

**No.MCI-5(3)/2008-Med./****MEDICAL COUNCIL OF INDIA****EXECUTIVE COMMITTEE****15<sup>th</sup> September, 2008.**

Minutes of the meeting of the Executive Committee held on Monday, the 15<sup>th</sup> September, 2008 at 11 A.M in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi-110 077 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, <b><u>Thiruvananthapuram (Kerala)</u></b>
Prof. P.N.Tandon	Former Prof. & Head of Neuro-Surgery,A.I.I.M.S, <b><u>New Delhi</u></b> and Member, Adhoc Committee appointed by the Hon'ble Supreme Court
Dr. (Mrs.) S. Kantha	Former Vice-Chancellor, Rajiv Gandhi University of Health Sciences, <b><u>Bangalore (Karnataka)</u></b> and Member, Adhoc Committee appointed by the Hon'ble Supreme Court
Dr. Ketan Desai	Professor & Head, Deptt. of Urology, B.J.Medical College, <b><u>Ahmedabad</u></b>
Dr. K.P. Mathur	Former Medical Superintendent, Ram Manohar Lohia Hospital, New Delhi, 77, Chitra Vihar, <b><u>Delhi-110092</u></b>
Dr. Ved Prakash Mishra	Vice Chancellor, Datta Meghe University of Medical Sciences, <b><u>Nagpur (Maharashtra)</u></b>
Dr. Bhanu Prakash Dubey	Prof. & Head of Department of Forensic Medicine, Gandhi Medical College, <b><u>Bhopal (Madhya Pradesh)</u></b>
Dr. P.K. Das	Professor & Head of the Deptt. of General Medicine, S.C.B. Medical College, <b><u>Cuttack</u></b>
Dr. V.N. Jindal	Dean, Goa Medical College, Bombolim-403202, <b><u>Goa</u></b>

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

Secretary, MCI

Apologies for absence were received from Dr. Mukesh Kr. Sharma, Dr. S.D. Dalvi and Dr. G.K. Thakur.

**1. Minutes of the Executive Committee Meeting held on 25<sup>th</sup> August, 2008 - 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 Executive Committee meeting held on 25<sup>th</sup> August, 2008.

**2. Minutes of the last meeting 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 25<sup>th</sup> August, 2008.

**3. Continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Terna Medical College, Navi Mumbai.**

Read: The compliance verification inspection report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) for compliance verification for Continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Terna Medical College, Navi Mumbai.

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 (25<sup>th</sup> & 26<sup>th</sup> Aug.,2008) and noted the following:-

1. (a) The shortage of teaching staff is 18.18% (i.e. 22 Out of 121) as under:-

i	Professor	2	Biochem-1,Radiology-1
ii	Associate Professor	9	Anatomy-2, Biochem-1,Pharma-1, Forensic-1,PSM-1,Surgery-1, Ortho-1,Anaesthesia-1
iii	Assistant Professor	9	Physio-1, Patho-1, Pharmachem-1, Forensic-1, TB-1,Pediatric-1, Radiology-1, Anaesthesia-2
iv	Tutor	2	Forensic-1, PSM-1

- (b) The shortage of Resident is 31.76 % (i.e. 27Out of 85) as under:-

i	Sr. Residents	16	TB-1, Psychiatry-1, Pediatric-1, Surgery-4, Ortho-1, Opth-1, Radio-2, Anaesthesia-5
ii	Jr. Residents	11	Med-2, Surgery-8, ENT-1

2. Clinical material is inadequate in terms of bed occupancy i.e. 71%.
3. Casualty in THRC is not well equipped. The x-ray unit, minor OT and emergency OT are not made functional.
4. ICU- Separate Intensive care units for various specialties are not available. However, a common ICU is available with adequate facilities.
5. CSSD – Area for CSSD has been constructed in THRC but is not made functional.
6. The bed distribution in THRC is not as per MCI norms. There is deficiency of 6 beds in General Surgery. For example beds of ENT are located at three different places. Gynec ward is also being used for pediatric patients. There is no clear cut demarcation of beds for different units.
7. There are no teaching areas in OPDs. Procedure rooms, pantry and ward labs are not available in Municipal Hospital.
8. Auditorium – There is no auditorium of 500-700 capacity as required .
9. Hostels- Hostel accommodation is grossly inadequate. It needs to be increased to 500 for UG, 100 for interns, 150 residents and 100 % for nurses.
10. Staff Quarters- Staff quarters are not available which should be at least for 50 % staff.
11. Sports and recreation facilities: Gymnasium facilities are not available.

12. Registration and Medical Record Section : There is no MRO,MRT. There is only one clerk available. ICD X classification is not followed.
13. In casualty, X-Ray unit, Minor OT and emergency OT are non-functional. Equipment is inadequate.
14. Central Laundry : There is no laundry in the hospital. Laundry is presently outsourced.
15. Other deficiencies/remarks pointed out in the inspection 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 give 2 months time to the authorities of Terna Medical College, Navi Mumbai to rectify the above deficiencies and submit the compliance within the stipulated period. Copy of the letter be also marked to DME of the concerned State Govt., Registrar of the University to which the college is affiliated and also to the member of MCI representing the State where the college is located.

**4. Continuance of recognition of MBBS degree granted by Rajasthan University in respect of students being trained at SMS Medical College, Jaipur.**

Read: The Council Inspectors report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) for compliance verification for Continuance of recognition of MBBS degree granted by Rajasthan University in respect of students being trained at SMS Medical College, Jaipur.

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 (25<sup>th</sup> & 26<sup>th</sup> Aug.,2008) and noted the following:-

1. (a) The shortage of teaching faculty is 10.34%(i.e. 30 out of 290) as under:-

Sr. No.	Designation	No.	Department
i)	Professor	Nil	
ii)	Associate Professor	4	(Anatomy-2, Pharmacology-1,Forensic Medicine-1)
iii)	Assistant Professor	16	(Anatomy-3,Physiology-1,Lect.Biophysics-1, Forensic Med.-2, Comm.Med.-2, Statistician - 1,Gen.Surg.-2, Ortho-2,OBGY-2)
iv)	Tutor	10	(Anatomy-2,Pharmacology-4,Comm.Med.-4)

- (b) The shortage of Residents is 25.7(i.e. 53 out of 206) as under :-

Sr. No.	Designation	No.	Department
i)	Sr. Resident	50	(Gen.Medicine-7, Pead.-5,TB & Chest-3, Dermatology-2,Psychiatry-3,Gen.Surg.-6, Ortho-3, Ophthal-2,OBGY-6,Radio-diag.-5,Anaesthesia-8)
ii)	Jr. Resident	3	(Dermatology-1,Psychiatry-1,Dentistry-1)

2. Dr. Ashok Pangariya is Principal of this institution is also holding the post of Head of Neurology Deptt.which is not as per Regulations.

3. Each specialty in OPD is having its own registration counter which is not computerized. Waiting area near the registration counter is grossly inadequate. All the specialties are provided one big hall in which junior doctors sit and take history of the patients. There is over crowding of patients in all specialties with no adequate arrangement for patients to sit. There is no privacy while taking history of the patients which is being done in the presence of big crowd. Most of specialties are not having designated teaching area. There is registration counter for indoor patients which is not computerized.

4. In most of wards there is over crowding of beds. Distance between the beds is grossly inadequate. In most of the wards nursing stations are either not available or not properly placed. Most of the wards are not having side laboratory, pantry and teaching area. All the wards and OPD area needs reorganization as per council guidelines. Standard of cleanliness is very poor in most of the wards. Side lockers are not provided to all the patients.

5. Medical record department is not computerized. It does not follow ICD X classification of diseases for indexing.
6. Medical Education Unit:- No training courses were held during this year and no teaching faculty have been trained in educational methodology.
7. At RHTC, no audio visual aids have been provided in the lecture hall cum seminar room. Six beds have been provided. Facilities like X-ray & ECG are not available. There is no hostel facility for UG students (boys & girls).
8. At UHC located in the city in a small house, immunization services, antenatal care and MCH services are provided once a week (Thursday). Audio visual aids have not been provided. No beds have been provided. Delivery services are not available. Facilities like X-ray & ECG and minor surgery are not available.
9. Hostel accommodation for UG, PG, and Nurses is inadequate.
10. Residential accommodation for teaching and non teaching is inadequate. Nursing Station has been provided in the casualty area. No Central Suction facility in casualty.
11. There are no nursing stations in the wards. Most of the wards are having 2 to 3 rooms which are used as duty doctors' room / nurse room, teaching area, procedure rooms and Nursing station.
12. Departments of Anatomy, Physiology, Biochemistry, Pathology, Microbiology, Pharmacology, Forensic Medicine and Community Medicine have one demonstration room each instead of two demonstration rooms as per council norms. The seating capacity in the available demonstration rooms ranges between 30 to 50 instead of 75 in each. The seating capacity in various Labs is inadequate.
13. The Microbiology Museum needs reorganization. There is no Lab. in the Forensic Medicine Department as well as Community Medicine Department.
14. There are four lecture theaters in the college (Capacity 150 each), and one lecture theater in the hospital (capacity 150). As per council recommendation 3 lecture theater of 180 seating and one theater of 375 / 400 seating capacity each is required.
15. Central Laboratory:- There is no duty roster of doctors for pathology and biochemistry sections as well as in emergency lab.
16. Operation Theaters:- There are no post operative rooms available in all the operation theatres.
17. There is no departmental library in General Medicine.
18. CSSD:- There are two functional horizontal autoclaves in the CSSD department. The receiving and the distributing window is common.
19. Incinerator:- There is 1 non functional diesel operated incinerator. Biomedical waste is removed by instromedix company. In Hospital, collection and disposal of biological waste is not carried out as per the guidelines of pollution control board.
20. Other deficiencies/remarks pointed out in the inspection 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 give 2 months time to the authorities of S.M.S. Medical College, Jaipur to rectify the above deficiencies and submit the compliance within the stipulated period. Copy of the letter be also marked to DME of the concerned State Govt., Registrar of the University to which the college is affiliated and also to the member of MCI representing the State where the college is located.

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

Read: The Council Inspectors report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) for compliance verification for Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Bangalore 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 Council Inspectors report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) and decided that recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Bangalore Medical College, Bangalore be continued restricting the number of admissions to 150 (One Hundred & Fifty) students per year.

**6. Continuance of recognition of MBBS degree granted by Dr. NTR University of Health Sciences, Hyderabad in respect of students being trained at Osmania Medical College, Hyderabad.**

Read: The Council Inspectors report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) for compliance verification for Continuance of recognition of MBBS degree granted by Dr. NTR University of Health Sciences, Hyderabad in respect of students being trained at Osmania Medical College, Hyderabad.

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 (25<sup>th</sup> & 26<sup>th</sup> August, 2008) and decided that recognition of MBBS degree granted by Dr. NTR University of Health Sciences, Hyderabad in respect of students being trained at Osmania Medical College, Hyderabad be continued restricting the number of admissions to 200 (Two Hundred) students per year.

**7. Continuance of recognition of MBBS degree granted by Delhi University in respect of students being trained at Maulana Azad Medical College, New Delhi.**

Read: The Council Inspectors report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) for Continuance of recognition of MBBS degree granted by Delhi University in respect of students being trained at Maulana Azad Medical College, New Delhi.

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 (25<sup>th</sup> & 26<sup>th</sup> Aug.,2008) and noted the following:-

1. (a) The shortage of teaching faculty is 37.6 % as under:-

- i) Professor-4 (Pharmacology -1, Dermatology – 1,TB/Chest -1,Radio-Diagnosis -1)
- ii) Assoc. Prof- 38 (Anatomy-3,Physiology-5,Pharmacology-3,Pathology-6,Forensic Med-3,Medicine-2,TB/Chest -1, Dermatology-1,Psychiatry-1, Gen. Surgery-3,Orthopedic-2,OBG-2,Anaestheis-2,Radio-Diagnosis-3,Ophthalmology-1)
- iii) Asstt Prof. 73 (Anatomy-3,Physiology-4,Bio-Chemistry-2,Pharmacology-3,Pathology-3,Microbiology-1,Comm Med-2,Gen. Medicine -9,Paediatric-3,TB/Chest-2,Gen. Surgery-10,Orthopedic-7,ENT-3,Ophthalmology-7,OBG-5,Anaesthesia-6,Radio-Diagnosis-3 )

(b) The shortage of Residents is 5 % as under :-

- I) Sr. Resident                    2 (TB/Chest-2)
- II) Jr. Resident                    6 (TB/Chest-6)

2. There are deficiencies of 7 beds in TB & Chest department.

3. Wards: Examination / procedure room and side laboratories are not provided in most of the wards. Most of the wards are incompletely divided in two wings, one for male patients and another for female patients. Separate wards for male and female patients are required. In most of the wards location of nursing station is not proper.
4. In the hospital, OPDs are over crowded with patients.
5. Registration and Medical Record Section: OPD is not computerized. There is a medical record section. It is not computerized. Medical record officer Mr. Sharma, is not qualified Medical Record Officer. ICD X Classification of diseases is not followed for indexing. Follow up service is not available.
6. In casualty central oxygen and central suction are not available.
7. Other deficiencies/remarks pointed out in the inspection 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 give 2 months time to the authorities of Maulana Azad Medical College, New Delhi to rectify the above deficiencies and submit the compliance within the stipulated period. Copy of the letter be also marked to DME of the concerned State Govt., Registrar of the University to which the college is affiliated and also to the member of MCI representing the State where the college is located.

**8. Continuance of recognition of MBBS degree granted by Delhi University in respect of students being trained at Lady Hardinge Medical College & Associated, New Delhi.**

Read: The compliance verification inspection report (25<sup>th</sup> & 26<sup>th</sup> August, 2008 ) for Continuance of recognition of MBBS degree granted by Continuance of recognition of MBBS degree granted by Delhi University in respect of students being trained at Lady Hardinge Medical College & Associated, New Delhi.

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 (25<sup>th</sup> & 26<sup>th</sup> Aug.,2008) and noted the following:-

- 1(a) The shortage of teaching faculty is 45.53%(Shortage of 107 out of 235)
  - i) Professor-2 (1 Skin & VD, 1 Dental)
  - ii) Assoc. Prof.-30 (1 Anatomy, 2 Physiology, Biochemistry, 3 Pharmacology, 3 Pathology, 2 Microbiology, 3 Forensic, 3 Medicine, 1 T.B. & Chest, 1 Dermatology, 1,Psychiatry, 4 Surgery, 3Orthopaedics, 1 OBG, 1 Radiology)
  - iii) Asstt Prof. 73 (5 Anatomy, 2 Physiology, 1 Lect Bio, 3 Biochemistry, 4 Pharmacology, 1 Pharm.Chem, 6 Pathology, 3 Microbiology, 1 Forensic, 4 PSM, 1 Statistician, 10 Medicine, 3 Paediatrics, 1 T.B., 10 Surgery, 5 Orthopaedics, 1 ENT, 3 OBG, 1 ANMO, 1 MWO, 2 Anaesthesia, 4 Radiology, 1 Dental)
  - iv) Tutor-2 (Anatomy)
- (b) The shortage of Residents is 4.72 % as under :- (Shortage of 6 out of 127)
  - i) Sr. Resident 1(TB & Chest)
  - ii) Jr. Resident 5(1 Medicine, 3 TB & Chest, 1 Orthopaedics)
2. There is no CSSD.
3. At PHC, no L.M.O is available. Medical officer with MD (PSM) qualification is not available. Hostel facilities are not available. No audiovisual aids have been provided. No indoor beds are available. Labour room and operation theatre are not available.

4. At UHC, Medical Officer with MD (PSM) is not available. Labour room and operation theatre is not available. No indoor beds are available.
5. Other deficiencies/remarks pointed out in the inspection 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 give 2 months time to the authorities of Lady Harding Medical College, New Delhi to rectify the above deficiencies and submit the compliance within the stipulated period. Copy of the letter be also marked to DME of the concerned State Govt., Registrar of the University to which the college is affiliated and also to the member of MCI representing the State where the college is located.

**9. Continuance of recognition of MBBS degree granted by Tamil Nadu Dr. MGR Medical University in respect of students being trained at Madras Medical College, Chennai.**

Read: The compliance verification inspection report (25<sup>th</sup> & 26<sup>th</sup> August, 2008 ) for Continuance of recognition of MBBS degree granted by Tamil Nadu Dr. MGR Medical University in respect of students being trained at Madras Medical College, Chennai.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the compliance verification inspection report (25<sup>th</sup> & 26<sup>th</sup> August, 2008) and decided that recognition of MBBS degree granted by Tamil Nadu Dr. MGR Medical University in respect of students being trained at Madras Medical College, Chennai be continued restricting the number of admissions to 165 (One Hundred & Sixty Five) students per year.

**10. Adherence of regulation 5(5)(ii) of Graduate Medical Education, 1997 of the MCI for selection of Ist year MBBS students under CBSE/All India Quota - Reg.**

Read: The matter with regard to Adherence of regulation 5(5)(ii) of Graduate Medical Education, 1997 of the MCI for selection of Ist year MBBS students under CBSE/All India Quota.

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 1.9.2008 received from the Controller of Examinations, Central Board of Secondary Education, New Delhi and observed that the Regulations on Graduate Medical Education, 1997 are statutory and hence binding and mandatory in character. It was further observed that the Hon'ble Supreme Court in Mridul Dhar's Vs. UOI & Ors case has also directed all the authorities to strictly adhere to the Regulations. Hence, it is neither permissible nor feasible for the Medical Council of India or for any other authority to relax these Regulations.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further observed that a suitable reply by the Council Office has already been sent to the Central Board of Secondary Education, New Delhi vide its letter dated 06.9.2008 with copy to Director General of Health Services, Govt. of India, New Delhi.

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 ratify the letter dated 06.9.2008 sent by the Council to the Central Board of Secondary Education.

**11. Reformative and remedial programmes for medical practitioners convicted of professional misconduct by Medical Council.**

Read: The matter with regard to reformative and remedial programmes for medical practitioners convicted of professional misconduct by Medical Council alongwith recommendation of the Sub-Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the recommendations of the Sub-Committee with regard to reformative and remedial programmes for medical practitioners convicted of professional misconduct by Medical Council.

**12. Appeal against the order dated 31.08.2007 passed by Delhi Medical Council made by Mr. Arun Kumar Jha (F.No. 432/2007).**

Read: The matter with regard to Appeal against the order dated 31.08.2007 passed by Delhi Medical Council made by Mr. Arun Kumar Jha (F.No. 432/2007).

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to defer the consideration of the matter for its next meeting.

**Office Note:** The Office was directed to ensure that the Chairman, Ethics Committee should remain present at the next meeting of the Executive Committee when this item would be taken up for discussion.

**13. Handling of children with disabilities and referral.**

Read: The matter with regard to Handling of children with disabilities and referral.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee:-

*“The Ethics Committee thoroughly discussed the matter and unanimously decided to recommend that the communication received from the Dy. Chief Commissioner, Ministry of Social Justice and Environment be endorsed as under:-*

1. *Hosted in the MCI website where it can be accessed by all doctors.*
2. *A circular may be sent to all medical colleges alongwith a copy of the letter received from the Commission asking the colleges to circulate it widely among all the staff and students.*
3. *A copy may also be sent by MCI to the IMA requesting that it may be circulated to all the doctors for wide publicity.*
4. *Medical Council of India may consider taking different newspapers advertisement & inform the doctors about these guidelines.”*

**14. Clarification as requested by Mr. Jayesh Kamdar.**

Read: The matter with regard to clarification as requested by Mr. Jayesh Kamdar.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council deliberated the matter at length with regard to clarification sought by Mr. Jayesh Kamdar and decided that any act carried out by a medical person for arriving at a diagnosis or providing treatment for the disease so diagnosed and where necessary advise, appropriate referral to a specialist should be considered ‘medical practice’ and the applicant may be informed accordingly.

**15. Matter with regard to Dr. Shreekanta Singh who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Shreekanta Singh who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

*“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. Shreekanta Singh** along with the opinion of Advocate of the Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-*



*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Shreekanta Singh constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**16. Matter with regard to Dr. Surendra Prasad Das who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Surendra Prasad Das who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of Dr. Surendra Prasad Das along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Surendra Prasad Das constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**17. Matter with regard to Dr. M. Panchateharash who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. M. Panchateharash who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. M. Panchateharash** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. M. Panchateharash** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way*

*precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**18. Matter with regard to Dr. Md. Balal Hasan who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Md. Balal Hasan who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. Md. Balal Hasan** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. Md. Balal Hasan** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**19. Matter with regard to Dr. Shankar G Donki who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Shankar G Donki who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. Shankar G Donki** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. Shankar G Donki** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**20. Matter with regard to Dr. Usha Shamrao Kale who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Usha Shamrao Kale who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. Usha Shamrao Kale** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. Usha Shamrao Kale** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**21. Matter with regard to Dr. Mandakini Joshi who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Mandakini Joshi who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. Mandakini Joshi** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. Mandakini Joshi** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**22. Matter with regard to Dr. G. Gopi Krishna who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. G. Gopi Krishna who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. G. Gopi Krishna** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. G. Gopi Krishna** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing*

*this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**23. Matter with regard to Dr. Suresh Kumar T who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. Suresh Kumar T who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. Suresh Kumar T** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. Suresh Kumar T** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**24. Matter with regard to Dr. G.T Chandra Reddy who has worked at more than one Medical College simultaneously.**

Read: The matter with regard to Dr. G.T Chandra Reddy who has worked at more than one Medical College simultaneously together with the recommendation of the Ethic 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 recommendations of the Ethics Committee:-

“The Ethics Committee, after detailed deliberations and perusal of all the relevant documents of **Dr. G.T Chandra Reddy** along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

*Section 1.1.1.*

*A Physician shall uphold the dignity and honour of his profession.*

*Section 1.1.2.*

*The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.*

The Ethics Committee is of the opinion that the Act of Commission in the part of **Dr. G.T Chandra Reddy** constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

*“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION*

*“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

**25. Removal of name of Dr. Kamlesh Kumar Sharma from the Indian Medical Register.**

Read: The matter with regard to removal of name of Dr. Kamlesh Kumar Sharma from the Indian Medical Register.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dated 19.08.2008 received from the Registrar, Rajasthan Medical Council, Jaipur intimating that Dr. Kamlesh Kumar Sharma bearing Regn. No.9663, dated 02.03.1984 had expired on 17.08.2008 as per news published in Rajasthan Patrika dated 19.08.2008 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 give intimation in this regard to all the State Medical Councils in the country.

**26. Letter of Dr. Tarannum Fatima of Patna regarding faculty clause in the declaration forms to be filled by the teaching faculty at the time of MCI inspection.**

Read: The letter dated 16.7.2008 received from Dr. Tarannum Fatima of Patna regarding faculty clause in the declaration forms to be filled by the teaching faculty at the time of MCI inspection.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that over a period of last 3-4 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A



of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time. Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college. Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such practices are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action whenever applicable. It was further observed that the practice of not counting the same medical teacher from 2 places has been introduced particularly with a view to curb the mal - practice of showing the same teachers from more than one medical college as the permission/recognition has been recommended by the Council on the basis of such a teacher being counted as a member of the teaching faculty in the predecessor medical college.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them. Such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.

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 that the request of Dr. Tarannum Fatima of Patna cannot be considered.

**27. Minutes of the meeting held on 5<sup>th</sup> August, 2008 at the Ministry of Human Resource Development, New Delhi under the Chairmanship of Dr. R.K. Raghavan, Ex-Director of CBI to supervise the measures being implemented to prevent ragging and to conduct elections of Students Union.**

Read: The minutes of the meeting held on 5<sup>th</sup> August, 2008 at the Ministry of Human Resource Development, New Delhi under the Chairmanship of Dr. R.K. Raghavan, Ex-Director of CBI to supervise the measures being implemented to prevent ragging and to conduct elections of Students Union.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter and observed that a Sub-Committee comprising of Dr. Ved Prakash Mishra and Dr. B.P. Dubey has already been constituted earlier to look into the matter of the measures being implemented to prevent ragging in medical institutes and decided that this matter also may be referred to the same Sub-Committee further requesting to submit its report, at the earliest.

28. Minimum Standard Requirements for Medical Colleges for 50, 100, 150 Admissions Annually, 1999 - Amendments thereon.

Read: The matter with regard to Minimum Standard Requirements for Medical Colleges for 50, 100, 150 Admissions Annually, 1999 along with comparative chart of the original proposal by the MCI and the views of the Ministry of Health and Family Welfare, Govt. of India.

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 decided that the recommendations of the Committee be placed before the General Body of the Council which are annexed in **Annexure I**.

29. **Minimum Qualifications for Teachers in Medical Institution Regulations, 1998 – Amendments thereon.**

Read: The matter with regard to Minimum Qualifications for Teachers in Medical Institution Regulations, 1998 along with comparative chart of the original proposal by the MCI and the views of the Ministry of Health and Family Welfare, Govt. of India.

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 decided that the recommendations of the Committee be placed before the General Body of the Council which are annexed in **Annexure II**.

30. **Graduate Medical Education Regulations, 1997 – Amendments thereon.**

Read: The matter with regard to Graduate Medical Education Regulations, 1997 along with comparative chart of the original proposal by the MCI and the views of the Ministry of Health and Family Welfare, Govt. of India.

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 decided that the recommendations of the Committee be placed before the General Body of the Council which are annexed in **Annexure III**.

**31. Establishment of Administrative Tribunals under the provisions of the Constitution – proposal for extending CAT's jurisdiction.**

Read: The matter with regard to establishment of Administrative Tribunals under the provisions of the Constitution – proposal for extending CAT's jurisdiction.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the matter was considered by the members of the Adhoc Committee and of the Executive Committee of the Council at its meeting held on 29.12.2007 wherein it was decided 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 letter dated 11.12.2007 received from Shri P.R.A. Nair, Under Secretary, Govt. of India, Ministry of Health & F.W., Nirman Bhawan, New Delhi and decided to obtain the opinion of the Council Advocate in the matter.”*

It was further observed that the Council Office has already obtained the legal opinion and as per the legal opinion, the desired information in the proforma has already been sent to the Central Government, Ministry of Health & F.W., New Delhi.

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 ratified the proforma with due corrections sent to the Central Government, Ministry of Health & F.W., New Delhi.

Office Note: The office was directed to communicate to the Central Government the corrections made in the Proforma immediately.

**32. Request for grant of Permanent Registration to Mr. Raj Kamal Ranjan U/s. 13(3) of the IMC Act, 1956.**

Read: The matter with regard to request for grant of Permanent Registration to Mr. Raj Kamal Ranjan U/s. 13(3) of the IMC Act, 1956 along with legal opinion of Additional Solicitor-General of India.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter at length and decided to approve the opinion of the Shri P.P. Malhotra, Additional Solicitor General of India which reads as under:-

*“My opinion was sought vide letter dated 23<sup>rd</sup> September, 2006 in regard to the following three questions:-*

- (i) *Whether a candidate who had submitted his application for registration prior to 15.03.2001 giving the details of his period of study which was upon verification by the concerned Embassy, was found to be untrue, is eligible for grant of permanent registration?*
- (ii) *Whether a candidate who had submitted his application for registration after to 15.03.2001 giving the details of his period of study which was upon verification by the concerned Embassy, was found to be untrue, is eligible for grant of permanent registration?*
- (iii) *Whether a candidate namely Raj Kamal Ranjan who had submitted his application after 15.03.2001 giving the details of his period of study which was found to be untrue, has passed the Screening Test- can he be granted permanent registration on that basis?*

*In response thereto I had rendered an opinion and I had stated about fourteen candidates who had applied for provisional registration prior to 15.03.2001 and Raj Kamal Ranjan who had applied for provisional registration after 15-03-2001 as under:-*

*“My opinion has been sought in regard to the fate of 14 candidates who had applied for registration prior to 15<sup>th</sup> of March, 2001. It has been pointed out that they were given provisional registration pending inquiry into the matter and the inquiry from the Embassy has revealed that these students had given a false declaration and had not completed their studies in the recognized colleges. Since they were covered by the judgment of the Hon'ble Supreme Court reported in (2002) 3 SCC 696, MCI Vs Indian Doctors from Russia, therefore, as per their concern they were entitled to the one-time relaxation in their education in unrecognized institutions provided the carry on inter internship for a period to cover up for the education in unrecognized institutions. It is true that these people have given false declaration. Obviously these declarations must have been made before the judgment of the Hon'ble Supreme Court. They have been misled to give this declaration. Either they themselves may not know these institutions to be recognized or not and themselves be a victim to cheating at the hands of unscrupulous educational shops. In view of the fact that the Supreme Court has given one-time exemption and relaxation, Medical Council of India could consider on registration after they complete the further period of internship. It would be harsh to deny them registration. The institution should take a liberal view in the matter. The case of Raj Kamal Ranjan will also have to be decided on the lines of the other 14 candidates in view of the judgment of Hon'ble Supreme Court referred to above”*

*These fourteen candidates who had applied for provisional registration prior to 15.03.2001 had given a false declaration and had not completed their studies in recognized colleges. I had stated that they were entitled to one time relaxation in their education in un-recognized institution provided they carry on internship for further period to cover up for education in un-recognized institution. These fourteen candidates had also made mis-declaration about their studies abroad and I had observed as under:-*

*“ It is true that these people have given false declaration. Obviously these declarations must have been made before the judgment of the Hon’ble Supreme Court. They have been misled to give this declaration. Either they themselves may not know these institutions to be recognized or not and themselves be a victim to cheating at the hands of unscrupulous educational shops. In view of the fact that the Supreme Court has given one-time exemption and relaxation, Medical Council of India could consider on registration after completed the further period of internship”.*

*In case of Raj Kamal Ranjan who had applied for provisional registration after 15.03.2001, on 09.07.2001 he will be required to qualify the Screening Test as per provision of the Screening Test Regulation, 2002 as he would become eligible for permanent registration on or after 15.03.2002. Regulation 4(1) of Screening Test Regulations, 2002 read as under:-*

*“4. Eligibility Criteria: No person shall be allowed to appear in screening test unless :*

- 1. he/she is a citizen of India and possesses any primary medical qualification, either whose name and the institution awarding it are included in the World Directory of Medical Schools, Published by the World Health Organization; or which is confirmed by the Indian Embassy concerned to be a recognized qualification for enrolment as medical practitioner in the country in which the institution awarding the said qualification is situated;”*

*Thus the requirement under Regulation 4(1) for fulfilling eligibility criteria for appearing Screening Test is:-*

- (a) he/she is a citizen of India; and*
- (b) possesses any primary medical qualification, either*
  - Whose name and the institution awarding it are included in the World Directory of Medical Schools, published by the World Health Organisation; or*
  - Which is confirmed by the Indian Embassy concerned to be a recognized qualification for enrolment as medical practitioner in the country in which the institution awarding the said qualification is situated:*

*As per the Certificate issued by Vitebsk State Medical University, forwarded to Embassy of India, Republic of Belarus, Minsk, pursuant to the enquiry by the Indian embassy, that Raj Kamal Ranjan has successfully completed the course of General Medicine and by the Resolution of the State Examination Commission was qualified as a physician and was awarded the title of “Doctor of Medicine”.*

*In the light of the above the following is clear:-*

- (a) a Certificate has been issued by Vitesk State Medical University, that he is eligible for enrolment as a medical practitioner in that country;*
- (b) he has also undergone one year’s internship;*
- (c) he has cleared the Screening test;*
- (d) he was granted provisional registration.*

*Now, my opinion has been sought for appropriate action to be taken by the MCI in the case of Sh. Raj Kamal Ranjan who had applied for registration after 15.03.2001 and in his declaration with regard to the period spent by him in the recognized foreign medical college, has not been found to be correct by the Indian embassy as mentioned above. The reference mentioned at Sr. No. iii is reproduced here as under:-*

*Whether a candidate namely Raj Kamal Ranjan who had submitted his application after 15.03.2001 giving the details of his period of study which was found to be untrue, has passed the Screening test- can he be granted permanent registration on that basis?*

*I am of the opinion that the case of Raj Kamal Ranjan is similar to the other fourteen candidates covered in my opinion dated 15.10.2007. It may not be appropriate to prosecute Raj Kamal Ranjan. There could be no discrimination for giving a false declaration between the persons who gave false declaration prior to 15.03.2001 and persons who gave false declaration after 15.03.2001. If the MCI has registered the other fourteen candidates who had applied for registration prior to 15.03.2001 then case of Raj Kamal Rajan should be considered on similar lines.”*

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 further directed that the matter be placed before the Chairman, Registration & Equivalence Committee for final disposal in accordance with the opinion of Shri P.P. Malhotra, Additional Solicitor General of India vide his letter dated 9.8.2008.

**33. Inspection of M.N.R. Medical College, Sangareddy to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (5<sup>th</sup> & 6<sup>th</sup> Sept., 2008) to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities available at M.N.R. Medical College, Sangareddy.

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 5<sup>th</sup> & 6<sup>th</sup> September, 2008 and noted the following:-

1. The shortage of teaching staff is as under:-
  - (a) The shortage of teaching faculty is 12.6% ( shortage of 15 out of 119 )
    - i) Professor-2 ( 1 Pharmacology, 1 Ophthalmology)
    - ii) Associate Professor - 3 (1 Pharmacology, 1 Pathology, 1 Radiodiagnosis)
    - iii) Assistant Professor -10 (1 Anatomy,1 Physiology, 2 Pathology,1 Epidemologist cum Lecturer, 1-Statistician, 1-RHTC, 1-UHC, 2 Medicine)
    - iv) Tutor Nil
  - (b) The shortage of Residents is 14.28% as under :-
    - i) Sr. Resident –12 (2-Medicine, 1-Paediatrics,1-Tuberculosis, 2-Surgery, ENT-1, 1-OBG, 2-Anaesthesia, 2-Radiadiagnosis)
    - ii) Jr. Resident - Nil
2. Radiological Investigations (i.e. special & C.T. Scan investigations & laboratory investigations are inadequate and not commensurate with the number of patients claimed to be attended) the hospital.
3. At RHTC No Lecturer cum medical officer having M.D. (P.S.M.) is available. No other clinical departments participate in the out reach teaching programmes. At UHC No Lecturer cum medical officer having M.D. (P.S.M.) is available.
4. Other deficiencies/observations 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 give 1 month time to the authorities of M.N.R. Medical College, Sangareddy to rectify the above deficiencies and submit the compliance within the stipulated period.

**34. Inspection of Medicit Institute of Medical Sciences, Ghanpur to verify the teaching faculty, residents, clinical material, hostels and other Infrastructural facilities.**

Read: The Council Inspectors report (5<sup>th</sup> & 6<sup>th</sup> Sept., 2008) to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities available at Medicit Institute of Medical Sciences, Ghanpur.

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 5<sup>th</sup> & 6<sup>th</sup> September, 2008 and noted the following:-

- 1.(a) The shortage of teaching faculty is 12.39% as under:-
  - i) Professor 1 (Pathology – 1)
  - ii) Associate Professor 5 (Anatomy-2, Physiology-1, Pathology-1, Pharmacology-1)
  - iii) Assistant Professor 6 (Physio.-1, Pharma Chemist-1, PSM-3, Psychiatry – 1)
  - iv) Tutor 3 (Pathology-3)
- (b) The shortage Residents is 44 .70 % as under :-
  - i) Sr. Resident 13 (Medicine-1, TB Chest-1, Surgery-4, Ortho-2 ENT-1, Anaesthesia-3, Radio-Diagnosis-1)
  - ii) Jr. Resident 25 (Medicine-5, Paediatrics-3, Psychiatry-2, Surgery-8, Ortho-2, Ophthal-3, ENT-2)

2. Clinical Material is inadequate as under:-

	Daily Average	Day of Inspection 5.9.2008
O.P.D. attendance	763	647
Bed occupancy%	75 %	56 %

3. In central library, Medlar facility is not available.
4. Duty roster of doctors is not available in clinical laboratories.
5. Health Centres: The GNR Hospital located at a distance of 25 kms from the college belongs to Dr.G.N.Reddy, Associate professor of Forensic Medicine at Medicity Institute of Medical Sciences. A part of this hospital is being utilized as Urban Health Training Centre which is not as per norms. A population of 93,206 is covered under study area. A lecture cum medical officer having M.D. (P.S.M) is not available. A lecture cum medical officer having M.D. (P.S.M) is not available at RHTC.
6. Other deficiencies/observations 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 give 1 month time to the authorities of Medicity Institute of Medical Sciences, Ghanpur to rectify the above deficiencies and submit the compliance within the stipulated period.

**35. Inspection of Prathima Institute of Medical Sciences, Karimnagar, to verify the teaching faculty, residents, clinical material, hostels and other Infrastructural facilities.**

Read: The Council Inspectors report (5<sup>th</sup> & 6<sup>th</sup> Sept., 2008) to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities available at Prathima Institute of Medical Sciences, Karimnagar.

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 5<sup>th</sup> & 6<sup>th</sup> September, 2008 and noted the following:-

1. The shortage of teaching staff required at present stage is as under:-
- i) The Shortage of teaching faculty is 19.2% (33 out of 171) as under:-
- Professor : 03 (Biochemistry-1, PSM-1, ENT-1)
  - Assoc. Professor: 15 (Anatomy-1, Physiology-2, Pathology-2, Microbiology-1, Pharmacology-1, FMT-1, PSM-2, Gen. Med-2, Dermatology-1, Gen. Surg-1 and OBG-1).
  - Asst. Professor: 15 (Anatomy-1, Physiology-2, Microbiology-1, FMT-2, PSM-5, TB&Chest-1, OBG-3).
  - Tutor: Nil
- ii) The shortage of Residents is 9.5% ( 11 out of 115) as under:-
- Sr. Resident: 11 (Gen.Med-3, Dermatology-1, Gen.Surgery-5, Ortho-2)
  - Jr. Resident: Nil
2. Available clinical material is inadequate in terms of bed occupancy as under:-

	Daily Average	Day of Inspection
Bed occupancy%	86 %	60%



3. Kitchen /Canteen : There is no hospital kitchen available. The food is reported to be prepared by the same contractor who supplies food for the students at Boys & Girls Hostel.
4. Other deficiencies/observations 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 give 1 month time to the authorities of Prathima Institute of Medical Sciences, Karimnagar to rectify the above deficiencies and submit the compliance within the stipulated period.

**36. Inspection of Katuri Medical College & Hospital, Guntur, to verify the teaching faculty, residents, clinical material, hostels and other Infrastructural facilities.**

Read: The Council Inspectors report (5<sup>th</sup> & 6<sup>th</sup> Sept., 2008) to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities available at Katuri Medical College & Hospital, Guntur.

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 5<sup>th</sup> & 6<sup>th</sup> September, 2008 and noted the following:-

1. The shortage of teaching staff required at present stage is as under:-
  - (a) Faculty 24% (i.e. 30 out of 121)
    - i) Professor : 5 (Anatomy, Physiology, Forensic Medicine, PSM and Radio Diagnosis)
    - ii) Associate Professor: 16 (Anatomy-2, Physiology-2, Pathology-2, Microbiology-1, Pharmacology-1, PSM-1, Medicine-2, TB & CD-1, Paediatrics-1, Surgery-2 and Anaesthesia-1)
    - iii) Assistant Professor: 6 (Anatomy-2, Biophysics-1, Pathology-1 and PSM-2)
    - iv) Tutor: 3 (Anatomy-2 and Pharmacology-1)
  - (b) Resident 14% (12 out of 85)
    - i) Sr. Resident: 11 (Medicine-2, Surgery-1, Ortho-2, Radio Diagnosis-2 and Anaesthesia-2)
    - ii) Jr. Resident: 1 (Medicine)
2. Clinical Material is inadequate as under:
  1. OPD registration is being done in loose sheets every day and is not to be fed into the computer at the end of the day – hence no physical verification is available
  2. Though the number of discharge is claimed to be more than 100, the bundle of case sheets stored in the MRD as per the date of discharge ranges only between 15 & 20.
  3. The bed occupancy verified by the inspectors on the date of inspection is only 45%. There is no record available in the wards for the earlier dates.
  4. The major & minor surgery details collected from the anaesthesia register for the month of August – 2008 is only 87. The OT list for the day of inspection is only 4
  5. The parturition register of the labour room does not show any entry made after 31-05-2008.
  6. The book in Radiology department used for indent of X-ray films shows that only 50 x-rays are being taken daily – the statement which has been signed by the Associate Professor of Radio Diagnosis. There is no IITV facility nor fluoroscopy available – The number given as special investigation (23) is not to be reckoned with.
  7. There is no entry in the Microbiology register maintained in the laboratory and it was explained that there is some internal problem in the department of microbiology between the medical and non-medical teachers resulting in slow down of the work.
  8. HPE and Cytology registers being maintained in the department of Pathology show an entry of 3-4 specimens only per day.
3. Registration and Medical Record Section: It is not computerized. Indoor registration counter is managed by 2 people with no computer. ICD X Classification of diseases is followed for indexing, however no indexing has been done for the case sheets that were discharged three months back.

4. Kitchen : There is no separate hospital kitchen available, the canteen contractor provides 200 food daily at the cost of Rs.30/- per day per patient. No dietician is available.
5. Incinerator: It has no incinerator. An MOU has been entered with Andhra Pradesh Poltroom Board for disposal of Bio-medical waste which is valid up to 30-06-2009.
6. Animal House: Number of animals available are Nil. The animal house is kept clean and locked, it is not being used.
7. Central photography cum audio-visual units: No dark room is available.
8. RHTC: Other clinical departments like Medicine, Paediatrics, Obstetrics & Gynaecology are told to participate in the outreach teaching programmes for which no records are available. No lecturer cum medical officer having M.D. {P.S.M.} is available; the senior faculty from the department is posted in rotation. No Mess facilities are available. Audiovisual aids are not provided. UHC: No lecturer cum medical office having M.D. {P.S.M.} is posted.
9. Hostels: Interns are accommodated in the boys and girls hostels respectively.
10. In O.P.D. There are no computers and 8 people are doing only manual registration of new and old cases and for admission also.
11. Anatomy Department: The ratio of non-medical teaching staff is more than 30% which is not as per Regulations.
12. Pathology Department: There is a research laboratory which is not equipped. There is no facility provided in the OP for doing FNAC
13. Community Medicine: The UHTC is not under the financial and administrative control of the Principal. Teaching facilities in RHTC & UHTC are not adequate.
14. Other deficiencies/remarks in the main 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 give 1(one) month time to the authorities of Katuri Medical College & Hospital, Guntur to rectify the above deficiencies and submit the compliance within the stipulated period.

**37. Inspection of P.E.S. Institute of Medical Sciences & Research, Kuppam to verify the teaching faculty, residents, clinical material, hostels and other Infrastructural facilities.**

Read: The Council Inspectors report (5<sup>th</sup> & 6<sup>th</sup> Sept., 2008) to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities available at P.E.S. Institute of Medical Sciences & Research, Kuppam.

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 5<sup>th</sup> & 6<sup>th</sup> September, 2008 and noted the following:-

1. The shortage of teaching staff required at present stage is as under:-
  - (a) The shortage of teaching faculty as required is 8.1% (i.e. 14 out of 171) as under:-
 

(i)	Professor	01	(TB & Chest -1)
(ii)	Associate Professor	06	(Anatomy -3, Physiology -1, Biochemistry -1 & Forensic Medicine -1)
(iii)	Assistant Professor	07	(Anatomy -3, Physiology -1, Forensic Medicine -1, Community Medicine -1 & TB & Chest -1)
(iv)	Tutor	Nil	
  - (b) The shortage of Residents is 10.4% (i.e. 12 out of 115) as under:-
 

(i)	Sr. Resident	10	(General Medicine -3, General Surgery -3 & Anaesthesia -4)
(ii)	Jr. Resident	02	(ENT -2)
  - (c) Biochemistry Department: The ratio of non-medical staff is 57% which is not as per Regulations.
2. Other deficiencies/remarks in the main 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 give 1 month time to

the authorities of P.E.S. Institute of Medical Sciences & Research, Kuppam to rectify the above deficiencies and submit the compliance within the stipulated period.

**38. Consideration of orders of Court case filed by final MBBS students of Swami Vivekanand Institute of Medical Sciences, Vallia, Gujarat for transfer to any other recognized college and recognition of their degree.**

Read: The matter with regard to consideration of orders of Court case filed by final MBBS students of Swami Vivekanand Institute of Medical Sciences, Vallia, Gujarat for transfer to any other recognized college and recognition of their degree.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the order passed by the Learned Division Bench of the Hon'ble High Court of Gujarat in SCA No. 9551 of 2008 – Pratik Sundarjibhai Amlani & 50 Ors Vs. Union of India & 7 Ors. and observed that the operative part of the order reads as under:-

“.....

11. *On account of the defaults committed by respondent no.7, it was not permitted to admit any students to the medical course from 2005-06 onwards, but the petitioners who were admitted in the years 2002-03 and 2004-05 with the permission of the Central Government and MCI are not at all responsible for such failure of respondent no. 7 to obtain renewal of the recognition from the Central Government. The State Govt. must, therefore, be held liable to take over the responsibility of the petitioners and to ensure that they are allotted to a recognized medical college affiliated to the South Gujarat University so that they can complete their studies and on passing the examination being conducted by the South Gujarat University they can obtain the MBBS degree which can be treated as a recognized qualification under the Indian Medical Council Act,1956.*

12. *While giving such a direction to the State Govt. for the benefit of the petitioners who are in the final MBBS class, we make it clear that it will be open to the State Govt. to recover the expenses from respondent no. 7- trust. If performance guarantees given by respondent no. 7 to the state Govt. are in force, it will be open to the State Govt. to invoke such performance guarantees. If the validity period of such performance guarantees has expired, it will be open to the State Govt. to recover the amount from respondent no. 7 by any other means. Before quantifying the amount, the State Govt. may given an opportunity of hearing to respondent no. 7 trust, but once the amount is quantified, it will be open to the State Govt. to recover such amount as arrears of land revenue. However, compliance with the direction to admit the petitioners to any other medical college shall not await receipt of, or recovery of, funds from respondent no. 7 trust and the State Govt. and respondent no. 5 shall complete allotment of the petitioners to a recognized medical college within one month from the date of receipt of writ of this Court or a certified copy of this judgment whichever is earlier.*

13. *The petition is allowed in the aforesaid terms.  
Rule is made absolute.  
Direct service is permitted.*

Sd/-  
(M.S. Shah, Actg. C.J.)”

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 that the State Government of Gujarat be advised to act in accordance with the above said order of the Hon'ble High Court of Gujarat and further advising that the State Government of Gujarat should revoke the Bank Guarantee submitted by the institute at the time of applying Essentiality Certificate and utilized the money so received for defraying the expenses of shifting the students as directed by the Hon'ble High Court of Gujarat.

**39. Removal of name of Dr. Gope Ramchandani from the Indian Medical Register.**

Read: The letter dt. 13.08.08 received from the Registrar, Rajasthan Medical Council, Jaipur with regard to removal of name of Dr. Gope Ramchandani from the Indian Medical Register.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dated 13.08.2008 received from the Registrar, Rajasthan Medical Council, Jaipur intimating that Dr. Gope Ramchandani bearing Regn. No.4231, dated 19.09.1973 had expired on 10.08.2008 as per news published in Dainik Bhaskar dated 12.08.2008 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 give intimation in this regard to all the State Medical Councils in the country.

40. **Establishment of a new medical college at Kollam, Kerala by Podikunjun Musalirar Memorial charitable and Educational Trust, Kollam, Kerala.**

Read: The Compliance Verification Inspection report (9<sup>th</sup> September, 2008) for grant of Letter of Permission for establishment of new medical college at Kollam, Kerala by Podikunjun Musalirar Memorial charitable and Educational Trust, Kollam, Kerala.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council perused the order dated 28.08.2008 passed by the Hon'ble Supreme Court in W.P. (C) No. 291/2008 filed by Podikunjun Musalirar Memorial Charitable and Educational Trust-Vs.-Union of India & Other connected matters and considered the Council Inspectors compliance verification inspection report (9<sup>th</sup> September, 2008) and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Kollam, Kerala by Podikunjun Musalirar Memorial charitable and Educational Trust, Kollam, Kerala with an annual intake of 100(One Hundred) MBBS students for the academic session 2008-09 u/s 10A of the I.M.C. Act,1956.

41. **Inspection of S.B.K.S. Medical Instt. & Research Centre, Piparia, Vadodara to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (9<sup>th</sup> & 10<sup>th</sup> September, 2008) to verify the teaching faculty, residents, clinical material, hostels and other infrastructural facilities available at S.B.K.S. Medical Instt. & Research Centre, Piparia, Vadodara.

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 (9<sup>th</sup> & 10<sup>th</sup> September, 2008) and decided that the Council should process the applications for starting of postgraduate courses for further necessary action.

42. **Inspection of M.M. Institute of Medical Sciences & Research, Mullana, Ambala to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (9<sup>th</sup> & 10<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at M.M. Institute of Medical Sciences & Research, Mullana, Ambala.

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 (9<sup>th</sup> & 10<sup>th</sup> September, 2008) and decided that the Council should process the applications for starting of postgraduate courses for further necessary action.

43. **Inspection of K.V.G. Medical College & Hospital, Sullia to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (9<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at K.V.G. Medical College & Hospital, Sullia.

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 (9<sup>th</sup> September, 2008) and decided that the Council should process the applications for starting of postgraduate courses for further necessary action.

44. **Annual Report of the Medical Council of India for the year 2007-08.**

Read: The Annual report of the Medical Council of India for the year 2007-08.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the Annual report of the Medical Council of India for the year 2007-08 which is appended as **Annexure IV**.

45. **Approval of Minutes of the Teachers Eligibility Qualifications Sub-Committee held on 30<sup>th</sup> June, 2008.**

Read: The minutes of the Teachers Eligibility Qualifications Sub-Committee held on 30<sup>th</sup> June, 2008.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Teachers Eligibility Qualifications Sub-Committee held on 30<sup>th</sup> June, 2008 except the following two items:-

Item No. 10. Appointment as Professor in Surgical Gastroenterology – Dr. Mahendra Bhavsar.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to refer the matter back to the TEQ Sub-Committee.

Item No.16. Teachers Eligibility Qualifications – appointment of person as teacher with DNB (Maternal & Child Health) qualification – regarding.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to refer the matter back to the TEQ Sub-Committee. The Committee further decided to resubmit the same with the legal opinion.

46. **Selection for the post of Additional Inspector in the office of the Medical Council of India.**

Read: The recommendations of the Selection Committee for the post of Additional Inspector in the office of the Medical Council of India.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Selection Committee meeting held on 10-9-2008 for the post of Additional Inspector in the office of the Medical Council of India:-

*“Thirteen (13) candidates were called for interview. Out of whom, 3 (three) candidates attended the interview.*

*The Committee, after interview and discussion recommends the following as selected candidates for the post of Additional Inspector:-*

*- None Selected -*

*The Selection Committee also considered the application of Dr. Suresh C. Shah who is already working as Whole-time Inspector for appointment as Additional Inspector.*

*It observed that Dr. Suresh C. Shah was recommended by the Selection Committee as Whole-time Inspector at its meeting held on 01.05.2008 which was approved by the Executive Committee of the Council at its meeting held on 12.05.2008. He has joined the services of MCI as Whole-time Inspector w.e.f. 19.05.2008.*

*As Dr. Suresh C. Shah is already working as Whole-time Inspector after due process of selection & recruitment and he is eligible for being appointment as Additional Inspector, the Selection Committee recommends that Dr. Suresh C. Shah may be appointed as Additional Inspector.”*

47. **High Securities Holograms.**

Read: The offer letter from M/s. Kumbhat Holographics with regard to High Securities Holograms to safeguard the document from counterfeiting.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council accepted in principle that various certificates issued by the Council must be affixed with high security hologram to safeguard the documents from counterfeiting and further directing the office to follow the prescribed purchase procedure for carrying out the same.

48. **Approval of Minutes of the Finance Committee held on 12th Sept., 2008.**

Read: The minutes of the Finance Committee Meeting held on 12<sup>th</sup> September, 2008.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Finance Committee meeting held on 12<sup>th</sup> September, 2008 which reads as under:-

*“The Minutes of the meeting of Finance Committee held at 12<sup>th</sup> September, 2008 on 11.00 hours in the Council Office, New Delhi.*

*Present:-*

<i>Dr. Ved Prakash Mishra</i>	-	<i>Chairman</i>
<i>Dr. Kharangate Anant Y.</i>	-	<i>Member</i>
<i>Dr. B.C. Das</i>	-	<i>Member</i>
<i>Lt. Col. (Retd.) Dr. A.R.N. Setalvad</i>	-	<i>Secretary</i>

*Leave of absence was granted to Dr. M.M. Deka & Dr. Bijoy Mukherjee.*

1. **Minutes of last Meeting-Confirmation of**

*The Finance Committee confirmed the Minutes of the last meeting held on 21<sup>st</sup> May, 2008.*

2. **Minutes of the last meeting of the Finance Committee- Action taken thereon**

*The Finance Committee noted and approved the action taken by the office on the item included in the minutes of the meeting held on 21<sup>st</sup> May, 2008.*

3. **Audited Annual Accounts of the Medical Council of India alongwith Audit Certificate for the year 2007-08.**

**Read:** *The matter with regard to consider and approve the Audited Annual Accounts of Medical Council of India alongwith Audit Certificate issued by Director General Audit (Central Revenue) for the year 2007-08.*

*The Finance Committee decided to approve the Audited Annual Accounts of the Medical Council of India for the year 2007-08 alongwith the Audit Report & Certificate.*

*Further, the Finance Committee recommended that the same be placed before the Executive Committee of the Council for its consideration and approval.*

4. **Budgetary Estimates for the year 2009-10 and Revised Budgetary Estimate for the year 2008-09.**

**Read:** *The matter with regard to consider and approve the Budgetary Estimates for the year 2009-10 and Revised Budgetary Estimates for the year 2008-09 of the Council.*

*The Finance Committee approved the Budgetary Estimates for the year 2009-10 and Revised Budgetary Estimates for the year 2008-09 of the Council.*

*Further, the Finance Committee recommended that the same be placed before the Executive Committee of the Council for its consideration and approval.*

5. **Transfer of Rs.200.00 Lakhs to MCI-Staff Pension Fund From MCI- Own Resources.**

**Read :** *The matter with regard to transfer of Rs. 200.00 Lakhs to MCI – Staff Pension Fund from MCI-Own Resources Account.*

*The Finance Committee considered and approved the transfer of Rs.200.00 Lakhs to MCI-Staff Pension Fund from MCI-Own Resources Account and noted that as a result of said transfer the present total accumulation of Rs.292.94 Lakhs could be enhanced to Rs. 492.94 Lakhs.*

*Further, the Finance Committee recommended that the same be placed before the Executive Committee of the Council for its consideration and approval.*

**6. Implementation of Revised Salary Structure in MCI as notified by the Ministry of Finance, Govt. of India and payment of arrears.**

*Read: The matter with regard to consider and approve the implementation of Revised Salary Structure (Pay Scales) to the employees of MCI w.e.f. 1<sup>st</sup> January, 2006 & payment of Arrears.*

*The Finance Committee decided to approve the implementation of Revised Salary Structure (Pay Scales) to the employees of MCI including the pensioners/family pensioners w.e.f. 1<sup>st</sup> January, 2006 and payment of arrears as per the rules and instructions contained in the notification dated 29<sup>th</sup> August, 2008, O.M. dated 30<sup>th</sup> August, 2008 & 01<sup>st</sup> September, 2008 issued by the Ministry of Finance Department of Expenditures Govt. of India, which shall be applicable to all Central Govt. civil employees and pensioners/family pensioners.*

*Further, the Finance Committee recommended that the same be placed before the Executive Committee of the Council for its consideration and approval.*

*The minutes were read out & confirmed in the meeting.*

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

**APPROVED  
Sd/-  
(DR. VED PRAKASH MISHRA)  
CHAIRMAN**

*New Delhi, dated the  
12<sup>th</sup> September, 2008"*

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the total anticipated expenditure on salaries & wages, other allowances & benefits, staff welfare expenses and retirement benefits amounts to Rs. 5.96 crores. The total anticipated expenditure of the Council under all heads amounts to Rs. 16.81 crores for the year 2008-09. However, against this expenditure, the grant received from the Central Government is only Rs. 60 lakhs under the non-plan scheme and Rs. One crore under the plan scheme. It was further observed that the grant received under the plan scheme can be utilized towards disbursement on CME programmes to different agencies only and is revenue neutral in the sense that only the actual amount spent towards disbursement is made available to the Council as grant. Hence, actual total grant available for the purposes of the expenses of the Council is Rs. 60 lakhs which has remained stagnant for last several years and represents only 10% of the expenses on salary and wages and approx. 3% of the total expenses of the Council under all heads. Thus, almost 97% of the total expenditure of the Council has to be borne by the Council out of its own generated resources.

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 that henceforth the Council should meet its entire expenditures out of the funds generated by its own resources and the Govt. of India may be informed accordingly not to release any further installment of grant hereinafter from 2008-2009 onwards.

**49. Establishment of a new medical college at Ammapettai , Nellikuppam, Tamilnadu by Sri Balaji Educational and Charitable Public Trust.**

*Read: The Compliance Verification Inspection report (9<sup>th</sup> September, 2008) for grant of Letter of Permission for establishment of new medical college at Ammapettai, Nellikuppam, Tamilnadu by Sri Balaji Educational and Charitable Public Trust.*

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council perused the order dated 28.08.2008 passed by the Hon'ble Supreme Court in W.P. (C) No. 292/2008 filed by Ammapettai, Nellikuppam, Tamilnadu by Sri Balaji Educational and Charitable Public Trust-Vs.-Union of India & Other connected matters and considered the Council Inspectors compliance verification inspection report (9<sup>th</sup> September, 2008) and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Ammapettai, Nellikuppam, Tamilnadu by Sri Balaji Educational and Charitable Public Trust with an annual intake of 150 (One Hundred & Fifty) MBBS students for the academic session 2008-09 u/s. 10A of the I.M.C. Act,1956.



50. **Establishment of new medical colleges in the various states for the academic year 2008-09 – consideration of the Hon’ble Supreme court order dated 11/09/2008. – regarding.**

Read: The matter with regard to establishment of new medical colleges in the various states for the academic year 2008-09 in light of the Hon’ble Supreme Court order dated 11/09/2008.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and observed that the Executive Committee of the Council and the Adhoc Committee appointed by the Hon’ble Supreme Court at its meeting held on 13<sup>th</sup> & 14<sup>th</sup> June, 2008 considered the following matters with regard to establishment of new medical colleges for the academic year 2008-09 and decided as under :-

“ .....

1) **Establishment of New Medical College at Panikhaiti by Down Town Charity Trust – W.P. (C) No. 348/2008.**

*“.....In view of above and the Govt. of India letter dated 15.03.2005 issued after the directions of the Hon’ble Supreme Court in case of Mridul Dhar Vs. UOI & Ors. directing the Council to strictly adhere to the time schedule prescribed under the Regulations and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15<sup>th</sup> June, the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of the scheme for establishment of new medical college at Panikhaiti by Down Town Charity Trust u/s 10(A) of the IMC Act, 1956”.*

2) **Establishment of new medical college at Azamgarh, U.P. by All India Children Care & Educational Development Society – W.P. (C) No. 318/2008.**

*“.....In view of above and the Govt. of India letter dated 15.03.2005 issued after the directions of the Hon’ble Supreme Court in case of Mridul Dhar Vs. UOI & Ors. directing the Council to strictly adhere to the time schedule prescribed under the regulations, and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15<sup>th</sup> June, the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of the scheme for establishment of new medical college at Azamgarh, U.P. by All India Children Care & Educational Development Society u/s 10A of the I.M.C. Act, 1956”.*

3) **Establishment of a new medical college at Kanpur, U.P by Rama Educational Society, Kanpur, Uttar Pradesh – W.P. (C) No. 305/2008.**

*“.....In view of above and the Govt. of India letter dated 15.03.2005 issued after the directions of the Hon’ble Supreme Court in case of Mridul Dhar Vs. UOI & Ors. directing the Council to strictly adhere to the time schedule prescribed under the Regulations and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15<sup>th</sup> June, the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of the scheme for establishment of new medical college at Kanpur, U.P by Rama Educational Society, Kanpur, Uttar Pradesh 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 were, therefore, clearly of the view that the Council should take steps for referring the above case to the Police authorities for registration of FIR and conducting investigation in the above case. It was also observed that in the complaint to be sent to the Police authorities, it*

should also be clearly requested that in the above case if there is a collusion and conspiracy of such a person with the management of the college, the necessary action should also be taken against the management of the college. It was further decided that appropriate action be taken against this Doctor and the Dean/Principal in accordance with Professional Conduct (Etiquette and Ethics) Regulations 2002”.

4) **Establishment of a new medical college at Jalgaon, Maharashtra by Godavari Foundation, Jalgaon, Maharashtra – W.P. (C) No. 295/2008.**

“....In view of above and the Govt. of India letter dated 15.03.2005 issued after the directions of the Hon'ble Supreme Court in case of Mridul Dhar Vs. UOI & Ors. directing the Council to strictly adhere to the time schedule prescribed under the Regulations and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15<sup>th</sup> June, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of the scheme for establishment of new medical college at Jalgaon, Maharashtra by Godavari Foundation, Jalgaon, Maharashtra Trust u/s 10(A) of the IMC Act, 1956.

5) **Establishment of new medical college at Kadapa, Andhra Pradesh by Mohammadiya Educational Society, Kadapa, Andhra Pradesh – Permission of the Central Govt. – Regarding – W.P. (C) No. 302/2008.**

“....The proposal for establishment of new medical college by Kadapa, Andhra Pradesh by Mohammadiya Educational Society, Kadapa, Andhra Pradesh was received in the office of the Council on 03.10.2006 forwarded by the Central Govt. vide letter dated 30.09.2006 which was not an application complete in all respects in as much as neither Essentiality Certificate required as per Qualifying Criteria No. 2 (3) nor Consent of Affiliation required as per Qualifying Criteria No. 2(4) of the Establishment of Medical College Regulations, 1999 were available. As per the facts admitted on record, the Essentiality Certificate has been issued by the State Govt. only on 26.04.2008 and the consent of affiliation has been issued by Dr. N.T.R. University of Health Sciences, Vijayawada only on 30.04.2008. Thus, admittedly on 30<sup>th</sup> September, 2007, the application of the institute was not complete as neither the Essentiality Certificate from the State Govt. of Andhra Pradesh nor the consent of affiliation from Dr. N.T.R. University of Health Sciences to which the proposed college is to be affiliated were in existence and thus the application did not fulfil two vital Qualifying Criteria of the Establishment of Medical College Regulations, 1999 pertaining to the Essentiality Certificate and Consent of Affiliation.

In view of above and after due deliberation and consideration of the Regulations in force and the orders of the Hon'ble Supreme Court in various judgments, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that it would be neither possible nor permissible for any authority to process any application, which, due to any reason is in violation of the time schedule prescribed in the Regulations. As the application for establishment of new medical college at Kadapa, Andhra Pradesh by Mohammadiya Education Society, Kadapa, Andhra Pradesh, admittedly, had not been received till 30<sup>th</sup> September, 2007 being the last date for receipt of the applications in the Council Office for consideration for the academic session 2008-09 and accordingly it was decided to reiterate its earlier decision dated 12.05.2008 to return the application to the Central Government recommending disapproval of the scheme for establishment of new medical college at Kadapa, Andhra Pradesh by Mohammadiya Education Society, Kadapa, Andhra Pradesh u/s 10A of the I.M.C. Act, 1956. It was further decided that the Central Government, may be informed accordingly.”

In view of above and after due deliberation and consideration of the Regulations in force and the orders of the Hon'ble Supreme Court in various judgments, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to reiterate that it would be neither possible nor permissible for any authority to process any application, which, due to

any reason is in violation of the time schedule prescribed in the Regulations. As the application for establishment of new medical college at Kadapa, Andhra Pradesh by Mohammadiya Educational Society, Kadapa, admittedly, had not been received till 30<sup>th</sup> September, 2007 being the last date for receipt of the applications in the Council Office for consideration for the academic session 2008-09 and accordingly it was decided to reiterate its earlier decision dated 12.05.2008 to return the application to the Central Government recommending disapproval of the scheme for establishment of new medical college at Kadapa, Andhra Pradesh by Mohammadiya Educational Society, Kadapa, Andhra Pradesh u/s 10A of the I.M.C. Act, 1956. It was further decided that the Central Government, may be informed accordingly”.

6) **Establishment of new medical college at Noida, Uttar Pradesh by Sharda Education Trust u/s 10A of the IMC Act, 1956 – W.P. (C) No. – 311/2008.**

“.....In view of above and after due deliberation and consideration of the Regulations in force and the orders of the Hon'ble Supreme Court in various judgments, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that it would be neither possible nor permissible for any authority to process any application, which, due to any reason is in violation of the time schedule prescribed in the Regulations. As the application for establishment of new medical college at Noida by Sharda Education Trust, admittedly, had not been received till 30<sup>th</sup> September, 2007 being the last date for receipt of the applications in the Council Office for consideration for the academic session 2008-09 and accordingly it was decided to return the application to the Central Government recommending disapproval of the scheme for establishment of new medical college at Noida, U.P. by Sharda Education Trust, Agra, Uttar Pradesh u/s 10A of the I.M.C. Act, 1956. It was further decided that the Central Government, may be informed accordingly.”

In view of above and after due deliberation and consideration of the Regulations in force and the orders of the Hon'ble Supreme Court in various judgments, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to reiterate that it would be neither possible nor permissible for any authority to process any application, which, due to any reason is in violation of the time schedule prescribed in the Regulations. As the application for establishment of new medical college at Noida by Sharda Education Trust, admittedly, had not been received till 30<sup>th</sup> September, 2007 being the last date for receipt of the applications in the Council Office for consideration for the academic session 2008-09 and accordingly it was decided to reiterate its earlier decision dated 12.05.2008 to return the application to the Central Government recommending disapproval of the scheme for establishment of new medical college at Noida, U.P. by Sharda Education Trust, Agra, Uttar Pradesh u/s 10A of the I.M.C. Act, 1956. It was further decided that the Central Government, may be informed accordingly”.

7) **Establishment of New Medical College at Jamuhar Distt. Rohtas, Bihar by Deo Mangla Memorial Trust, Rohtas, Bihar – W.P. (C) No. 367/2008.**

“....In view of above and the Govt. of India letter dated 15.03.2005 issued after the directions of the Hon'ble Supreme Court in case of Mridul Dhar Vs. UOI & Ors. directing the Council to strictly adhere to the time schedule prescribed under the Regulations and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15<sup>th</sup> June, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of the scheme for establishment of new medical college at Jamuhar Distt. Rohtas, Bihar by Deo Mangla Memorial Trust, Rohtas, Bihar u/s 10(A) of the IMC Act, 1956”.

The above decisions were communicated to the Central Govt. vide letters dated 14.06.2008.

In reference to above letters, the Central Govt. requested the college/Institution authorities to take necessary action to rectify the deficiencies and forward the compliance report

to this Ministry for consideration for the next academic year 2009-10 and copy marked to this Council.

Thereafter, these Institutions had filed writ petitions before the Hon'ble Supreme Court.

In this connection, the Council office has received the letters dated 11/09/2008 from the Sh. Maninder Singh, Council Advocate along with copy of order dated 11/09/2008 passed by the Hon'ble Supreme Court in I.A.No. 4 in W.P. (Civil) No(s). 318 of 2008 – All India Children C.C. & E. Dev. Soc. (Regd) Vs. UOI & Anr. & other connected matters. The Hon'ble Supreme Court has passed the following order on 11.09.2008:

*“W.P. (C) No. 348/2008 :*

*The writ petition is dismissed as having become infructuous.*

*Rest of the matters :*

*In all these petitions, the petitioners seek inspection by the Medical Council of India, the MCI may conduct the inspection and submit its recommendations to the Union Government at the earliest and the Union Governemnt may thereafter pass appropriate orders within a reasonable time.*

*The writ petitions are disposed of accordingly.*

*In any one of these cases if recommendations could be given for the year 2008-09, the MCI may endeavour to do the same”.*

In view of the above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that the inspections of those colleges which have submitted their applications complete in all respects within the time limit prescribed in the schedule in the Regulations and which have already been inspected by the Council for the academic year 2008-2009 earlier may be carried out on priority basis immediately in view of time constraint as the dead line of the last date for making admissions as 30<sup>th</sup> September is fast approaching.

#### **51. Removal of name of Indian Doctors who are serving abroad - regarding.**

Read: The letters received from the authorities Citizens Commission of Human Right International and General Medical Council with regard to removal of name of Indian doctors who are serving in their Country.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter received from the authorities of Citizens Commission of Human Rights International and General Medical Council and decided that all such communications be placed before the Ethics Committee and only the observations of the Ethics Committee be placed before the Executive Committee for appropriate action from time to time.

Office Note: The Office was directed to place all such cases contained within the letter received from the authorities of Citizens Commission of Human Rights International and General Medical Council before the next ensuing meeting of the Ethics Committee.

#### **52. Inspection of R.D. Gardi Medical College, Ujjain to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (9<sup>th</sup> & 10<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at R.D. Gardi Medical College, Ujjain.

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 9<sup>th</sup> & 10<sup>th</sup> September, 2008 and noted the following:-

1. Clinical material: Bed occupancy was 65% on the day of the inspection, which is inadequate.
2. Registration and Medical Record Section is not cross linked with outdoor registration numbers.
3. Kitchen: There is no separate kitchen. Services of dietician are not available.

4. Incinerator: There is no incinerator.
5. Other deficiencies/remarks in the main 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 give 1 (one) month time to the authorities of Ruxmaniben Deepchand Gardi Medical College, Ujjain to rectify the above deficiencies and submit the compliance within the stipulated period.

**53. Inspection of Meenakshi Medical College & Research Institute, Kanchipuram to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (10<sup>th</sup> & 11<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at Meenakshi Medical College & Research Institute, Kanchipuram.

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> September, 2008) and decided that the Council should process the applications for starting of postgraduate courses for further necessary action.

**54. Inspection of A.J. Institute of Medical Sciences, Mangalore to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (9<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at A.J. Institute of Medical Sciences, Mangalore.

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 (9<sup>th</sup> September, 2008) and decided that the Council should process the applications for starting of postgraduate courses for further necessary action.

**55. Regarding the disclosure of fraud made by Government of Maharashtra before Medical Council of India Inspections.**

Read: The fax letter dated 01.08.2008 & 03.08.2008 received from the Secretary, Maharashtra State Government Medical Lecturers Association with regard to disclosure of fraud made by Government of Maharashtra before Medical Council of India Inspections along with the letter dated 11.08.2008 received from the Director, Medical Education, Mumbai.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided constitute a Sub-Committee comprising of Dr. B.P. Dubey and Dr. C.V. Bhirmanandham to look into the matter and submit its report, at the earliest.

**56. Fee to be charged for appeal under Section 8.7 and 8.8 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 – Regarding.**

Read: The letter dated 03.09.2008 received from the Central Govt., Ministry of Health & F.W., with regard to fee to be charged for appeal under Section 8.7 and 8.8 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to constitute a Sub-Committee comprising of Dr. D.J. Borah, Chairman, Ethics Committee and Dr. Ved Prakash Mishra, Chairman, Finance Committee to look into the matter and submit its report, at the earliest.

**57. Establishment of New Medical College at Panikhaiti by Down Town Charity Trust.**

Read: The Compliance Verification Inspection report (29<sup>th</sup> August, 2008) for grant of Letter of Permission for establishment of new medical college at Panikhaiti by Down Town Charity Trust.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council perused the order passed by the Hon'ble Supreme Court in W.P. (C) No. 348/2008 filed by Down Town Charity Trust Vs. UOI & Anr. before the Hon'ble Supreme Court dated 28.08.2008 and considered the Council Inspectors report (29<sup>th</sup> August, 2008) and noted the following :

1(a) The shortage of teaching faculty is 34.5% (i.e. 19 out of 55) as under:-

i)	Professor	1	(OBGY-1)
ii)	Associate Professor	7	(Anatomy-2, Physiology-1, Biochemistry-1, Microbiology-1, Orthopaedics-1 & OBGY-1)
iii)	Assistant Professor	6	(Anatomy-2, Physiology-1, OBGY-1, Radio-diagnosis-1 & Dentistry-1)
iv)	Tutor	5	(Anatomy-2, Physiology-1, Biochemistry-1 & Pharmacology-1)

(b) The shortage of Residents is 42.8% (i.e. 18 out of 42) as under:-

i)	Sr. Resident	7	(Gen.Medicine-3, Paediatrics-1, Gen.Surgery-1, Orthopaedics-1 & Anaesthesia -1)
ii)	Jr. Resident	11	(Gen.Medicine-6, Paediatrics-1, Gen. Surgery-1, Orthopaedics-1 & OBGY-1)

2. Clinical material is grossly inadequate as under:-

	Day of Inspection
O.P.D. attendance	64
Casualty attendance	4
Bed occupancy%	35%
Operative work	
Number of major surgical operations	2
Number of minor surgical operations	3
Number of normal deliveries	1
Number of caesarian Sections	-
<u>Radiological Investigations</u>	O.P. + I.P.
X-ray	5
Ultrasonography	1
Special Investigations	-
C.T. Scan	-
<u>Laboratory Investigations</u>	
Biochemistry	30
Microbiology	4
Serology	2
Parasitology	-
Haematology	65
Histopathology	-
Cytopathology	-
Others	-

- The Clinical material was low in terms of OPD attendance (64) and Bed occupancy (35%) on the day of the inspection.
- The Radiological and Laboratory work load was found to be negligible. The Central Lab had no samples in any of the sections till 12 noon. It did not appear to be functional. There were no technicians in any of the sections. There was no reporting register/sample receiving register. Investigation slips had no date, OPD/IPD numbers.
- The operative work load is also low as shown above.
- There was no provision for biomedical waste in any ward/OPD of the hospital.
- No OPD registers were available in any of the OPDs.
- There were not more than 10 nurses in the entire hospital.
- The immunization room appeared to be non-functional. No staff was available. There were no records of Immunization. The refrigerator had no dial thermometer and there was no needle destroyer. 5 to 6 vaccine vials were kept in a polythene bag in the lower shelf of the refrigerator. There were no syringes.
- Instrument trays were not available in the individual OPDs.
- In the wards, the doctor's & nurses duty rooms did not have any beds.

- The side laboratories had no equipment.
- In the Radiology Department, there was no patient for either x-ray or ultrasound.

OPD Attendance & Bed Occupancy in major departments on the day of inspection is as under:

Name of the Department	OPD	Beds	Bed occupancy
Medicine	10	80	23
Paediatrics	5	30	10
TB & Chest	-	-	-
Psychiatry	-	-	-
Dermatology	6	-	-
General Surgery	8	90	24
Orthopaedics	5	30	10
Ophthalmology	8	10	7
ENT	12	10	8
Obst. & Gynae	10	50	23
Total	64	300	105 (35%)

- The OPD attendance was 64 and bed occupancy was 35% on the day of the inspection.
- There were no patients in Obst & Gynae., Orthopaedics & Paediatrics OPDs till 12 noon. Other OPDs had only 2 to 3 patients.
- There was not a single antenatal patient in the OPD till 12 noon, while the institution claims that atleast 1 delivery is conducted per day, which is an obvious paradox.
- 50% of the inpatients have been admitted on 28<sup>th</sup> (on the previous day) & 29<sup>th</sup> August 2008 (on the day of inspection).

3. Other deficiencies/remarks pointed out in the inspection report.

In view of above and the Govt. of India letter dated 15.03.2005 issued after the directions of the Hon'ble Supreme Court in case of Mridul Dhar Vs. UOI & Ors. directing the Council to strictly adhere to the time schedule prescribed under the Regulations and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15<sup>th</sup> June, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of the scheme for establishment of new medical college at Panikhaiti by Down Town Charity Trust u/s. 10(A) of the IMC Act, 1956.

**58. Inspection of Subharati Medical College, Meerut to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (5<sup>th</sup> & 6<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at Subharati Medical College, Meerut.

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 5<sup>th</sup> & 6<sup>th</sup> September, 2008 and noted the following:-

1. The shortage of Residents is 10.58 % (i.e. 9 Out of 85) as under:-
  - (a) Sr. Residents            09                      Psychiatry-1, Anaesthesia-5, Radiology-3
2. There is no affiliation for the year 2007-08 and 2008-09 from Dr. Bhim Rao Ambedkar University, Agra.
3. There is no medlar facility in the library.
4. Other deficiencies/remarks pointed out in the inspection 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 give 1(one) month time to the authorities of Subharati Medical College, Meerut to rectify the above deficiencies and submit the compliance within the stipulated period.

**59. Inspection of Vydehi Institute of Medical Sciences & Research Centre, Bangalore to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities.**

Read: The Council Inspectors report (11<sup>th</sup> September, 2008) to verify the teaching faculty, residence, clinical material, hostels and other infrastructural facilities available at Vydehi Institute of Medical Sciences & Research Centre, Bangalore.

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 (11<sup>th</sup> September, 2008) and decided that the Council should process the applications for starting of postgraduate courses for further necessary action.

**60. Approval of Indira Gandhi Medical College, Nagpur for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik against the increased intake i.e. 60 to 100.**

Read: The letter dated 10.9.2008 from the Govt. of Maharashtra, Medical Education & Drugs Department, Mumbai & letter dated 11.9.2008 of the Dean, Indira Gandhi Medical College, Nagpur.

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 10.9.2008 of Govt. of Maharashtra and observed that they have filed a Writ Petition before the Hon'ble Supreme Court being W.P. No. 413 of 2008, which is scheduled to come up for hearing on 19<sup>th</sup> September, 2008.

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 defer the consideration till the matter is finally disposed of by the Hon'ble Supreme Court.

**61. Continuance of recognition of MBBS course at various Government Medical Colleges in the State of Madhya Pradesh.**

Read: The matter with regard to continuance of recognition of MBBS course at various Government Medical Colleges in the State of Madhya Pradesh.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter and decided that the Secretary, Medical Education, Government of Madhya Pradesh may be requested to provide the uptodate status on the rectification of the deficiencies pointed out in the earlier inspection reports in respect of all the five State Government medical colleges of Madhya Pradesh at the earliest and submit the compliance within a period of one month. Copy of the letter be also marked to DME of the concerned State Govt., Registrar of the University to which the college is affiliated and also to the member of MCI representing the State where the college is located.

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

New Delhi, dated  
the 15<sup>th</sup> September, 2008

**APPROVED**

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