of cadre review for placing at the next meeting of the Executive Committee.

4. **Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda – renewal of permission for admission of 6th batch of students during the year 2004-2005.**

Read: the inspection report (9th & 10th January, 2004) for renewal of permission for admission of 6th batch of students during the year 2004-2005 at Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda.

The members of the Ad-hoc Committee and of the Executive Committee considered the Council inspectors report (9th and 10th January, 2004) and decided to recommend to the Central Government to renew the permission for admission of 6th batch of 100 students at Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda for the academic session 2004-05.

5. **Amrita Instt. of Medical Sciences & Research Centre, Elamkara, Kochi – renewal of permission for admission of 3rd batch of students during the year 2004-2005.**

Read: the inspection report (9th & 10th January, 2004) for renewal of permission for admission of 3rd batch of students during the year 2004-2005 at Amrita Instt. of Medical Sciences & Research Centre, Elamkara, Kochi.

The members of the Adhoc-Committee and of the Executive Committee considered the Council Inspector's report (9th & 10th Jan., 2004) of Amrita Institute of Medical Sciences and Research Centre, Cochin and noted the following:-

1. Shortage of teaching staff:-
 - (a) Faculty 7.2% (i.e. 10 out of 138)
 - (i) Assoc. Prof.: 2 (Anaesthesia-1, Radio-Diagn.-1)
 - (ii) Asstt. Prof.: 5 (Pharmacology-1, PSM-4)
 - (iii) Tutor: 3 (Pathology-1, PSM-2)
 - (b) Resident 10% (i.e. 5 out of 54)
 - (c) 50% of the teaching staff in Anatomy department is non-medical which is higher than permissible norms of 30%.
2. Amrita Vishwavidyapeetham (Deemed University) has affiliated the medical college subject to grant of permission by the Govt. of India. However this college was permitted in year 2002 with Mahatma Gandhi University at Kottayam.

3. There is a deficiency of teaching beds as under:-

Deptt.	Required beds	Available beds	Deficiency
Pediatrics	50	30	20
Obst & Gynae.	56	46	10
Surgery	93	69	24
Ortho.	50	26	24

Thus, there is deficiency of 78 teaching beds.

Except for large medical wards at I floor with 20 & 30 beds respectively, all other wards are located in smaller rooms of 4 to 6 beds in various floors. All the nursing stations are situated outside the wards. The side laboratories are provided only for three wards. Class rooms provided in the wards are deficient in x-ray view boxes, couches and wash areas. Pediatric ward which is located in the 3rd floor of the hospital has got 10 separate rooms where three beds are provided in each room looking more crowded.

4. The teaching areas in Medicine, Surgery, ENT and Obst. & Gynae. OPDs do not have facilities like couch, x-ray view box, black board etc. The teaching area for ENT OPD is very small. No teaching area is provided for Orthopaedics, Ophthalmology, TB & Chest, Skin & VD and Psychiatry OPDs.
5. No separate examination room is available in the casualty.
6. Total deficiency for the requirement of OT is as under:-
 - a. Ophthalmology - 1
 - b. General Surgery - 2
7. The laboratory services in the central laboratory are under the control of non-teaching personnel. Individual college departments of Biochemistry & Microbiology are not taking major role in the clinical laboratory services.
8. The number of deliveries conducted at the affiliated teaching hospital is inadequate.
9. Blood bank is not under the Pathology department.

10. Department of Pathology and Microbiology should be more involved in clinical service.
11. The capacity of boys hostel is inadequate. It is located in a 15 storied building in which 4 floors are used for boys hostels. 8 floors are in the same building are used for accommodating nurses. No mess facilities are available in the hostel.
12. Cheranalloor PHC which is used as a rural center is under the control of Govt. of Kerala and the college is allowed to use its facilities for teaching purposes only. No beds are available at this center. No audiovisual are provided and they are brought by the PSM department at the time of the visit. No lecture hall is provided.
13. At the Urban health center, no lecturer cum medical officer having MD (PSM) is posted. Immunization services, antenatal care and MCH services are provided by organizing weekly clinics.
14. In the infrastructure of 2nd MBBS department the following deficiencies are observed:-
 - (i) Considering the number of specimens the museum of department of Pathology is small and needs to be expanded.
 - (ii) No specimens are provided in the Museum of microbiology department.
15. The Principal and other teaching faculty members are accommodated in 18 three bedroom flats available at Rohini Apartments located 3 km away from the college which are taken on lease.
16. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc-Committee and of the Executive Committee decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of students for the academic session 2004-2005 at Amrita Instt. of Medical Sciences & Research Centre, Elamkara, Cochin.

6. **Meenakshi Medical College & Research Instt. at Enathur – renewal of permission for admission of 2nd batch of students during the year 2004-2005.**

Read: the inspection report (9th & 10th January, 2004) for renewal of permission for admission of 2nd batch of students during the year 2004-2005 at Meenakshi Medical College & Research Instt. at Enathur.

The members of the Adhoc-Committee and of the Executive Committee considered the Council Inspectors report (9th & 10th Jan., 2004) of Meenakshi Medical College & Research Instt., Enathur and noted the following:-

1. Affiliation with the Tamilnadu Dr. MGR University, Chennai for the academic year 2004-2005 is not available.
2. The shortage of teaching staff required at the present stage is as under : -
 - A) Faculty – 11.8 % (i.e. 12 out of 101).
 - i) Associate Professor – 5 (Pharmacology – 1, Pathology – 1, Microbiology – 1, Forensic Medicine – 1, Radio Diagnosis – 1)
 - ii) Asst. Professor – 5 (Anatomy – 2, Forensic Medicine – 1, Community Medicine – 1)
 - iii) Tutors – 2 (Pathology – 1, Microbiology – 1)
 - B) Residents – 26% (i.e. 13 out of 50)
 - i) Senior Residents – 5 (General Medicine – 2, Pediatrics – 1, Obst. & Gynae. – 2)
 - ii) Junior Residents - 8 (TB – 1, Psychiatry – 2, Surgery – 2, Obst. & Gynae. – 1)
 - C) 50 per cent of the staff in Physiology department is non medical which is higher than permissible norms of 30 per cent.

- D) 62 teachers joined after the previous inspection and 22 have left after the previous inspection.
3.
 - a) The number of teaching beds are adequate, being 350. The distribution of these beds in different wards is bizarre which makes the ward management difficult and can also be a source of infection to other patients.
 - b) Reallocation of wards space and segregation of patients is required to be made.
 - c) The Registration Counter for both indoor and outdoor cases is not computerized.
 4. No infrastructure for II MBBS department is available.
 5. The construction work for all the para-medical departments is under progress and furniture and equipment are yet to be added and made operational.
 6. The college is not permitted to conduct the postmortems. The Mortuary is not functional. No arrangements have been made for teaching postmortems to the students.
 7. The clinical material available is inadequate in terms of OPD attendance. The daily average in OPD is only 316 against the requirement of 500.
 8. Surgical, Paediatric, Obst. & Gynae and Burns ICUs are not provided.
 9. The hostel for the residents is not furnished.
 10. Permission to use the PHCs as the Rural Health Training Centres for teaching purposes has not yet been obtained.
 11. No lecturer cum medical officer having MBBS degree is posted at Urban Health Center.
 12. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc-Committee and of the Executive Committee decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of students for the academic session 2004-2005 at Meenakshi Medical College & Research Instt., Enathur.

7. **Coimbatore Medical College, Coimbatore – Increase of seats in Ist MBBS course from 110 to 150.**

Read: the compliance verification inspection report (12th & 13th January, 2004) for increase of seats in Ist MBBS course from 110 to 150 at Coimbatore Medical College, Coimbatore.

The members of the Adhoc Committee and of the Executive Committee considered the Council inspection report (12th & 13th January, 2004) and decided to recommend to the Central Government to issue letter of Intent for increase of seats in 1st MBBS course from 110 to 150 at Coimbatore Medical College, Coimbatore u/s 10A of the IMC Act, 1956 for the academic session 2004-05.

8. **Govt. Medical College, Kilpauk – Increase of seats in Ist MBBS course from 100 to 150.**

Read: the compliance verification inspection report (12th & 13th January, 2004) for increase of seats in 1st MBBS course from 100 to 150 at Govt. Medical College, Kilpauk.

The members of the Adhoc-Committee and of the Executive Committee considered the compliance verification inspection report (12th & 13th Jan., 2004) of Govt. Kilpauk Medical College, Chennai and noted the following:-

1. (a) Shortage of teaching staff is 5.1% i.e. 8 out of 195 as under:
 - (i) Assoc.Prof. 4 (Anatomy-2, Physiology-2)
 - (ii) Asstt. Prof. 4 (Anatomy-3, Physiology-1)

(b) Shortage of Residents – 8(TB-1, Ophthal.-3, Ortho.-4)

2. The following deficiencies pointed out in the earlier inspection have not been rectified at all:-
 - a) Departmental OPD register is still without diagnosis.
 - b) CSSD is still not available.
 - c) Infrastructural for pre-clinical and para clinical department is still not satisfactory.
 - d) Blood Bank license is not renewed.
3. The following deficiencies pointed out in the earlier inspection report have been rectified partially to the extent indicated hereunder:

Deficiency	Extent to which rectified	Extent to which it still continues
OPD	Waiting sheds for patients are constructed. New trial set is available. Clinical demonstration area are provided.	Clinical demonstration area can accommodate only 10-15 students. In few OPDs the instruments are still not available. Details are in the report.
Residents & nurses quarters.		Temporary arrangements in the hostels and quarters are made.
RHTC & Urban Health Centre.	Teaching staff is appointed.	RHTC & Urban Health centre are still not under administrative control of Dean.

4. There are 197 staff nurses working in the hospital for 490 teaching beds and 260 non-teaching beds which is grossly inadequate.
5. Examination trays were not available in surgery OPD. Clinical Demonstration area are arranged for only 20 students. Furniture is inadequate. Black Board and patients couches were not available.
6. Departmental OPD register do not contain any detail like diagnosis etc. It needs to be computerized and reorganised.
7. CSSD is yet to be started. Each OT Complex has its own set of auto claves for sterilization of material. CSSD is proposed near laundry.
8. Reconstruction of Resident's quarters and Nurses quarters have been started. The expansion of the existing nurses quarters proposal have been sent to the DME.
9. Practical labs. can accommodate 40 to 50 students against the required 75 work places. Microscopes, glassware and other equipments are insufficient in number.
10. Hostel facilities are not adequate even for the present requirements. Chair and cupboards are not available to each inmate. No quarters are available for the teaching staff in the campus.
11. RHTC and UHC are not under administrative control of Dean but under health services and Municipal Corporation. Interns are posted at this centres for 15 days each. One LMO and one Lecturer cum Medical Officer in PSM are appointed. Lecturer is working in department.
12. Auditorium is not available.
13. Incinerator is not available.
14. Casualty ward has 8 beds against required number of 20.

15. Blood Bank license has expired in 2000. Application for renewal was made only 3 months ago. Discarded blood units are not properly disposed.
16. Amphibian and clinical Physiology labs are still combined.
17. In Community Medicine, students lab. to be set up and museum to be upgraded.
18. Medlar facility not available in the library.
19. A proper institutional Animal Ethics Committee may be constituted.
20. In the department of Anatomy, cooling cabinets not yet installed and burial pits do not have enclosures.
21. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc-Committee and of the Executive Committee decided to recommend to the Central Govt. to disapprove the scheme for increase of seats in Ist MBBS course from 100 to 150 at Govt. Kilpauk Medical College, Chennai received u/s 10A of the IMC Act, 1956.

9. **Chengalpattu Medical College, Chengalpattu – Increase of seats in Ist MBBS course from 50 to 100.**

Read: the compliance verification inspection report (9th & 10th Jan., 2004) for increase of seats in Ist MBBS course from 50 to 150 at Chengalpattu Medical College, Chengalpattu.

The members of the Ad-hoc Committee and of the Executive Committee considered the compliance verification inspection report (9th & 10th Jan., 2004) of Chengalpattu Medical College, Chengalpattu and noted the following:-

1. Shortage of teaching staff is 24.2% (i.e. 32 out of 132) is as under:
 - (i) Professors-2(Comm.Med.-1, Ophthal.-1)
 - (ii) Assoc.Profs-5(Anatomy-3, Comm.Med.-1,Dentistry-1)
 - (iii) Asstt.Profs.-5(Anatomy-3,Bio-Chem.-1,Psychiatry-1)
 - (iv) Tutor-20 (Anatomy-3, Physiology-4, Biochemistry-3, Comm. Med. –1, Radio-Diag.-1, Anaesthesiology-3, TB & Resp. Diseases-1, Gen. Med-3, Ophthalmology-1).
2. There are only two operation theatres which are inadequate as per the norms. Both the theatres have more than one table which is not desirable in a teaching institution.
3. ICCU is not available.
4. Surgical, Paediatric and OG ICU is also not available.
5. C arm and image intensifier are not available in the Radio-Diagnosis department.
6. The license of Blood Bank has expired on 31st December, 2000. Thereafter it has not been renewed.
7. Incinerator is available but non-functional. disposal of bio-medical waste is being done through municipality.
8. Paramedical staff is inadequate as per norms.
9. No hostels are available for interns or residents.
10. Nurses hostel is not available.

11. Achaarapakkam Rural Health Training Center is not under the control of the college. The coordination of the PSM department with RHTCs staff is poor. No accommodation is available at RHTC for interns and students. Transport facilities are also not available. No person having MD (PSM) qualification is posted at RHTC. Lecture hall cum seminar room is not available at RHTC and audio-visual aids are also not provided.
12. Urban Health Center is under the control of the Director of Public Health and not that of the college. No lecturer cum medical officer having MD (PSM) degree is posted.
13. Registration counters are not computerized.
14. Students practical laboratory for the department of PSM is not provided.
15. The number of books in the departmental libraries of Pediatric and Radio-Diagnosis are inadequate.
16. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc-Committee and of the Executive Committee decided to recommend to the Central Govt. to disapprove the scheme for increase of seats in Ist MBBS course from 50 to 150 at Chengalpattu Medical College, Chengalpattu received u/s 10A of the IMC Act, 1956.

10. **To ratify the decision taken by the President (Acting) for establishment of medical college at Ahmedabad (Kesarsal Medical College & Research Instt.) by Adarsh Foundation, Ahmedabad.**

Read: the decision taken by the President (Acting) for establishment of medical college at Ahmedabad (Kesarsal Medical College & Research Instt.) by Adarsh Foundation, Ahmedabad.

The members of the Ad-hoc Committee and of the Executive Committee of the Council ratified the decision taken by the President (Acting) recommending to the Central Govt. not to issue Letter of Intent for establishment of medical college at Ahmedabad (Kesarsal Medical College & Research Instt.) by Adarsh Foundation, Ahmedabad.

11. **Continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Laheriasarai.**

Read: the inspection report (22nd & 23rd December, 2003) for continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Laheriasarai.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Darbhanga Medical College, Laheriasarai as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by L.N.Mithila University as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Darbhanga Medical College, Laheriasarai was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 22nd & 23rd December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (22nd & 23rd December,2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under:
 - (a) Faculty 45.3% (i.e. 69 out of 152)
 - (i) Prof. -3 (TB-1, Orth., & Dents.-1)
 - (ii) Assoc. Prof.: 9 (Anat.-1, Paed.-1, Gen. Sur.-4, Eye-1, ENT-1, Radio.-1)
 - (iii) Asstt.Prof.: 41 (Ant.-4, Bio-Chem.-2, Path.-1, For.Med.-1, Comm.Med.-6(5+1) Gen. Med.-1, Paed.-3, Psy.-1, Gen.Surg.-3, Orth.-2, Eye-3, ENT-2, Obst. & Gynae.-4, Anes.-2, Radio-Diag.-3, Dents.-1, Pharm. Chemist -1, & Lecture in Bio-Phys.-1.)
 - (iv) Tutor: 16 (Anat.-2, Phy.-2, Bio-Chem.-3, Pharma.-2, Mico.-1, PSM-3, Radio.-3)
 - (b) Sr. Resident 4 (TB & Chest-1, Skin and VD-1, Psy.-1, Surg.-1)
2. The following deficiencies are observed in the infrastructure of pre-clinical departments.

Anatomy

- i) The Anatomy Museum needs to be provided with X-ray, CT Scan, MRI for proper display.
- ii) The Lecture theatres have to be provided with OHP and Audio system.
- iii) Though the department undertakes postgraduate teaching, research facilities are inadequate.

Physiology

- i) The lecture theatres should be provided with audiosystem.
- ii) There are no student physiographs (required three channel physiograph-01, single channel physiograph-06)
- iii) Though the department undertakes postgraduate teaching, research facilities are inadequate.

Biochemistry

- i) Though it is service department yet is not providing any Hospital investigation services.
- ii) The department undertakes postgraduate teaching, research facilities are inadequate.

Pathology

- i) The museum is over-crowded and need to be expanded.
- ii) There is a research laboratory. However, it is not provided with adequate research equipment like inverted microscope trinocular microscope automatic cell counter etc.

Microbiology

- i) Virology, immunology laboratories have to do active work.

3. The following deficiencies are observed in the infrastructure of para-clinical departments.

Community Medicine

Health Centres:

- i) No lecturer cum medical officer having M.D. {P.S.M.} is available

- ii) L.M.O. is not available.
- iii) Messing facilities are not available.
- iv) X-ray & ECG are not available.
- v) Staff as prescribed under norms needs to be appointed.
- vi) The residential quarters available in the RTHC have also been occupied by the Police Officials.
- vii) Community based training for students and interns is weak.
- viii) The visits of the faculty of the department of P.S.M are not regular.
- ix) There is no separate vehicle earmarked for visits of the faculty.
- x) Staff as per MCI norms needs to be posted and the primary health centre has to be attached formally with the Medical College, preferably under the administrative and technical control of the Medical College.

U.H.C.:

- i) There is no population attached.
 - ii) Duty rosters and records of various activities and investigations are not maintained properly.
 - iii) Staff required for urban training health centre as per MCI norms needs to be provided.
4. Other deficiencies/remarks in the main report and indicated as under:
- i) All the Diploma courses being run are un-recognized.
 - ii) The Librarian has qualifications of M.Sc (Maths).
 - iii) No Central Workshop is available.
 - iv) No Gymnasiums facilities are available.
 - v) In CSSD:- there are no separate receiving and distribution points.
 - vi) Distribution of teaching beds in different specialties is not as per Council norms.
 - vii) Bed occupancy was 55%.
 - viii) There is a shortage of nursing staff.
 - ix) The numbers of Indian Journals are 21 and foreign Journals 4, which are less than MCI norms.
 - x) The kitchen is not fully functional and also is not mechanized.
 - xi) Laundry is not mechanized.
 - xii) The number of special radiological investigation was nil.
 - xiii) Blood Bank does not have a valid license.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by L.N.Mithila University in respect of students being trained at Darbhanga Medical College, Laheriasarai u/s 19 of the I.M.C. Act,1956.

The Committee further decided to refer the matter to the Postgraduate Committee regarding the unrecognised postgraduate medical degree/diploma courses being run by the institution.

12. **Continuance of recognition of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar, Bihar University in respect of students being trained at Sri Krishna Medical College, Muzzaffarpur.**

Read: the inspection report (19th & 20rd December, 2003) for continuance of recognition of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar Bihar University in respect of students being trained at Sri Krishna Medical College, Muzzaffarpur.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Sri Krishna Medical College, Muzzaffarpur as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar Bihar University as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the

deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Sri Krishna Medical College, Muzzaffarpur was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 19th & 20th December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (19th & 20th December,2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under:
 - a) Faculty 34.8% (i.e. 31 out of 89)
 - (i) Prof. -7 (Mico-1, TB -1, Paed.-1, Ortho.-1, ENT -1, Anaes.-1, Dentistry-1)
 - (ii) Assoc. Prof.: 2 (ENT-1, Radio Diag.-1)
 - (iii) Asstt. Prof.: 13 (Phys.-1, Bio-chem.-1, Micro.-1, Pharm.-1, Skin & VD-1, Paed.-1, Gen. Surg.-1, Ortho.-1, Anaesth.-1, Dentist -1, Gen.Med.-3)

There is shortage of

- a) Epedem.-cum-Lecturer-1
- b) Lecturer in Biophysics-1

(iv) Tutor: 7 (Anat.-2, Phy.-1, Bio.Chem.-1, PSM.-1, Radio.-2)

- b) Sr. Resident - Nil

There is no Residency system.

2. Bed Occupancy is 59.2% on the day of inspection and daily average 43.75%.
3. The number of laboratory & Radiological investigation was relatively low in relation to clinical material.
4. CT Scan or MRI is not available.
5. There is no central registration system.
6. Some of the OPD did not have adequate number of X-ray view boxes, examination table torches, thermometers disposable tongue depressors.
7. There is no central workshop.
8. Gymnasium facilities is not available.
9. Medical Record section is not computerized. Indexing of cases according to ICD X classification is not followed.
10. Medical, Surgical, Burns, Neonatal, Pediatrics, Obstetrics, ICUs are not available.
11. The receiving and distribution stations in central sterilization department are not separate.
12. EPABX is not available.
13. There is no Central Laundry.
14. There is no incinerator.
15. Nursing staff is not adequate as per MCI norms.
16. The License of Blood Bank was valid upto 1989. It has not been renewed.
17. Department of Anatomy

- a. Mortuary for storage of dead bodies is not available.
- b. Curator is not available.
- c. Modellar is not available.

Department of Pathology.

- a) There is no space for the students to sit and read in the museum
- b) The museum is used as demonstration room.

Department of Microbiology

- a) The Museum has insufficient specimens.

Department of Community Medicine.

- a) Lecturer with MD (PSM) qualification is not available in the rural and urban centres.
- b) There is no Lady Medical Officer.
- c) No hostel accommodation for interns is available in the rural centre. Messing facilities are not available.
- d) Lecture hall cum seminar room is not available.
- e) Staff as prescribed under norms needs to be appointed.
- f) There is no well defined population attached to the urban centre.
- g) Duty rosters and records of various activities are not maintained properly. Documentation of training activities is poor.
- h) Visits of faculty members to the centres are not regular.
- i) Community based field training of undergraduate students and interns is weak.

- 18. More teaching areas are required in OPDs.
- 19. There is no central oxygen supply and central suction.
- 20. The toilets and floors of the boys hostel need renovation. Electrical main board and other fittings are loose and hanging & need repairs.
- 21. Other deficiencies/remarks are in the report.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar Bihar University in respect of students being trained at Sri Krishna Medical College, Muzzaffarpur u/s 19 of the I.M.C. Act,1956.

13. **Continuance of recognition of MBBS degree granted by Bhagalpur University in respect of students being trained at J.N. Medical College, Bhagalpur.**

Read: the inspection report (19th & 20th December,2003) for continuance of recognition of MBBS degree granted by Tilkamanjhi Bhagalpur University, Bhagalpur in respect of students being trained at J.N.Medical College,Bhagalpur.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to J.N.Medical College, Bhagalpur as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Tilkamanjhi Bhagalpur University, Bhagalpur as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, J.N.Medical College, Bhagalpur was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 19th & 20th December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (19th & 20th December,2003) and noted that deficiencies are still persisting as under:-

1. The shortage of teaching staff is as under:

Faculty 32.0% i.e. 34 out of 106

- i) Professor: 4 (1 Physiology, 1 Microbiology, 1 Radio-Diagnosis, 1 Dentistry)
- ii) Associate Professor: 4 (1 Pathology, 1 Medicine, 1 Radio-Diagnosis, 1 Anaesthesiology).
- iii) Asistant Professor: 15 (2 Anatomy, 1 Biochemistry, 1 Pathology, 2 Common Med., 1 Psychiatry, 3 Gen. Surgery, 1 Orthopedics, 2 Gen. Med., 1 Radio-diagnosis, 1 Anaesthesiology)
- iv) Tutors: 11 (1 Anatomy, 2 Physiology, 1 Microbiology, 1 Pharma., 2 Comm. Med., 1 TB & Chest, 1 Obst. & Gyn., 1 Radio-diagnosis, 1 Dentistry).

2. The daily average investigations are Biochemistry – 10, Haematology – 60, Urine – 14, Parasitology – 1. No investigations in Microbiology, Serology, Histopathology and Cytopathology are performed.

3. The overall clinical material is inadequate. The OPD attendance being 80 per day and bed occupancy of 67.5%.

4. The institution has not subscribed any Indian or Foreign Journal in past three years.

5. The medical record unit is not computerized.

6. The CT Scan machine is not available.

7. The Casualty unit is not provided with Central Oxygen, Suction and 6 beds (for combined ICCU & ICU) are not organized and equipped with required surgical equipments.

8. The institution has no EPABX system.

9. The CSSD unit and laundry services require improvement and upgradation.

10. A level type lecture theatre of Physiology Deptt. of capacity 100 is being alternatively used as examination hall.

11. No Lecturer-cum-Medical Officer having M.D.(PSM) is posted at RHTC. No hostel accommodation or messing facilities are provided. Lecture hall cum seminar room is not available. No audio-visual aids are provided at RHTC.

12. No residential quarters for teaching and non-teaching are available within the campus. Only 26 quarters are available for teaching staff outside the campus at a distance of one km.

13. Teaching facilities like patient couch, stools, x-ray view box, examination tray, black board and sitting space are inadequate in most of the OPDs.

14. Audiometry room is not sound proof and is not air-conditioned.

15. In the indoor only one nursing station is provided for several wards which is not adequate arrangement for patient care. Side laboratories are not available with all the wards.

16. In the casualty there is no facilities for central oxygen and central suction. Resuscitation equipments like defibrillator, pulse oximeter, ambu bag, disaster trolley and crash cots are not available.

17. Only one intensive care area having 6 beds is available which functions as ICCU/ICU. It is not properly organised and equipped except a few suction machine and one

oxygen cylinder no other equipments are provided. It requires upgradation to a proper intensive area.

18. Separate medical, surgical, burn, paediatric, neonatology, obst. ICU facilities are not available.

19. In the central laundry only one bulk washer is available. No other equipment for cleaning or pressing is provided.

20. Nursing staff is inadequate.

21. In the infrastructure of pre-clinical departments, the following deficiencies are observed:-

Anatomy Department – The embalming machine and cold storage cabinet are not in working conditions.

- Lecture theatres are of level type with capacity of 60 students.
- No demonstration hall is available in Physiology department.
- Clinical physiology laboratory is not separately provided. It is shared with amphibian lab.

22. In the infrastructure of para-clinical departments, the following deficiencies are observed:-

- The capacity of experimental pharmacology lab and clinical pharmacology lab is smaller than required as per norms.
- Number of books in the departmental laboratory of Pharmacology, Microbiology and Forensic Medicine are less than required as per norms.
- Adequate audio-visual aids are not available in departments.

23. Other deficiencies/remarks are in the report.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Tilkamanjhi Bhagalpur University in respect of students being trained at J.N. Medical College, Bhagalpur u/s 19 of the I.M.C. Act,1956.

14. **To consider the letter received from the Registrar, Rajiv Gandhi University of Health Sciences, Karnataka seeking clarification regarding permission to 2002-03 batch at students of MVJ Medical College, Bangalore to appear for Ist Phase MBBS Examination.**

Read: the letter received from the Registrar, Rajiv Gandhi University of Health Sciences, Karnataka seeking clarification regarding permission to 2002-03 batch of students to appear for Ist Phase MBBS Examination.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the reply as per the legal opinion which was sent by the Council office vide its letter dated 24.1.2004.

15. **To consider the letter received from the Registrar, Rajiv Gandhi University of Health Sciences, Karnataka Seeking clarification regarding permission to 2001-2002 batch of students at Khaja Banda Nawaj Instt. of Medical Sciences & Basveshwara Medical College & Hospital, Chitradurga to appear for II Phase MBBS Examination.**

Read: the letter dated 08.01.2004 received from the Registrar, Rajiv Gandhi University of Health Sciences, Karnataka seeking clarification regarding permission to 2001-2002 batch of students to appear for II Phase MBBS Examination.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the letter dated 08.01.2004 and decided that the Registrar, Rajiv Gandhi University of Health Sciences, Bangalore be requested to note the Regulation 8(3) of Establishment of Medical College Regulations, 1999 which reads as under:-

“8(3) The permission to establish a medical college and admit students may be granted initially for a period of one year and may be renewed on yearly basis subject to verification of the achievements of annual targets. It shall be the responsibility of the person to apply to the Medical Council of India for purpose of renewal six months prior to the expiry of the initial permission. This process of renewal of permission will continue till such time the establishment of the medical college and expansion of the hospital facilities are completed and a formal recognition of the medical college is granted. Further admissions shall not be made at any stage unless the requirements of the Council are fulfilled. The Central Government may at any stage convey the deficiencies to the applicant and provide him an opportunity and time to rectify the deficiencies”.

Thus in case the permission is not renewed, further admissions shall not be made at any stage.

It was further decided that the Registrar, RGUHS be also requested to note *“Regulation 12 pertaining to “Examination Regulations” of Regulations on Graduate Medical Education, 1997 for deciding the eligibility to the students to appear for the II phase MBBS examination”.*

16. **Calculation of attendance of ‘re-allotted’ Medical and Dental students.**

Read: the letter received from the Registrar, Rajiv Gandhi University of Health Sciences, Bangalore with regard to calculation of attendance of re-allotted Medical and Dental students.

The members of the Ad-hoc Committee and of the Executive Committee of the Council perused the interim reply sent on behalf of the Council office vide its letter dated 14.1.2004 to the Registrar, Rajiv Gandhi University of Health Sciences, Bangalore which reads as under. Upon consideration of this item, it was decided to reiterate the reply already sent on behalf of the Council requesting the University concerned to follow and adhere to the judgement of the Hon’ble Supreme Court in the case of MCI Vs. Madhu Singh:-

“With reference to your abovementioned letter dated 6.1.2004 it is stated that you have mentioned in your letter that 287 re-allotted students, on legal intervention, obtained a direction that they may be permitted to appear for September/October 2003 examination and the University was directed to announce the result. Thus, the direction which has been cited in your letter is for permission to sit in the examination in September/October 2003 and for declaration of results.

On the other hand, it has been pointed out in your abovementioned letter that the University is considering to permit 105 re-allotted but partially ineligible and 105 totally ineligible students to appear in the April 2004 examination. While informing you that your abovementioned request is to be considered by the members of the Ad-hoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council, it is stated that the proposal/decision of the University appears to be contrary to the directions indicated in your this communication. Your attention is also invited to the relevant portion of the judgement of the Hon’ble Supreme Court in the case of MCI Vs. Madhu Singh (2002) 7 SCC 258 wherein, in para 22 of the judgement it has been laid down as under:-

“.....22. It is to be noted that if any student is admitted after commencement of the course it would be against the intended objects of fixing a time schedule. In fact, as the factual position goes to show, the inevitable result is increase in the number of seats for the next session to accommodate the students who are admitted after commencement of the course for the relevant session. Though, it was pleaded by learned counsel for Respondent 1 that with the object of preventing loss to the national exchequer such admissions should be permitted, we are of the view that

the same cannot be a ground to permit midstream admissions which would be against the spirit of governing statutes. His suggestion that extra classes can be taken is also not acceptable. The time schedule is fixed by taking into consideration the capacity of the student to study and the appropriate spacing of classes. The students also need rest and the continuous taking of classes with the object of fulfilling the requisite number of days would be harmful to the students' physical and mental capacity to study.....”

17. **Regarding inspection of MVJ Medical College & Research Hospital, Bangalore for the academic year 2004-2005.**

Read: the request received from Principal, MVJ Medical College & Research Hospital, Bangalore for carrying out the inspection of the college for the academic year 2004-2005.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to obtain the legal opinion in the matter and directed the office to take necessary action on receipt of the same.

18. **Excess admissions done by Government Medical College, Aurangabad.**

Read: the matter with regard to excess admissions done by Govt. Medical College, Aurangabad.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that for the academic year 2003-2004 the Government Medical College, Aurangabad has admitted 20 (twenty) excess students and decided to take action u/s 10B of the I.M.C. Act,1956.

19. **Excess admissions done by Pt. B.D. Sharma PGIMS, Rohtak.**

Read: the matter with regard to excess admissions done by Pt. B.D. Sharma PGIMS, Rohtak..

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that for the academic year 2003-2004 the Pt. B.D. Sharma PGIMS, Rohtak has admitted 02 (two) excess students and decided to take action u/s 10B of the I.M.C. Act,1956.

20. **Equivalence to Bio-technology course at + 2 level.**

Read: the matter with regard to equivalence to Bio-technology course at + 2 level for the purpose of eligibility to appear in the MBBS course.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to authorise the President (Acting) to form a Sub-Committee to go through the syllabus prescribed by the CBSE for Biotechnology course especially with regard to its relevance with syllabus prescribed for Biology course.

21. **Continuance of recognition of Main Hospital, Durgapur Steel Plant, Durgapur for compulsory rotating internship training.**

Read: the Council Inspectors report (7th & 8th Nov., 2003) for continuance of recognition of Main Hospital, Durgapur Steel Plant, Durgapur for compulsory rotating internship training.

The Executive Committee considered the Council Inspector's report (5.11.2002) and decided to verify the report as per the guidelines prescribed by the Council for compulsory rotating internship training. The Committee further authorised the President (Acting) to take action in the matter.

22. **Complaint against Dr. Satya Narain, Consultant Radiologist & Ultrasonologist, Delhi, as alleged by Smt. Rekha Gupta.**

Read: the above matter along with the recommendation of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the decision taken by the Ethics Committee at its meeting held on 24th and 25th November, 2003 as under:-

“The Ethics Committee deliberated in detail and scrutinized all the documents as well as statement submitted by Dr. Satya Narain before the Ethics Committee held on 12-13 August, 2003 which is as under:

I, Dr. Satya Narain am registered with Medical Council of India bearing Regn .No. 7479, dated 28.11.1998 . On 9.3.2002, on USG of Smt. Rekha Gupta, 48 year old was done my finding in this particular4 case were as follows:-

It was right cystic Tubo Ovarian Mass. In that complaint it was alleged in my name referring the Tubo Ovarian Mass was in the left side not on the right side. The report was not of CT Scan but of USG it is computer generated report and it may be a computer operator had inadvertently mentioned that right side instead of the left side. I am extremely sorry for that I should have been more careful before signing the report.

In view of above, the Committee feels that Dr. Satya Narain has violated Section 2.1.1 of Professional Conduct of Professional Conduct, Etiquette and Ethics Regulations, 2002 so far the duties of physician to their patients and that too obligations to the sick is concerned. The section 2.1.1 of the Professional Conduct of Professional Conduct, Etiquette and Ethics Regulations, 2002 states as under: -

“Section 2.1.1 – Though a physician is not bound to treat each and every person asking his services, he should not only be ever ready to respond to the calls of the sick and the injured, but should be mindful of the high character of his mission and the responsibility he discharges in the course of his professional duties. In his treatment, he should never forget that the health and the lives of those entrusted to his care depend on his skill and attention. A physician should endeavour to add to the comfort of the sick by making his visits at the hour indicated to the patients. A physician advising a patient to seek service of another physician is acceptable, however, in case of emergency a physician must treat the patient. No physician shall arbitrarily refuse treatment to a patient. However for good reason, when a patient is suffering from an ailment which is not within the range of experience of the treating physician, the physician may refuse treatment and refer the patient to another physician.

On this basis, the Ethics Committee have decided unanimously to reprimand Dr. Satya Narain severely and to warn him to be cautious in future while giving opinion and reports so that this type of negligence is never repeated. Warning may be recorded in the Indian Medical Register of MCI.”

The Committee further decided that the aforesaid decision be placed before the meeting of the General Body for their approval.

23. **Draft amendment to the Drugs and Cosmetics Rules regarding amendment of Schedule Y., i.e. requirements and guidelines for permission to conduct clinical trails, import and/or manufacture of New Drugs for marketing in India.**

Read: the draft amendments to the Drugs & cosmetics rules along with the recommendation of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the following decision taken by the Ethics Committee at its meeting held on 17.10.2003:-

“The Ethics Committee considered the draft amendment alongwith opinions from two experts and recommended that the proposed draft amendment may be approved alongwith the following amendments:

“Under page 60, Appendix VIII under the heading FIXED DOSE COMBINATIONS (FDS_c) in the last but one line of Sl.No.(b) (LD 50) may be replaced by (LD10). The following sentence may be added after the first sentence in Sl.No.(c) “any change in ratio of active ingredients in a FDS_s or a new therapeutic claim, marketing permission should be given only after carrying out limited Phase III clinical trials.”

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to form a Sub-Committee consisting of the following members and directed the office to convene an immediate meeting of the Sub-Committee and place the report before the next meeting of the Executive Committee:-

Dr. G.B. Gupta, Raipur
Dr. P.K. Sur, Kolkatta

24. **Clarification with regard to Legal Status of Institutional Ethics Committee as requested by Dr. K.K. Sharma, Dean, HM Patel Centre for Medical Care & Education, Pramukhswami Medical College.**

Read: the letter received from the Dean, HM Patel Centre for Medical Care & Education, Pramukhswami seeking clarification on legal status of Institutional Ethics Committee along with the decision of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the decision taken by the Ethics Committee at its meeting held on 24th and 25th November, 2003 with following amendments:-

Ans.1: The following may be added:-

“Under the guidelines issued by the ICMR for research on human subjects, it has been recommended that Institutional Ethics Committee be established at every institution and all research studies should be cleared by the Institutional Ethics Committee”.

Ans.2: The following may be added:-

“It is recommended that ICMR guidelines in this regard may be followed”.

“The Ethics Committee considered the matter and it was decided to send the reply of the question asked by Dr. K.K. Sharma which is as under:-

Q.1. Whether an Institutional Ethics Committee for Research on Human Subjects is statutory in nature and if so, under which rule/legislation it is covered.

Ans: No, Institutional Ethics Committee is not statutory in nature.

Q.2. Whether research projects/epidemiological studies for the purpose of postgraduate studies culminating into a dissertation should also be brought under the purview of this Committee.

Ans: Yes, research projects/epidemiological studies for the purpose of postgraduate studies culminating into a dissertation should also be brought under the purview of this Committee.”

25. **Complaint against Dr. Anuradha Tuli as alleged by Sh. Rama Nand Malviya, New Delhi.**

Read: the complaint against Dr. Anuradha Tuli as alleged by Sh. Rama Nand Malviya, along with the decision of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the following decision taken by the Ethics Committee at its meeting held on 24th and 25th November,2003:-

“The Ethics Committee considered the matter and noted that the action has already been taken by Delhi Medical Council in this regard. The Delhi Medical Council issued a “warning” to Dr. Anuradha Tuli and directed her to be more careful in future. “Censor” has also been recorded in the State Medical Register of DMC. In view of above, Ethics Committee noted that as such no further action is required at this end. However, “Censor” to be recorded in the Indian Medical Register of MCI.”

The Committee further decided that the aforesaid decision be placed before the meeting of the General Body for their approval.

26. **Comprehensive Act on “Tele-Medicine” and “Tele-Health” proposal regarding.**

Read: the comprehensive Act on “Tele-Medicine” and “Tele-Health” as prepared by the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the decision taken by the Ethics Committee at its meeting held on 24th and 25th November,2003 and decided that this should be placed before the Sub-Committee on Tele-medicine. The members also directed the Secretary to convene the meeting of the Sub-Committee at the earliest and place the report before the next meeting of the Executive Committee.

27. **Plagiarism of Scientific Paper.**

Read: the matter with regard to Plagiarism of Scientific Paper along with the decision of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the decision taken by the Ethics Committee at its meeting held on 24th and 25th November,2003 and further decided that the matter be placed before the next General Body meeting of the Council.

28. **Clarification of rules of Medical Council of India regarding illegal Allopathic Medical Practice and draft bill with regard to Anti – Quackery.**

Read: the matter with regard to illegal Allopathic Medical Practice and draft bill prepared by the Ethical Committee on anti-quackery.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to refer the matter back to the Ethics Committee to redraft the Bill with regard to Anti-Quackery. The members of the Committee were also of the opinion that the phrase “political patronage” should be deleted and the language should be corrected and temperate language should be used in the draft of the Bill. The Bill so drafted should also be sent to the Council Advocate for obtaining legal opinion in the matter and the final draft be placed before the next meeting of the Executive Committee.

29. **Complaint against Dr.Namita Khattar as alleged by Sh. S.P. Chugh.**

Read: the above matter along with the decision of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the following decision taken by the Ethics Committee at its meeting held on 22nd and 23rd December, 2003:-

“The Ethics Committee went into the complaint against Dr. Namita Khattar as alleged by Sh. S.P. Chugh. Dr. Namita Khattar was asked to appear before the Ethics Committee three times, the last chance was given on 23rd December, 2003 but in all the three times she had failed to appear and in the first two times however, some communications were sent by her and also by her father-in-law.

On perusal of the case it has been seen that Dr. Namita Khattar issued a certificate to one Mrs. Sangeeta Juneja. The certificate was issued by her very casually. It has no date and the disease was also not clearly specified. The certificate was not in the proper format prescribed by Ethical Regulations of Medical Council of India. The doctor has showed carelessness in issuing medical certificate, which is quite a serious matter. The Ethics Committee of Medical Council of India has therefore unanimously decided to issue a reprimand to Dr. Namita Khattar for her carelessness and to warn her to be extremely cautious in future while issuing medical certificates.

This reprimand may be recorded against her name in the Indian Medical Register.”

30. **Memorandum submitted by Indian Medical Association , Kerala State Branch, I.M.A. with regard to draft proposal on the Medical Act, 2003.**

Read: the memorandum along with the modified draft bill of the Medical Act prepared by the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to refer the matter back to the Ethics Committee. The members of the Committee were also of the opinion that the language should be corrected and temperate language should be used in the draft of the Act. The Bill so drafted should also be sent to the Council Advocate for obtaining legal opinion in the matter and the final draft be placed before the next meeting of the Executive Committee.

31. **Clarification regarding a doctor having MBBS & MS qualifications – issuance of a Radiology report.**

Read: the matter with regard to issuance of Radiology report by MBBS Doctor along with the decision of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council deliberated upon the matter and decided that although an MBBS doctor can read a X-ray report for his own practice, he cannot issue a radiology report because M.D.(Radio-Diagnosis) and D.M.R.D. are prescribed by the Council as separate disciplines in the Schedules to the Indian Medical Council Act, 1956.

The Committee further decided to disapprove the following decision of the Ethics Committee meeting dated 22nd & 23rd December, 2003:-

“The Ethics Committee considered the matter and unanimously resolved that an MBBS doctor is competent to issue a radiology report”.

32. **Clarification as requested by Dr. Punita Goyal.**

Read: the letter received from Dr. Punita Goyal seeking clarification on some issues pertaining to Medical Qualifications along with the decision of the Ethical Committee.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the following decision taken by the Ethics Committee at its meeting held on 22nd and 23rd December, 2003:-

“The Ethics Committee after perusal of the documents have decided to give the following clarifications:

- Q.No.1. A person having qualification of MBBS can perform*
- (i) Ceasarian section/operation*
 - (ii) Hysterectomy/operation*
 - (iii) Other general surgical procedures*

Clarification: Yes, with adequate training and competence

- Q.No.2. A person qualified as MBBS, MS (General Surgery) can perform*
- (i) Ceasarian section*
 - (ii) Hysterectomy*
 - (iii) Tubectomy*

Clarification: Yes, with adequate training and competence.

- Q.No.3. As under MTP Act, for a MTP of over 12 weeks duration of pregnancy, consent of two physicians is required. What is that minimal qualification for those two doctors giving consent for MTP? As it is not mentioned in the Act.*

- (i) MBBS*
- (ii) MD/MS Gynae.*
- (iii) DGO*

Clarification: (i) MBBS doctor with another MBBS doctor, both having MTP training certificate.
(ii) MBBS doctor having MTP training certificate with either a doctor having MD/MS (Gynae.) or DGO can perform such operations.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to authorise the President (Acting) to form a Sub-Committee comprising of the Chairman of the Ethics Committee to look into the matter.

33. **Resolution – Capital punishment as proposed by Law Commission.**

Read: the matter with regard to Capital punishment as proposed by the Law Commission along with the decision of the Ethical Committee.

The members of the Adhoc Committee and of the Executive Committee of the Council decided to reiterate its earlier decision taken at its meeting held on 19.9.2003 which reads as under:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the recommendation of the Ethical Committee with regard to law panel for execution by Lethal injection and decided that this matter does not come under the purview of the Council.”

34. **To note the letter of Intent/renewal of permission issued by the Central Govt.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the letter of Intent/renewal of permission issued by the Central Government for establishment of new medical colleges and increase of seats as under:-

1. Establishment of Kanyakumari Govt. Medical College at Asaripallam, Kanyakumari Distt. TN - 19.1.2004

- | | | | |
|----|---|---|-----------|
| 2. | Establishment of National Instt. of Medical Sciences & Research at Jaipur | - | 19.1.2004 |
| 3. | Mahatma Gandhi Instt. of Medical Sciences, Wardha (increase of MBBS seats from 65 to 100) | - | 19.1.2004 |

The Committee further noted that renewal of permission for admission of students has not been granted on the recommendations of the Council for the academic session 2003-2004 in respect of following medical colleges:-

1. Co-operative Medical College, Kochi – 9.12.2003
2. MVJ Medical College, Bangalore – 02.01.2004

35. **Admission list of students during the academic year 2003-2004 in the Medical Colleges.**

Read : The admission list of students during the academic year 2003-2004 received from the medical colleges.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the admission list of students during the academic year 2003-2004 received from the medical colleges.

36. **Establishment of new medical college at Arogyavaram by CSI Arogyavaram Medical Centre, Chittor, A.P.**

Read : The Council Inspectors report (23rd & 24th Jan., 2004) for establishment of medical college at Arogyavaram by CSI Arogyavaram Medical Centre, Chittor, A.P.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (23rd & 24th Jan., 2004) and noted the following:-

1. (a) The shortage of teaching staff is as under:
Faculty 75% (i.e. 39 out of 52)

Professors-4(Anatomy-1, Physiology-1, Biochemistry-1, Gen.Medicine-1)

Assoc.Profs.-6(Anatomy-2, Physiology-2, Biochemistry-1, Radio- Diagnosis-1)

Asstt.Profs.-18 (Anatomy-3, Physiology-2, Biophysics-1, Biochemistry-1, Pharmacology-1, Pathology-1, FMT-1, Gen. Medicine-2, Pediatrics-1, Gen.Surgery-3, Ortho.-1, Ophthal.-1)

Tutors-11 (Anatomy-2, Physiology-2, Biochemistry-1, Pharmacology-1, Pathology-1, Microbiology-1, FMT-1, Radio-Diag.-2)

Senior Residence-7 (Medicine-3, Surgery-4)

Junior Residence.-21 (Medicine-8, Paed.-1, Gen.Surgery-8, Ortho.-2, Ophthal.-1, ObGY-1)

- (b) TDS certificate has been provided for only four teaching staff. Rest of the staff has joined off late and not received their first salary.
2. The following deficiencies pointed out in the previous inspection report have not yet been rectified-
 - (a) No subscribed journals have been provided in the library. Only gratis journals are available.

3. The following deficiencies pointed out in the inspection report of July, 2003 have been partially rectified:

Deficiency	Extent to which rectified	Extent to which it still continues
Principal's office	Shifted to pre clinical block	Other admin. Officers are still in temporary accommodation.

4. Although clinical material seems to be adequate on the basis of the figures supplied by the college, on verification it is found that it is inadequate and the quality of the clinical material is poor as shown below:-

- (i) Patients in Medicine ward were mainly patients of TB & Chest diseases. 28 patients out of 39 total were of Tuberculosis and Respiratory diseases.
- (ii) A case of "Hernia" had no Hernia which was verified by one of the Inspectors who is also Professor & Head of Deptt. of Surgery.
- (iii) A case of breast mass was admitted for biopsy but she had no breast lump, biopsy was not done and operation record did not reveal their names or any surgical procedures performed on them.
- (iv) Many of the case sheets of the patients admitted in the hospital did not have reference to the out door sheet and the out door number was not available on the indoor case sheets.
- (v) Computerization of OPD registration is started from Sept.2003. Data for the previous period is manually maintained, incomplete and unreliable.

5. Other deficiencies/observations are in the report.

In view of above, the members of the Adhoc Committee and of the Executive Committee decided to recommend to the Central Govt. to reiterate to disapprove the scheme for establishment of medical college at Arogyavaram by CSI Arogyavaram Medical Centre, Chittoor, AP received under Section 10A of the IMC Act, 1956.

37. **Establishment of new medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad - consideration of compliance report.**

Read : the Council Inspectors report (23rd & 24th Jan., 2004) for establishment of new medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (23rd & 24th January, 2004) and noted the following :-

1. The Govt. of Andhra Pradesh has issued an Essentiality Certificate in August, 2001. However, by its letter dated 25.11.2003 the Govt. has issued a show cause notice to the trust to explain the cause for the delay in establishing the college with a warning to cancel the essentiality certificate. The matter is pending with the State Government.
2. Shortage of teaching staff required for Letter of Intent is 9% as under:
 - a. Prof./Assoc.Prof.-1(Physiology-1)
3. Clinical material available in the hospital is grossly inadequate as under:
 - a. Daily average OPD attendance is only 60. On the day of inspection the OPD attendance was 210. Chairs are not provided in the waiting area. Outdoor registration is done manually and no computers are available. Only one cubicle is available for Medicine, Paediatric, Orthopaedic, Ophthalmology and ENT OPDs. No OPD is available for Skin, Psychiatry, TB and Chest diseases. Plaster room is non-functional. Demonstration room is not available. Clinical demonstration area is not available in any OPD.

- b. The range of bed occupancy is 10 to 20%. On the day of inspection the bed occupancy was 17.6%.
 - c. No deliveries have been conducted at this hospital so far.
 - d. The number of surgical operations performed vary between 0 to 1. On the day of inspection, no surgical operations were performed.
 - e. X-ray investigations are also grossly inadequate in the range of 2 to 5.
 - f. Only Biochemistry and Haematology investigations are carried out. The number of daily investigations carried out 8-12 for Biochemistry and 14 to 20 for Haematology. No other investigation like Histopathology, Parasitology, Serology, Cytopathology and others are carried out.
 - g. Operation theatre complex is not yet functional. At present there is only one operation theatre available in the casualty which is equipped with Pulse oximeter, Defibrillator, Cardiac Monitor. It is functioning since last 3 months but only a total number of 15 surgical operations have been performed so far during these period of 3 months.
4. Nursing staff is grossly inadequate. Only 40 nursing sisters and staff nurses are available for the whole hospital complex of 300 beds which is grossly inadequate as per the norms.
 5. Labour rooms are not fully furnished and are not functional.
 6. No intensive care facilities are available.
 7. There is no qualified Radiologist available. Radiological services function under one Tutor in Radiology. BARC permission and protective measures not available.
 8. Blood Bank is not available. Arrangements of blood is done through Mahavir Hospital & Research Centre, Hyderabad which is located at a distance of 80 km. as and when required.
 9. CSSD, EPABX and central kitchen are not available.
 10. Laundry is not available. The laundry services are out sourced.
 11. Incinerator is not available. The services are out-sourced.
 12. Staff quarters for the medical staff are not available.
 13. Hostels for boys, girls and residents are not available.
 14. Hostels for nurses is not available. They are accommodated in one of the wards of the hospital alongwith health worker trainee.
 15. Central library is not available.
 16. The infrastructure for Ist MBBS department of Anatomy, Physiology and Biochemistry is not available.
 17. Medical records department is not available. No Medical Record Officer is available.
 18. In the casualty, central oxygen supply or suction is available. There is one Markill Boyels, one Pulse Oximeter and One cardiac Monitor are available.
 19. Para medical staff for laboratory is inadequate.
 20. Other deficiencies/observations are in the report.

In view of above, the members of the Adhoc Committee and of the Executive Committee decided to recommend to the Central Govt. to reiterate to disapprove the scheme for establishment of medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad received under Section 10A of the IMC Act, 1956.

38. **Establishment of new medical college at Warangal by Medicare Educational Trust, Warangal.**

Read : the Council Inspectors report (23rd & 24th Jan., 2004) for establishment of medical college at Warangal by Medicare Educational Trust, Warangal.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (23rd & 24th January, 2004) and noted the following :-

1. The Hospital seems to be non-functional as the OPD had not started at 12 Noon on the day of inspection. Only 14 patients were admitted in the Casualty. No patients were admitted in the indoor wards. No operations were carried out and no X-Ray or laboratory investigations were carried out on the day of inspection. In fact, since November 2003, both the OPD and the in patients have decreased considerably. OPD attendance on the day of inspection was claimed to be 99,

which is grossly inadequate. ICU was non-functional on the day of inspection. No women were admitted in the Labour Room on the day of inspection.

2. The shortage of teaching staff required for letter of Intent is 18 per cent, as under :-

i) Associate Professor – 2 (Anatomy – 1, Biochemistry – 1)

Associate Professor of Biochemistry, even though present during inspection, possesses only M.S.C. qualification and, therefore, is not qualified to be an Associate Professor and, therefore, cannot be considered as Associate Professor.

3. In two lecture theatres, the arrangements for the seating has been made only for 140 students. No audio-visual aids are provided in the lecture theatre.
4. Incinerator is not available.
5. Gas plant is not installed.
6. Statistical unit is not functional.
7. In Pharmacy, only 1 (one) Pharmacist out of 3 (three) is a qualified B. Pharma and the others are not qualified.
8. Manual records are not available. Although the record keeping is claimed to be computerized, records could not be produced for inspection. From the computerized records, the number of female OPD cases was stated to be 19268 and male 24709 during the Calendar year 2002 and the yearly number during 2003 was shown to be 125317. In the OPD male register during 2003, the serial number was shown to be 123890, while in the female OPD register, the yearly serial no. was 125587. This high yearly serial number of patients seems to be inconsistent with the data provided by the management.
9. Hospital Kitchen is non-functional.
10. OPD registers are not being maintained properly and consistently.
11. As per records submitted by the college for the clinical material prior to the inspection day seems to be grossly inadequate as under :-

- a) Average daily OPD attendance is only 265.
- b) Bed occupancy is only around 40 per cent
- c) Laboratory investigations and X-Ray investigations are also grossly inadequate.

12. The number of OPD cases on 22nd January i.e. the day prior to the inspection were stated to be 41. However, no record was made available.
13. Other deficiencies/observations are in the project report.

In view of above, the members of the Adhoc Committee and of the Executive Committee decided to recommend to the Central Govt. to reiterate to disapprove the scheme for establishment of medical college at Warangal by Medicare Educaitional Trust, Warangal received under Section 10A of the IMC Act, 1956.

39. **Mahatma Gandhi National Instt. of Medical Sciences, Jaipur – renewal of permission for admission of 4th batch of students during the year 2004-05**

Read : the Council Inspectors report (23rd & 24th Jan., 2004) for renewal of permission for admission of 4th batch of students during the year 2004-2005.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (23rd & 24th January, 2004) and decided to recommend to the Central Government to renew the permission for admission of 4th batch of students at Mahatama Gandhi National Instt. of Medical Sciences, Jaipur for the academic session 2004-05.

40. **Establishment of new medical college at Bhubaneswar by Shikshya – O – Anusandhan, Bhubaneswar – Regarding.**

Read : the application for establishment of new medical college at Bhubaneswar by Shikshya – O – Anusandhan, Bhubaneswar which was returned to the Central Govt. vide MCI letter dated 29/10/2003 and again received from the Govt. vide letter dated 28th Jan., 2004 for evaluation.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and also considered the letter of the Central Govt. bearing No. U.12012/135/03-ME(P-II) dated 27.01.2004 wherein it has been stated as under :-

“I am directed to refer to your letters No. MCI-34(41)/2003-Med dated 10.12.2003/8.1.2004/31.12.2003 on the subject cited above and to say that it may not be appropriate to disapprove the scheme for establishment of new medical colleges/increase of seats in MBBS merely on the ground that the institutions have asked for postponement of the inspection beyond 31st December. The proposal can be considered for disapproval only after the Council conducts the inspection and come to the conclusion that the respective colleges do not fulfill the minimum eligibility criteria. Therefore, it has been decided by the competent authority that MCI should proceed with inspections as per their convenience after giving sufficient notice to the college for the proposed inspection.”

In view of the above decision by the Competent Authority of the Govt. of India that MCI should proceed with an inspection of the college, it was also decided to carry out the inspection for establishment of new medical college at Bhubaneswar.

41. **Establishment of new medical college at Pandra, Khurda by Vigyan Bharati Charitable Trust, Bhubaneswar.**

Read : the application for establishment of new medical college at Pandra, Khurda by Vigyan Bharati Charitable Trust, Bhubaneswar which was returned to the Central Govt. and again received from the Govt. vide letter dated 21/1/2004 for evaluation.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and also considered the letter of the Central Govt. bearing No. U.12012/135/03-ME(P-II) dated 27.01.2004 wherein it has been stated as under :-

“I am directed to refer to your letters No. MCI-34(41)/2003-Med dated 10.12.2003/8.1.2004/31.12.2003 on the subject cited above and to say that it may not be appropriate to disapprove the scheme for establishment of new medical colleges/increase of seats in MBBS merely on the ground that the institutions have asked for postponement of the inspection beyond 31st December. The proposal can be considered for disapproval only after the Council conducts the inspection and come to the conclusion that the respective colleges do not fulfill the minimum eligibility criteria. Therefore, it has been decided by the competent authority that MCI should proceed with inspections as per their convenience after giving sufficient notice to the college for the proposed inspection.”

In view of the above decision by the Competent Authority of the Govt. of India that MCI should proceed with an inspection of the college, it was also decided to carry out the inspection for establishment of new medical college at Pandra, Khurda.

42. **Establishment of new medical college at Ahmedabad by Adarsh Foundation, Ahmedabad – Regarding.**

Read : the compliance report dated 27th Jan., 2004 submitted by the Kesar Sal Hospital, Ahmedabad through the Central Govt. on the deficiencies pointed out in the Council Inspectors report 31st December, 2003 on the subject noted above.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the compliance verification inspection report dated 27th Jan., 2004

submitted by the Kesar Sal Hospital, Ahmedabad and decided to verify the same by way of an inspection.

43. **To consider the letter dt. 27.1.2004 received from the Central Govt. regarding the proposals returned by MCI to the Govt. for establishment of new medical colleges/increase of MBBS seats as the respective colleges requested to postpone the inspection beyond 31st December.**

Read : the letter dt. 27.1.2004 received from the Central Govt. requesting to arrange inspection for the medical colleges which were returned by the MCI to the Govt. for establishment of new medical colleges/increase of MBBS seats where the medical colleges requested to postpone the inspection beyond 31st December.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the letter of the Central Govt. bearing No. U.12012/135/03-ME(P-II) dated 27.01.2004 wherein it has been stated as under :-

“I am directed to refer to your letters No. MCI-34(41)/2003-Med dated 10.12.2003/8.1.2004/31.12.2003 on the subject cited above and to say that it may not be appropriate to disapprove the scheme for establishment of new medical colleges/increase of seats in MBBS merely on the ground that the institutions have asked for postponement of the inspection beyond 31st December. The proposal can be considered for disapproval only after the Council conducts the inspection and come to the conclusion that the respective colleges do not fulfill the minimum eligibility criteria. Therefore, it has been decided by the competent authority that MCI should proceed with inspections as per their convenience after giving sufficient notice to the college for the proposed inspection.”

The Committee noted the proposals from the following institutions :-

S. No.	Name of the College	Proposal for
1	Gopala Gowda Shanthaveri Memorial Hospital, Mysore	Estt. Of new medical college at Mysore
2.	Shri Aurobindo Instt. of Medical Sciences, Indore	Estt. Of new medical college at Indore
3.	Shri Guru Ram Rai Education Mission, Dehradun	Estt. Of new medical college at Dehradun
4.	Mother Theresa Educational Society, Amalapuram	Estt. Of new medical college at Amalapuram
5.	VSS Medical College, Burla	Increase of MBBS Seats from 107 to 150
6.	MKC Gajapati Medical College, Brahmampur	Increase of MBBS seats from 107 to 150.
7.	SDM Medical College, Dharwad	Estt. Of new medical college at Dharwad.

In view of the above decision by the Competent Authority of the Govt. of India that MCI should proceed with an inspection of the college, it was also decided to carry out the inspection for establishment of the above mentioned new medical colleges.

44. **Continuance of recognition of MBBS degree granted by Magadh University, in respect of students being trained at Nalanda Medical College, Patna.**

Read : the Council Inspectors report (22nd & 23rd December, 2003) for continuance of recognition of MBBS degree granted by Magadh University, in respect of students being trained at Nalanda Medical College, Patna.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Nalanda Medical College, Patna as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Magadh University as per provision of Section 19 of the I.M.C. Act,1956 for not

submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Nalanda Medical College, Patna was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 22nd & 23rd December, 2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (22nd & 23rd December, 2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under :
Faculty shortage is (19/107) **18.6%**

Professor – 6 (Physiology-1, Orthopaedics-1, Dentistry-1, Anaesthesia-1)
Associate Professor – 1 (Radiodiagnosis)
Asstt. Professor – 7 (Anatomy-1, Biochemistry-1, Microbiology-1, Pharmacology-1, Community Medicine-1, Orthopaedics-2)
Tutor – 5 (Psychiatry –1, Dentistry-1, Radiodiagnosis-1, Anaesthesia-2)
2. Central Workshop for maintenance of medical equipment is not available.
3. There is overcrowding of beds in Obst. & Gynae Ward
4. Bed Occupancy is only 60-65%.
5. OPD attendance is 150-180 per day against required 400 per day
6. There is no CT Scan.
7. Lab investigations are grossly inadequate – Biochemistry 30-36 per day, Histology 0-2, Cytopathology-Nil, Serology-Nil, Microbiology-Nil
8. Medical record is not computerized, ICD-X is not followed.
9. Facilities in casualty are inadequate. No Central Oxygen and suction.
10. NICU are not available.
11. Intercom facility in hospital is not available.
12. Urban & Rural health centers are not under the administrative control of Dean.
13. Books in departmental libraries are inadequate.
14. There are no junior residents in any clinical Dept.
15. Other deficiencies/remarks are in the report.

In view of the above, the Members of the Adhoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Magadh University in respect of students being trained at Nalanda Medical College, Nalanda under Section 19 of the IMC Act, 1956.

45. **Continuance of recognition of MBBS degree granted by Patna University, Patna in respect of students being trained at Patna Medical College, Patna.**

Read : the Council Inspectors report (19th & 20th December, 2003) for continuance of recognition of MBBS degree granted by Patna University, Patna in respect of students being trained at Patna Medical College, Patna.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Patna Medical College, Patna as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Magadh University as per provision of Section 19 of the I.M.C. Act, 1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Patna Medical College, Patna was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an

inspection. Accordingly, an inspection to verify the compliance was carried out on 19th & 20th December, 2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (19th & 20th December, 2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under:
 - (a) Faculty 37.2% i.e. 65 out of 180
 - (i) **Professors (3)** Anatomy – 1, PSM –1, ENT – 1

Assoc. Prof.(12) Anatomy –1, Physio.-1, Bio.-1, Pharm.-2, PSM –1, Pead.-1, Radio.-1, Anesth.-2, Gen. Med.-2.

Asst. Prof. (31) Anatomy-3, Physio.-1, Bio.-1, Patho.-4, Micro-1, Pharm.-3, FMT-1, PSM-3, Epidem.-1, Biostat.-1, Psy.-1, ENT-2, Ophalm.-1, Gen. Med.-4, Obst. & Gynae.-3, Radio.-1.

Tutor (19) Anatomy–1, Physio.-4, Bio.-2, Patho.-3, Micro.-1, Pharm.-4, PSM –5.
 - (ii) The shortage of residents is more than 25% as under:
 - (a) **Sr. Resident (14)** TB Chest-1, Psy.-1, Paed.-2, Ortho.-1, Ophthalm.-2, Gen.Med-7
 - (b) **Jr. Resident (19)** Gen. Med.-19.
2. The number of laboratory investigations are grossly inadequate and not commensurate with the attendance of the patients claimed by the college in the outdoor as well as in the indoor.
3. Number of x-rays is inadequate and not commensurate with the attendance of the patients claimed by the college in the outdoor as well as in the indoor.
4. Medical Record department is not computerized and it is not functioning properly.
5. Only 12 beds are available in the casualty. Central oxygen supply and central suction are not available. Necessary equipments like defibrillator, pulse oximeter, ambu bag, disaster trolley are not available.
6. A combined ICU caters to the patients of Medicine, Surgery and Burns. No separate ICU for Paediatric, Surgery & Burns are available.
7. Number of journals subscribed are only 45 against the requirement of 100.
8. Other deficiencies/remarks in the report.

In view of the above, the members of the Adhoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Patna University in respect of students being trained at Patna Medical College, Patna under Section 19 of the IMC Act, 1956.

46. **Continuance of recognition of MBBS degree granted by Bundelkhand University in respect of students being trained at MLB Medical College, Jhansi.**

Read : the compliance report received from the Principal, MLB Medical College, Jhansi on the deficiencies pointed out in the Council Inspectors report Oct., 2003 in response to the show cause notice issued as per decision of the Executive Committee dated 7/11/2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the compliance verification inspection report and noted that it is not complete. The Committee decided to ask the concerned authorities to submit the complete and satisfactory compliance within one month.

47. **Continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Mumbai in respect of students being trained at D.Y.Patil Medical College, Kolhapur.**

Read : the compliance report received from the Dean, D.Y. Patil Medical College, Kolhapur on the deficiencies pointed out in the Council Inspectors report Oct., 2003 in response to the show cause notice issued as per decision of the Executive Committee dated 7/11/2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the compliance verification inspection report dated Oct, 2003 and decided to verify the same by way of an inspection.

48. **Continuance of recognition of MBBS degree granted by Calicut University in respect of students being trained at Calicut Medical College, Kozhikode.**

Read : the letter received from the Principal, Calicut Medical College, Kozhikode along with list of the teaching staff for consideration of the above matter.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the compliance verification inspection report and decided to reverify the same by way of an inspection.

49. **Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Jawaharlal Nehru Medical College, Belgaum.**

Read : the periodical inspection report 5th & 6th December, 2003 along with compliance received from the Principal, J.N. Medical College, Belgaum on the remarks made in the inspection report.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the compliance verification inspection report and noted that it is not complete. The Committee decided to ask the concerned authorities to submit the complete and satisfactory compliance within one month.

50. **Continuance of recognition of MBBS degree granted by Baba Farid University of Health Sciences, Faridkot in respect of students being trained at Dayanand Medical College, Ludhiana.**

Read : the periodical inspection report (24th & 25th Nov., 2003) along with the reply received from the Principal, Dayanand Medical College, Ludhiana on the remarks made in the inspection report.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the matter and decided to reject the representation of the college in the light of the present existing regulations. The Committee also decided that a compliance verification inspection should be carried out.

51. **Continuance of recognition of MBBS degree granted by Sri Ramachandra Medical College and Research Institute (Deemed University).**

Read : the periodical inspection report (2nd & 3rd Dec., 2003) along with the compliance report received from the Registrar, Sri Ramachandra Medical College and Research Institute (Deemed University) on remarks made in the inspection report.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the matter and decided to continue the recognition of MBBS degree granted by Sri Ramachandra Medical College and Research Institute (Deemed University).

52. **To consider the letter received from the MUHS, Nasik with regard to change in grace marks policy for passing the MBBS examination.**

Read : the letter dated 19/1/2004 received from the Controller of Examination, Maharashtra University of Health Sciences, Nasik enclosing therewith representation of the students with regard to change in grace marks policy as prescribed in the Graduate Medical Education Regulations for passing the MBBS examination.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the matter and decided that the request of MUHS, Nasik cannot be accepted as it is not in consonance with Graduate Medical Regulations, 1997 and therefore decided to reject the request.

53. **To consider the letter received from the Executive Director, National Committee on Foreign Education & Accreditation with regard to nomination of the representative of the Council for attending the meeting regarding country's standards and processes for accrediting medical schools.**

Read : The letter received from the Executive Director, National Committee on Foreign Education & Accreditation with regard to nomination of the representative of the Council for attending the meeting regarding country's standards and processes for accrediting medical schools.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the matter and decided that the President (Acting) along with another Member to be nominated by President (Acting) should go to the US to represent MCI as India must be represented by vibrant representatives, with a view to bring to the notice of the US Department of Education, the programmes and policies of Medical Council of India with regard to accreditation in the field of medical education.

54. **Sri Balaji Medical College & Hospital, Chennai – Renewal of Permission of admission of 2nd batch of students during 2004-2005.**

Read : the Council Inspectors report (28th & 29th Jan., 2004) for renewal of permission for admission of 2nd batch of students during 2004-2005.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspectors report (28th & 29th January, 2004) and decided to recommend to the Central Government to renew the permission for admission of 2nd batch of 100 students at Sri Balaji Medical College & Hospital, Chennai for the academic session 2004-05.

55. **Tashkent Medical Institute erstwhile USSR renamed as first Tashkent State Medical Institute – change of name of the Institute – regarding.**

Read : the matter with regard to change of name of Tashkent State Medical Institute to as First Tashkent State Medical Institute.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the change of name and the same shall be placed before the General Body of the Council for further necessary action in the matter.

56. **Kyrgyzstan State Medical Institute renamed as Kyrgyz State Medical Academy – change of name of the Institute – regarding.**

Read : the matter with regard to change of name of Kyrgyzstan State Medical Institute as Kyrgyz State Medical Academy.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the change of name and the same shall be placed before the General Body of the Council for further necessary action in the matter.

57. **Vinnitsa State Pirogov Memorial Medical University renamed as National Pirogov Memorial Medical University, Vinnitsa – change of name of the institute – regarding.**

Read : the matter with regard to change of name of Vinnitsa State Priogov Memorial Medical University as National Pirogov memorial Medical University, Vinnitsa.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the change of name and the same shall be placed before the General Body of the Council for further necessary action in the matter.

58. **Admissions in Medical Colleges for the session 2003-04 in Rajasthan.**

Read : the letter received from the Principal & Controller, Dr. S.N. Medical College, Jodhpur along with the reply sent by the Council.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the matter and decided that in view of the various orders passed by the Hon'ble Supreme Court pursuant to the judgement in Madhu Singh's case, it is not possible for any Authority to admit the students after 30.09.2003 for the academic year 2003-04 and also it is not possible for any institution to permit midstream admissions. It also ratified the interim reply sent by the Council office in consultation with the Council Advocate to the admission authorities in Rajasthan.

59. **Narayana Medical College, Nellore – Renewal of Permission of admission of 6th Batch of students during 2004-05.**

Read : the matter with regard to Narayana Medical College, Nellore for renewal of permission of admission of 6th Batch of students during 2004-05.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspectors report (30th & 31st January, 2004) and decided to recommend to the Central Government to renew the permission for admission of 6th batch of 100 students at Narayana Medical College, Nellore for the academic session 2004-05.

60. **Establishment of new medical college at Cheran Nagar by Kanchi Kamkoti Peetham Charitable Trust, Kanchipuram.**

Read : Orders of the Hon'ble High Court of Madras in Writ Petition No. 32276 & 34679 of 2003 in 26351 and 28383 of 2003.

The members of the Adhoc Committee and of the Executive Committee of the Council noted the order issued by Hon'ble High Court of Madras in Writ Petition No. 32276 & 34679 of 2003 in 26351 and 28383 of 2003, which states as under :-

“Considering the circumstances of the case, in order to avoid further delay, the below mentioned order is passed :

It is open to the Medical Council of India to scrutinize the application in terms of Law. Simultaneously, the Medical Council of India is directed to inspect the petitioner's institution and submit its report within six weeks from today.

This order is passed without prejudice to the rights of the parties.

The petitioner is directed to furnish all or any details required by the Medical Council of India forthwith.”

The members also noted that the Council has prepared and sent the appeal meant for filing before the Hon'ble High Court of Madras and further action is awaited.

In view of the above, the members of the Adhoc Committee and of the Executive Committee of the Council decided to instruct the office to immediately get the appeal filed and heard as expeditiously as possible for obtaining stay orders. It was further decided that if for any reason, on the consideration of the appeal of the Council by the High Court, stay orders are not granted in favour of the Council within a period of six weeks from the date of the order passed by the Hon'ble Court, the Council may arrange to carry out an inspection before the expiry of the period of six weeks, without prejudice to this appeal in the High Court.

61. **Judgement dated 11.09.2002 in the case of MCI Vs. Madhu Singh & Ors. Passed in SLP No. 14919/2000 – (2002) 7 SSC 258 – excess admissions regarding**

Read : the matter with regard to the excess admissions at various medical colleges.

The members of the Adhoc Committee and of the Executive Committee of the Council noted that on perusal of the list of MBBS students admitted for the academic session 2003-04, the following medical institutions have admitted students in excess of the intake capacity :-

<u>S. No.</u>	<u>Name of the Instt.</u>	<u>Number of admissions permitted</u>	<u>Number of admissions made by the college authorities</u>
1.	Coimbatore Medical College, Coimbatore	110	113
2.	Chengalpattu Medical College, Chengalpattu	50	52
3.	Govt. Mohan Kumaramangalam Medical College, Salem	75	76
4.	Thanjavur Medical College Thanjavur	150	153
5.	Madurai Medical College, Madurai	155	157
6.	Tirunelveli Medical College Tirunelveli	150	154
7.	Shyam Shah Medical College, Rewa	60	64
8.	Nalanda Medical College Patna	50	51
9.	Govt. Medical College Srinagar	100	101
10.	Guntur Medical College, Guntur	125	150

In view of the above, the members of the Adhoc Committee and of the Executive Committee of the Council decided to initiate action under Section 10 B of the IMC Act, 1956 with regard to excess admissions done by these colleges as shown in the above table.

62. **Establishment of new medical college at Ahmednagar by Padam Sr. Dr. Vithalrao Vikhe Patil Foundation, Ahmednagar – Extension of permission granted by the Central Govt. for admission of 100 students for the academic session 2004-2005.**

Read : the letter dated 19.11.2003 received from the Principal, Medical College at Ahmednagar.

The members of the Ad-hoc Committee and of the Executive Committee of the Council while perusing the letter of Govt. of India dated 02.01.2004 noted that the Central Govt. vide its letter dated 25.9.2003 had issued Letter of Permission for establishment of medical college at Ahmednagar with an annual intake of 100 students. The Committee further decided not to agree to the request of the Principal permitting the college to admit the students for the academic year 2004-05 on the basis of the permission already given to the college vide Ministry's letter dated 25.9.2003 and decided to conduct a fresh inspection for the academic year 2004-05.

63. **International Association of Medical Regulatory Authorities (IAMRA) – Membership & representation of MCI regarding.**

Read : the matter regarding membership & representation of MCI in the International Association of Medical Regulatory Authorities (IAMRA).

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided that the Medical Council of India should become a member of the International Association of Medical Regulatory Authorities (IAMRA) and also decided that Dr. P.C.Kesavankutty Nayar, President (Acting) may represent Medical Council of India in the meeting scheduled in the month of April,2004 in Dublin, Ireland.

64. **Establishment of medical college at Davangere by Bapuji Educational Association, Davangere.**

Read : the application received for establishment of medical college at Davangere by Bapuji Educational Association, Davangere.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that a functional teaching hospital in the same campus where the medical college is proposed to be established is likely to be completed by March,2004. Details of the clinical material available in the teaching hospital in the same campus where the medical college is proposed to be set up is not provided. Therefore, the following mandatory requirements are still not fulfilled:-

- (a) Essentiality Certificate is not in proper order.
- (b) The applicant owns and manages a 300 bedded hospital in the unitary campus
- (c) Adequate clinical material as per MCI norms is available.

In view of the above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to return back the file pertaining to establishment of medical college at Davangere by Bapuji Educational Association, Davangere recommending disapproval of the scheme received u/s 10A of the I.M.C. Act,1956.

65. **Establishment of new medical college at Delhi by Army Welfare Education Society, New Delhi u/s 10A of the IMC Act,1956.**

Read : the application received for establishment of new medical college at Delhi by Army Welfare Education Society, New Delhi u/s 10A of the IMC Act,1956.

The members of the Ad-hoc Committee and of the Executive Committee of the Council on perusal of the application noted as under:-

1. In the application which has been forwarded by the Central Government, in relation to the mandatory condition of ownership and possession of 25 acres of land, it has been stated that the Ministry of Defence is processing the papers. The necessary action on the part of the applicant was being awaited. Despite waiting for a long time, when no subsequent documents have been received either from the applicant or through the Central Government, process for further evaluation of the application was undertaken by the Council.

2. It has been further noticed that the ownership and management of the hospital is with the Ministry of Defence and not with the Society (AWES). This also does not meet the mandatory pre-condition in the qualifying criteria of the statutory regulations.
3. With reference to the requirement of affiliation with the university, it is observed that Guru Gobind Singh Indraprastha University would not fall within the purview of section 2(m) of the Indian Medical Council Act,1956 which requires the university to have its medical faculty. Further, the name of Guru Gobind Singh Indraprastha University does not appear in the First Schedule of the Act, meaning thereby that its degree of medicine is not recognised by the Medical Council of India.

Certain PG courses are being conducted at Army Hospital, Delhi, being affiliated with Delhi University. As such, the candidates getting trained at Army Hospital, Delhi for recognised PG courses are being given the degrees by Delhi University. It would not be possible, the same institution, same teachers – for the undergraduate course would be affiliated with one university and for postgraduate medical courses, it is affiliated with another university.

4. The AWES, which is a society, in its rules does not provide that medical education is one of the objectives of the society.
5. The requirement of providing a time-bound schedule along with application under section 10A has also not been fulfilled.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to refer this application of AWES to the Central Government for appropriate steps towards fulfilment of all mandatory preconditions as per the regulations of the Council enabling the Council to consider this application as expeditiously as possible.

66. **To consider the request of Shri Jagtar Singh, Assistant Secretary on deputation for his appointment on regular basis in the Council office.**

Read : The request of Shri Jagtar Singh, Assistant Secretary on deputation for his appointment on regular basis in the Council office.

The members of the Adhoc Committee and of the Executive Committee of the Council considered the request of Shri Jagtar Singh, Assistant Secretary who has joined the office on deputation basis on 16.04.2003 and decided to approve his appointment on regular basis in the Council office in the pay scale of Rs.10,000-325-15,200/-.

(Lt. Col. Dr. ARN Setalvad) (Retd.)
Secretary

New Delhi, dated
the 3rd Feb.,2004

A P P R O V E D

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

62. **Establishment of new medical college at Ahmednagar by Padam Sr. Dr. Vithalrao Vikhe Patil Foundation, Ahmednagar – Extension of permission granted by the Central Govt. for admission of 100 students for the academic session 2004-2005.**

Read : the letter dated 19.11.2003 received from the Principal, Medical College at Ahmednagar.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Central Govt. vide its letter dated 25.9.2003 had issued Letter of Permission for establishment of medical college at Ahmednagar with an annual intake of 100 students. The Committee further decided not to agree to the request of the Principal permitting the college to admit the students for the academic year 2004-05 on the basis of the permission already given to the college vide Ministry's letter dated 25.9.2003 and decided to conduct a fresh inspection for the academic year 2004-05.