

**No.MCI-5(2)/2004-Med./**

**MEDICAL COUNCIL OF INDIA**

**EXECUTIVE COMMITTEE**

Minutes of the meeting of the Executive Committee held on Monday, the 31<sup>st</sup> January, 2005 at 2 p.m. 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
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
Prof. N. Rangabashyam	]Hony. Surgeon to the President of India ]Hony.Consultant, AFMS, Emeritus ]& University Prof. of Surgery 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.
Dr. P.K. Sur	]Director, ]I.P.G.M.E.R., ]Kolkatta.
Dr. D.K. Sharma	]Former Prof. & Head, ]Deptt. of Paediatrics ]LLRM Medical College, ]Meerut.
Dr. Mukesh Kr. Sharma	]Deptt. of General Surgery, ]S.M.S. Medical College, ]Jaipur
Dr. Ajay Kumar	]Consultant Urologist, ]Palm View Hospital, ]Ambedkar Path, ]Patna
Dr. Nitin S. Vora	]Director, Health Services(ESIS), ]Govt. of Gujarat.

Dr. J.R. Kher ]Professor of Physiology  
 ]J.N. Medical College  
 ]Sawangi (Meghe) Wardha, Maharashtra

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

Apologies for absence of leave were received from Dr. S.K. Sharma, Dr. G.B. Gupta & Dr. B.C. Das, members of the Executive Committee.

**1. Minutes of the Executive Committee Meeting held on 30<sup>th</sup> December, 2004 – Confirmation of.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council confirmed the minutes of the meeting of the Executive Committee held on 30<sup>th</sup> December, 2004 with the following modifications:-

Item No. 75 **To follow the standard Trauma Protocols by the all Medical Practices registered before the MCI including all the hospital as suggested by Human Development Resource and Research Centre, Kollam, Kerala.**

The decision may be read as follows:

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the following decision of the Ethics Committee taken at its meeting held on 1<sup>st</sup> & 2<sup>nd</sup> November, 2004:-

*"The Ethics Committee considered the letter dated Nil from the Secretary, Human Development Resource and Research Center, Kollam, Kerala with regard to follow the standard Trauma Protocols by the all the Registered Medical Practitioners.*

*The Ethics Committee was of the unanimous opinion that there is a real necessity of a standard Trauma Protocol and the Medical Council of India may take the lead in this matter.*

*In view of above, the matter may be placed before the Executive Committee with the request to consider this case."*

It was further decided that this requires a detailed study and the members of the Adhoc Committee and of the Executive Committee of the Council decided to constitute a Sub-Committee and authorize the President (Acting) to constitute a Sub-Committee of experts and it was also decided to defer the consideration till the report of the Sub-Committee is received."

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

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the action taken by the office on the various items included in the agenda of the Executive Committee meeting held on 30<sup>th</sup> December, 2004.

**3. Pending Items arising out of the decisions taken by the Executive Committee.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the list of pending items arising out of the decisions of the Executive Committee.

4. **Bharati Vidyapeeth Deemed University Medical College, Pune - Renewal of permission for admission of 2<sup>nd</sup> batch of students against the increased intake i.e. 120 to 150 for the academic session 2005-2006.**

Read: The inspection report (10<sup>th</sup> & 11<sup>th</sup> Jan., 2005) for renewal of permission for admission of 2<sup>nd</sup> batch of students against the increased intake i.e. 120 to 150 for the academic session 2005-2006 at Bharati Vidyapeeth Deemed University Medical College, Pune.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report 10<sup>th</sup> & 11<sup>th</sup> Jan., 2005 and noted the following:-

1. The Medical Superintendent is not qualified to hold the post as he has only 3 years of administrative experience which is inadequate as per norms.
2. Although the shortage of teaching faculty is less than 5% the gap analysis of the teaching faculty between the last and the present inspection shows that Forensic Medicine department was without 1 Associate Professor and 2 Assistant Professors since last inspection.
3. Total accommodation available for undergraduate students is 534 against the requirement of 660.
4. Though "B" block of the hostel complex is earmarked for the interns, they are not staying in this block, which is occupied by the students of the alternative Medicine.
5. Only 8 apartments for teaching faculty are available in the campus, which is grossly inadequate.
6. In the infrastructure of para clinical departments, the following deficiencies are observed:
  - (a) In the department of Pharmacology, the capacity of 2 demonstration rooms is only 50 against the requirement of 75 each and the capacity of Experimental Pharmacology laboratory is only 40 and that of Pharmacy laboratory is only 50 against the requirement of 50 each.
  - (b) In the department of Pathology, Clinical Pathology/Haematology laboratory is not available. The capacity of 2 demonstration rooms is only 50 each against the requirement of 75. The capacity of Histopathology is 70 against the requirement of 90.
  - (c) In Microbiology department, the capacity of 2 demonstration rooms is 60 each against the requirement of 75 each. The practical laboratory has only 65 workplaces against the requirement of 90. The numbers of books in the departmental library are inadequate.
  - (d) In Forensic Medicine department, there is no practical laboratory 1 demonstration room has capacity of 60 and another has a capacity of 50 against the requirement of 75 each.
7. In the department of Community Medicine, there is only 1 demonstration room of capacity of 50 against the requirement of 2 demonstration rooms of 75 each. The practical laboratory has only 40 workplaces and 10 dissecting microscopes against the requirement of 90 workplaces and 30 dissecting microscopes.
8. The number of books in the departmental libraries of TB & Chest, Skin & V.D., Psychiatry, Paediatrics, Surgery, Orthopaedics, E.N.T., Ophthalmology, Radio-Diagnosis and Anaesthesia are inadequate and less than required as per norms.
9. R.H.T.C. Sonapur is under the joint control of Sahyadri Vikas Mandal and the college. Land and buildings are owned by Sahyadri Vikas Mandal. U.H.C. is under the control of Pune Municipal Corporation and the college.
10. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2<sup>nd</sup> batch of MBBS students against the increased intake i.e. 120 to 150 for the academic session 2005-2006 at Bharati Vidyapeeth Deemed University Medical College, Pune.

5. **Continuance of recognition of MBBS degree granted by Amravati University in respect of students being trained at Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati.**

Read: The inspection report (7<sup>th</sup> & 8<sup>th</sup> Jan., 2005) for continuance of recognition of MBBS degree granted by Amravati University in respect of students being trained at Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (7<sup>th</sup> & 8<sup>th</sup> Jan., 2005) and noted the gross deficiencies; decided to issue show cause notice as to why steps should not be initiated to recommend to the Central Government to derecognise the institution for the award of MBBS degree granted by Amravati University u/s 19 of the Indian Medical Council Act, 1956. The Committee further decided to give one-month time to the institution to respond to the show cause notice failing which action will be initiated as decided. The Committee also decided that copies of the letter may be marked to the Chief Secretary/Secretary (Health), Govt. of Maharashtra, Director of Medical Education of the State, Registrar of the University, Central Government and member of the Council representing the State Govt.

6. **Continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Maharashtra Instt. of Medical Sciences & Research, Latur.**

Read: The inspection report (4<sup>th</sup> & 5<sup>th</sup> Nov., 2004) for continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Maharashtra Instt. of Medical Sciences & Research, Latur.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (4<sup>th</sup> & 5<sup>th</sup> Nov., 2004) and decided to send reminder to the authorities concerned giving one months time for obtaining the observations of the University/College authorities on the remarks made by the inspectors.

7. **Continuance of recognition of MBBS degree granted by Punjab University, Chandigarh in respect of students being trained at Government Medical College, Chandigarh.**

Read: The inspection report (26<sup>th</sup> & 27<sup>th</sup> Oct., 2004) for continuance of recognition of MBBS degree granted by Punjab University in respect of students being trained at Government Medical College, Chandigarh.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (26<sup>th</sup> and 27<sup>th</sup> October, 2004) and decided to send reminder to the authorities concerned giving three months time for obtaining the observations of the University/College authorities on the remarks made by the inspectors. The Committee further decided that no further extension of time will be given to the authorities concerned.

8. **Continuance of recognition of MBBS degree granted by Ravi Shankar University, Raipur in respect of students being trained at Pt. J.N.M. Medical College, Raipur.**

Read: The inspection report (26<sup>th</sup> & 27<sup>th</sup> Oct., 2004) for continuance of recognition of MBBS degree granted by Ravi Shankar University, Raipur in respect of students being trained at Pt. J.N.M. Medical College, Raipur.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (26<sup>th</sup> and 27<sup>th</sup> October, 2004) and decided to send reminder to the authorities concerned giving three months time for obtaining the observations of the University/College authorities on the remarks made by the inspectors. The Committee further decided that no further extension of time will be given to the authorities concerned.

**9. Minutes of Registration & Equivalence Committee Meeting held on 22/11/2004 – Approval of.**

Read: The minutes of Registration & Equivalence Committee alongwith the office note.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council deliberated upon the matter at length and approved the minutes of the meeting of Registration & Equivalence Committee held on 22.11.2004 except item numbers 3,6 & 7 as under:-

Item No.3. **Additional internship training for unrecognised period of study as per the Hon'ble Supreme Court order dated 8.3.2002 - consideration of matter regarding.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the opinion of the Council Advocate and decided that in view of the fact that judgment in Russian Doctors case has already been delivered by the Hon'ble Supreme Court, no further action is required in the matter, as advised by the Council Advocate

Item No.6 **Consideration of grant of registration in respect of Ms. Vandana Rasela nee Vandana Gupta.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that independent confirmation from the University Teaching Hospital, Lusaka be also obtained regarding the completion of internship as mentioned in the certificates claimed to have been issued by the hospital and to decide the case in accordance with the verification report so received.

Item No.7 **Consideration of grant of registration after withdrawal of FIR lodged against Mr. Anshul Jain-reg.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to disapprove the decision of the Registration & Equivalence Committee meeting as looking to the facts and circumstances of the case, the FIR which has been lodged cannot be withdrawn.

**10. Approval of Minutes of the Meeting of the Teachers Eligibility qualification Committee held on 4.8.2004.**

Read: The minutes of the meeting of the Teachers Eligibility Qualification Committee held on 4.8.2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the minutes of the meeting of the Teachers Eligibility Qualification Committee held on 4.8.2004.

**11. Consideration of grant of permanent registration to Sh. Remalayam Bhavith after having obtained MBBS qualification from college of Medical Sciences, Bharatpur, Nepal – matter of internship training – Regarding.**

Read: The matter with regard to grant of permanent registration to Sh. Remalayam Bhavith after having obtained MBBS qualification from college of Medical Sciences, Bharatpur, Nepal.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted that the candidate started internship from 16.1.2003 at College of Medical Sciences, Bharatpur, Nepal. He further started internship from 1.9.2003 to 29.3.2004 at Medical College, Calicut (India). The Committee further noted that the candidate carried out 6 months internship in Nepal and 6 months in India.

After due deliberations, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that the candidate may be asked to do six months internship in India as per Regulations of the Council.

**12. Re-Designation of retired Group 'B' & 'C' posts in the Council Office.**

Read: The matter with regard to re-designation of retired Group 'B' & 'C' posts and revision of pay scale w.e.f. 01/04/1993.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to grant benefits arises due to re-designation of pay scales to the following six retired employees w.e.f. 1.4.1993:-

S.No.	Name	Designation	Date of Retirement
1.	Sh. P.C. Gupta	Accountant	31.8.1994
2.	Sh. Tulsi Ram	Superintendent	28.2.1994
3.	Sh. Kishori Lal	Assistant Secretary	30.11.2001
4.	Sh. Brij Lal	Superintendent	31.12.1997
5.	Mrs. Ram Murti	Superintendent	30.6.1999
6.	Sh. L.D. Monga	Assistant	30.4.1994

**13. Removal of the name of deceased person from Register of Registered Medical Practitioners – Dr. Nawal Kishore Sharma.**

Read: The letter dated 19.1.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Nawal Kishore Sharma (Regn. No.963, dated 21.5.1963) has expired on 17.1.2005 and his name has been removed from the Register of Registered Medical Practitioners.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter received from the Registrar, Rajasthan Medical Council intimating that Dr. Nawal Kishore Sharma (Registration No. 963, dated 21/5/1963) has expired on 17.1.2005 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.

**14. Prathima Institute of Medical Sciences, Nagannur, Karimnagar – Renewal of permission for admission of 3<sup>rd</sup> batch of students for the academic session 2005-2006.**

Read: The inspection report (19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) for renewal of permission for admission of 3<sup>rd</sup> batch of students at Prathima Institute of Medical Sciences, Nagannur, Karimnagar for the academic session 2005-2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) and decided to recommend to the Central Govt. to renew the permission for admission of 3<sup>rd</sup> batch of 150 students in the 1<sup>st</sup> MBBS course for the academic session 2005-2006 at Prathima Institute of Medical Sciences, Nagannur, Kairmnagar.

15. **Chalmeda Anand Rao Institute of Medical Sciences, Karimnagar – Renewal of permission for admission of 3<sup>rd</sup> batch of students for the academic session 2005-2006.**

Read: The inspection report (19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) for renewal of permission for admission of 3<sup>rd</sup> batch of students at Chalmeda Anand Rao Institute of Medical Sciences, Karimnagar for the academic session 2005-2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report(19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) and decided to recommend to the Central Govt. to renew the permission for admission of 3<sup>rd</sup> batch of 150 students in the 1<sup>st</sup> MBBS course for the academic session 2005-2006 at Chalmeda Anand Rao Institute of Medical Sciences, Karimnagar.

16. **Alluri Sitaram Raju Academy of Medical Sciences, Eluru – Renewal of permission for admission of 6<sup>th</sup> batch of students for the academic session 2005-06.**

Read: The Council Inspectors report (19<sup>th</sup> & 20<sup>th</sup> January, 2005) for renewal of permission for admission of 6<sup>th</sup> batch of students at Alluri Sitaram Raju Academy of Medical Sciences, Eluru for the academic session 2005-2006.

The members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) and decided to recommend to the Central Govt. to renew the permission for admission of 6<sup>th</sup> batch of 100 students in the 1<sup>st</sup> MBBS course for the academic session 2005-2006 at Alluri Sitaram Raju Academy of Medical Sciences, Eluru.

17. **Clarification with regard to Biochemistry report as requested by Dr. D.J. Banerjee.**

Read: The letter received from Dr. D.J. Banerjee, President Calcutta Association of Practicing, Pathologist seeking opinion of the Council whether M.Sc or M.Sc. Ph.D. in Biochemistry entitled to independently/Solely sign a medical Biochemistry report in a clinical laboratory along with the recommendations of the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 3<sup>rd</sup> and 4<sup>th</sup> January, 2005:-

*"The Ethics Committee noted the query of Dr. D.J. Banerjee, President, Calcutta Association of Practicing Pathologists, Calcutta. The reply of his query may be sent as follows:-*

*Q. No. 1: Is a M.Sc. or M.Sc. Ph.D in Biochemistry entitled to independently/Solely sign a medical Biochemistry report in a clinical laboratory?  
Ans.: M.Sc. (Medical Biochemistry) with or without Ph.D is entitled to independently or solely sign a medical Biochemistry report in a clinical laboratory.*

*This may be placed before the Executive Committee of this Council for their approval."*

**18. W.P. (C) No. 317/2000 - Malay Ganguly Vs. MCI & Ors.**

Read: The letter dt. 13/10/2004 from Sh. Maninder Singh, Council Advocate on W.P. (C) No. 317/2000 - Malay Ganguly Vs. MCI & Ors along with the recommendation of the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 3<sup>rd</sup> and 4<sup>th</sup> January, 2005:-

*"The Ethics Committee noted the letter dt. 13/10/2004 of Mr. Maninder Singh, Council Advocate with regard to WP (C) No. 317/2000 - Malay Ganguly Vs. MCI & Ors. and was of the opinion that perhaps inclusion of the proposed provision in the IMC (Professional Conduct, Etiquette and Ethics) Regulations, 2002 as amended in 2004 for providing transfer of registration of a medical practitioner from one State Medical Council to another State Medical Council on a medical practitioner shifting his/her place of residence and practice may be accepted subject to the approval of the Executive Committee and General Body of this Council."*

**19. Clarification as requested by President, Tamilnadu Medical Council – Indian Medical Council with regard to – Display of Certificate/Diploma /Membership etc as suffix to physician's name – guidelines – sought for.**

Read: The letter received from the President, Tamilnadu Medical Council seeking clarification with regard to display of Certificate/Diploma /Membership etc as suffix to physician's name to practice any system of Medicine.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 3<sup>rd</sup> and 4<sup>th</sup> January, 2005:-

*"The Ethics Committee deliberated in detail on the letter written by President Tamil Nadu Medical Council seeking clarification/guidelines regarding Display of Certificate/Diploma/Membership etc. as suffix to physician's name and is of the unanimous opinion that the guideline on the question is clearly laid down in Regulation No.1.4.2 of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 which is as follows:-*

*1.4.2 – "Physician shall display as suffix to their names only recognized medical degrees or such certificates/diplomas and membership/honours, which confer professional knowledge, or recognize any exemplary qualification/achievements."*

*The Ethics Committee therefore feels that any physician registered under MCI or State Medical Councils can suffix their name only with Medical Degrees recognized by MCI from time to time and included into the first schedule and second schedule of the IMC Act, 1956 under provisions of Section 11(1) and 11(2) and 12(1)(2)(3)(4) and 13 (1)(2)(3)(4A), (4B), (4C), 5, 14(1) & (2) and 15."*

**20. Amendment in the Screening Test Regulations, 2002 as per directions of the Hon'ble Supreme Court vide its judgment dated 16/11/2004 – conduct of Screening Test regarding.**

Read: The letter received from the Central Govt., Ministry of Health & F.W. with regard to amendments in Screening Test Regulations, 2002 as per directions of the Hon'ble Supreme Court vide its judgment dated 16/11/2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the following amendments to be incorporated in Screening Test Regulations, 2002:-

1. The existing clause 7 will be substituted as under:-

*"7. The Screening Test shall be conducted as per Schedule of examination announced by the Prescribed Authority i.e. National Board of Examinations. The procedure of conducting the test shall be in accordance with the scheme announced by Medical Council of India in this regard."*



2. For existing clause 8, the following will be substituted:
  - "8. There shall be one paper of multiple choice questions which will consist of a total of 300 questions (50 questions on pre clinical, 50 questions on para clinical and 200 questions on clinical subjects). For the sake of convenience in conducting the test, the paper can be divided into two parts, the questions on pre and para clinical subjects forming Part-I and questions on clinical subjects forming Part-II."
3. After clause 8, the following clause 8a shall be inserted:-
  - "8a. The questions in the screening test may be put in the ratio of 1/3 from pre and para clinical subjects and the remaining 2/3 from the clinical sections."
4. The existing clause 9 will be substituted as under:
  - "9. A candidate should be declared as pass only if he/she obtains a minimum of 50% marks in both the parts combined. In case a person fails to make minimum of 50% marks in aggregate, he shall have to attempt again both the parts of the paper i.e. Parts I & Part-II.  
All the candidates who appear in the test shall be provided with mark sheet".

The Committee further decided that the above amendments be placed before the next meeting of the General Body of the Council.

**21. Meeting to discuss negotiations on Trade in Services under the General Agreement on Trade in services (GATS)/W.T.O.**

Read: The letter from the Govt. of India, Ministry of Health & F.W. seeking comments of the Council for discussions under the general agreement on Trade and Services (GATS)/W.T.O. and India's stand pertaining to Health Services under the same.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council authorize the President (Acting) to constitute a Sub-Committee to discuss negotiations on Trade in Services under the General Agreement on Trade in Services (GATS)/WTO.

**22. Representation by Dr. D.K. Rawat against action taken by Delhi Medical Council.**

Read: The representation of Dr. D.K. Rawat against action taken by Delhi Medical Council for suspending his license for practicing Medicine along with the recommendation of the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 3<sup>rd</sup> and 4<sup>th</sup> January, 2005:-

*"The Ethics Committee went into the details of this case and have examined all the records available. The opinion of HODs of Anaesthesia, AIIMS, GTB Hospital, Delhi, & LHMC, New Delhi of all the above mentioned three institutions have submitted their report and have opined that no negligence could be substantiated against Dr. D.K. Rawat.*

*The Ethics Committee feels that in view of the opinion of all the three HODs of Anaesthesia, the action taken by DMC against Dr. D.K. Rawat cannot be upheld and hence overrules the decision of the DMC.*

*The matter may be placed before the Executive Committee for their approval."*

**23. Regarding utilization of the facilities of EDUSAT.**

Read: The matter with regard to utilization of the facilities of EDUSAT.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council appreciated the work done by ISRO launching EDUSAT (Educational Satellite) on 20<sup>th</sup> September, 2004 and decided to send a letter of appreciation to ISRO through the Central Government.

The Committee further decided to refer this matter to a Sub-Committee constituted for Tele-Medicine & Tele-Health.

**24. Ex-post-facto ratification for payment of the bills of Sh. K.K. Venugopal, Sr. Advocate.**

Read: The matter for Ex-post-facto ratification for payment of the bills of Sh. K.K. Venugopal, Sr. Advocate.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council ratified the action taken by the President (Acting) for payment of bills of Sh. K.K. Venugopal, Senior Advocate as an exceptional and special case.

**25. Establishment of New Medical College at Kattankulathur by SRM Institute of Science and Technology (Deemed University), Chennai U/s. 10(A) of the IMC Act, 1956.**

Read: The inspection report (19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) for establishment new Medical College at Kattankulathur by SRM Institute of Science and Technology (Deemed University), Chennai U/s. 10(A) of the IMC Act, 1956.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (19<sup>th</sup> & 20<sup>th</sup> Jan., 2005) and decided to recommend to the Central Govt. to issue letter of permission for establishment of new medical college at Kattankulathur by SRM Institute of Science and Technology (Deemed University), Chennai u/s. 10(A) of the IMC Act, 1956 with an annual intake of 150 (one hundred and fifty) students for the academic session 2005-06.

**26. M.N.R. Medical College, Sangareddy – renewal of permission for admission of 4<sup>th</sup> batch of students for the academic year 2005-2006.**

Read: The inspection report (27<sup>th</sup> & 28<sup>th</sup> Jan., 2005) for renewal of permission for admission of 4<sup>th</sup> batch of students at M.N.R. Medical College, Sangareddy for the academic session 2005-2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (27<sup>th</sup> & 28<sup>th</sup> Jan., 2005) and decided to recommend to the Central Govt. to renew the permission for admission of 4<sup>th</sup> batch of 100 students in the 1<sup>st</sup> MBBS course for the academic session 2005-2006 at M.N.R. Medical College, Sangareddy.

**27. Mahatma Gandhi Medical College & Research Institute, Pondicherry – renewal of permission for admission of 5<sup>th</sup> batch of students for the academic year 2005-2006.**

Read: The inspection report (27<sup>th</sup> & 28<sup>th</sup> Jan., 2005) for renewal of permission for admission of 5<sup>th</sup> batch of students at Mahatma Gandhi Medical College & Research Institute, Pondicherry for the academic session 2005-2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (27<sup>th</sup> & 28<sup>th</sup> Jan., 2005) and decided to recommend to the Central Govt. to renew the permission for admission of 5<sup>th</sup> batch of 100 students in the 1<sup>st</sup> MBBS course for the academic session 2005-2006 at Mahatma Gandhi Medical College & Research Institute, Pondicherry.

**28. M.R. Medical College, Gulbarga – renewal of permission for admission of 4<sup>th</sup> batch of students against the increased intake i.e. 100-150 for the academic session 2005-2006.**

Read: The inspection report (27<sup>th</sup> & 28<sup>th</sup> Jan., 2005) for renewal of permission for admission of 4<sup>th</sup> batch of MBBS students against the increased intake i.e. 100 to 150. At M.R. Medical College, Gulbarga. for the academic session 2005-2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report(27<sup>th</sup> & 28<sup>th</sup> Jan., 2005) and noted the following:-

1. The shortage of teaching faculty is more than 5%(i.e. 17 out of 179) as under:-
  - (A) Professor:2(Biochemistry:1, TB & Chest:1)
  - (B) Associate Professor:6(Anatomy:1, Physiology:2, Microbiology:1, Forensic Medicine:1 and TB & Chest:1)
  - (C) Assistant Professor:9(anatomy:2, Physiology:1, Biochemistry:1, Pharmacology:1, Microbiology:1, Epidemiologist cum Lecturer:1, M.O. cum Lecturer at RHTC:1, Anaesthesia:1)
2. The Veterinary office is part time and coming to the college once a week only.
3. Hostel accommodation is available only for 442 students against the requirement of 650.
4. Accommodation is available for 22 residents only which is inadequate as it is required for 115 residents as per norms.
5. No accommodation is available for teaching faculty in the campus. Only 12 quarters are available outside the campus which is grossly inadequate.
6. There is no lecture theatre in the hospital.
7. Some equipment in some practical laboratories is non-functional.
8. Books in the departmental libraries of TB & Chest, Psychiatry, Paediatrics, Orthopaedics, Radio-Diagnosis and Anaesthesia are less than required as per norms.
9. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 4<sup>th</sup> batch of MBBS students against the increased intake i.e. 100 to 150 for the academic session 2005-2006 at M.R. Medical College, Gulbarga.

**29. Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained Dr. B.R. Ambedkar Medical College, Bangalore.**

Read: The matter with regard to continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained Dr. B.R. Ambedkar Medical College, Bangalore.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (September, 2004) and noted the gross deficiencies; decided to recommend to the Central Government to de-recognise the institution for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore u/s 19 of the Indian Medical Council Act, 1956 and

further to request the Central Government to ask the institution to stop admissions with immediate effect for the academic year 2005-06. The Committee further decided to place the same before the next meeting of the General Body of the Council.

30. **To consider the letter dated 27/01/2005 received from the Govt. of India, Ministry of Health & F.W. with regard to carrying out the inspection for establishment of new medical colleges/increase of seats for the applications pending with the MCI as on 28.01.2005 directly for LOP and send the recommendations of the council as per the time schedule prescribed in the Regulations.**

Read: The letter dated 27/01/2005 received from the Govt. of India, Ministry of Health & F.W. with regard to carrying out the inspection for establishment of new medical colleges/increase of seats for the applications pending with the MCI as on 28.01.2005 directly for LOP and send the recommendations of the council as per the time schedule prescribed in the Regulations.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 27.1.2005 received from the Central Government, Ministry of Health & F.W. and decided to carry out the inspection for Letter of Permission for establishment of new medical colleges/increase of seats for the applications pending with the Council as on 28.01.2005.

31. **Admission of 1<sup>st</sup> year MBBS students under the category of NRI/Foreign/PIO at Kasturba Medical College, Manipal in the Academic Year 2004-2005.**

Read: The matter with regard to excess admissions made by Kasturba Medical College, Manipal under the category of NRI/Foreign/PIO for the academic year 2004-2005 in violation of the Hon'ble Supreme Court order alongwith the opinion of Council Advocate.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council deliberated upon the issue at length and decided to act in accordance with one of the option given in the opinion of the Council Advocate that the Council would be required to consider that Manipal Academy of Higher Education could not have made more than 37 admissions in the NRI category in each of its medical colleges and comes to the conclusion that 103 students have been admitted in excess in the NRI category in Kasturba Medical College, Manipal, the Academy should be required to ensure that it shall not make any admission in the NRI category in the next 3 academic years i.e. 2005-06 (37 seats), 2006-07 (37 seats) and 2007-08 (29 seats) in Kasturba Medical College, Manipal so as to off-set the undue advantage gained by it by admitting 103 students in the NRI category in excess of permissible 15% intake of 37 seats in any given academic year.

32. **Change of name of Medical Institution from Donetsk State Medical University to M. Gorky Donetsk State Medical University awarding basic medical qualification abroad – reg.**

Read: The change of name of Medical Institution from Donetsk State Medical University to M. Gorky Donetsk State Medical University awarding basic medical qualification abroad.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dt. 22.7.2004 from the Rector, M. Gorky Donetsk State Medical University stating that the name of Donetsk State Medical University has been changed to M.Gorky Donetsk State Medical University since May, 2004.

The Committee also noted the letter dated 15.7.2004 from the Vice-Rector, Volgograd State Medical University, Russia stating that Volgograd Medical Academy, Russian Federation was granted new status of University and was formally renamed to Volgograd State Medical University on January 8,2003.

33. **Request of Dr. K.K. Arora, Dy. Secretary for voluntary retirement from the service of the Council and revocation of suspension – reg.**

Read: The request of Dr. K.K. Arora, Dy. Secretary for voluntary retirement from the service of the Council and revocation of suspension along with relevant papers pertaining to the disciplinary action.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the requests of Dr. K.K. Arora for voluntary retirement from the service of the Council and revocation of suspension. They also perused the relevant papers pertaining to the disciplinary action being taken against Dr. K.K. Arora. They also observed that in the said request, Dr. K.K. Arora has also stated that in case his request for voluntary retirement is accepted, the pending court cases would be infructuous and shall be withdrawn by him.

After deliberating the matter in detail, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to obtain legal opinion in the matter and decision be taken accordingly.

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

New Delhi, dated the  
31<sup>st</sup> January, 2005

**A P P R O V E D**

**(DR. P.C.KESAVANKUTTY NAYAR)**  
**PRESIDENT (ACTING)**