

No. MCI-5(2)/2014-Med.Misc./

MEDICAL COUNCIL OF INDIA
NEW DELHI
EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on 01st October, 2014 at 11.00 a.m. in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.

Present:

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| Dr. Jayshreeben Mehta | President Medical Council of India, Former Professor of Surgery, Govt. Medical College, Vadodara, Gujarat. |
| Dr. C.V. Bhirmanandham | Vice-President, Medical Council of India, Former Vice-Chancellor of Dr. M.G.R. Health University, Tamil Nadu |
| Dr. Baldev Singh Aulakh | Professor of Urology and Transplant Surgery, Head Transplant Unit, Dayanand Medical College, Ludhiana |
| Dr. G.B. Gupta | Vice-Chancellor, Ayush & Health Sciences University, Raipur, Chhattisgarh. |
| Dr. Radha Madhab Tripathy | Professor and Head, Department of Community Medicine, MKCG Medical College, Berhampur. |
| Dr. Venkatesh Kakollu | Prof. of Surgery & I/c ADME, Gandhi Medical College, Secunderabad, Andhra Pradesh |
| Dr. Vijay Prakash Singh | Professor & Head, Department Of Gastroenterology, Patna Medical College, Patna, Bihar |
| Dr. V.N. Jindal | Dean, Goa Medical College, Bombolim-403202, Goa |

Dr. Reena Nayyar, Secretary I/c

1. Minutes of the Executive Committee Meeting held on 21st August, 2014 – Confirmation of.

The Executive Committee of the Council confirmed the minutes of the meeting held on 21st August, 2014.

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

The Executive Committee of the Council noted the action taken on the minutes of the Executive Committee meeting held on 21.08.2014.

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

The Executive Committee of the Council noted the pending items arising out of the decisions taken by the Executive Committee.

4. Consideration of Pre-PG & Compliance Verification Assessment report with regard to 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 –Reg.

Read: the matter with regard to consideration of Pre-PG & Compliance Verification Assessment report with regard to 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 Executive Committee of the Council considered the Council Inspectors report 11th & 12th September, 2014 and noted the following:-

1. Shortage of Residents is 39.8 % - i.e. 41 out of 103 as under:
 - (a) Senior Resident: 17
 - (b) Junior Resident: 24
2. Clinical material: At own hospital, OPD load & inpatient load is small. OPD is only 150 against requirement of 800 and bed occupancy is 20 % against requirement of 75 %. There was not a single patient in wards of General Surgery, ENT, Psychiatry & Pulmonary Medicine. There was only 1 patient in Ophthalmology ward. Daily average of total major operations is 4 and of minor operations is 4 which are grossly inadequate. Number of normal deliveries is only 1 / day & Caesarean sections are only 1-2 / week; both of which are inadequate.
3. OPD services: Only 1-2 rooms per department are available in NMMC hospital against requirement of 4 rooms for major departments. Teaching areas are not available in NMMC hospital.
4. Out of total 500 beds, 280 beds are in the own hospital of the college and 220 beds are in the hospital of Navi Mumbai Municipal Corporation (NMMC Hospital). The Medical Superintendent of this NMMC hospital is neither an employee nor on the faculty of the college.
5. At Own Hospital, only a part time Speech and Hearing Therapist is available. None available at NMMC hospital.
6. There is no separate ward for Dermatology in NMMC hospital; 10 beds are distributed in Male & female medical wards.
7. Laboratory & Radiological investigations are grossly inadequate at own hospital.
8. Separate casualty for O.G. is not available in both the hospitals.
9. There is common ICU which caters as MICU, SICU, RICU & PICU with 17 beds against requirement of separate ICUs with 5 beds each.
10. At own hospital, there are only 2 static X-ray machines against requirement of 5 as per Regulations. There are only 2 mobile X-ray machines against requirement of 6 as per Regulations.
11. RHTC is in a rented place. Formal mess is not available. Cold chain maintenance for vaccines is poor as there is no power back up.
12. Facility for E class is not available.
13. Separate quarters for teaching faculty & non-teaching staff are not available. They are allotted accommodation in the hostel building as and when required.
14. Other deficiencies as pointed out in the assessment report.

The Executive Committee further observed that Regulation 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 as inserted by amendment dt. 16/04/2010 reads as under:

“8 (3)(1)....

(c) Colleges which are already recognized for award of M.B.B.S. degree

and/or running Postgraduate Courses:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or

bed occupancy is < 80 %, such an institute will not be considered for

processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses.”

In view of above Regulations which being Statutory Regulations are mandatory and binding in character, the Executive Committee of the Council decided not to process the applications and return the applications recommending disapproval of the scheme received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16 and further decided to issue a show cause notice as to why the recommendation for withdrawal 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 should not be made.

5. **Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Khaja Banda Nawaz Institute of Medical Sciences, Gulbarga under Rajiv Gandhi University of Health Sciences, Bangalore – Reg.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Khaja Banda Nawaz Institute of Medical Sciences, Gulbarga under Rajiv Gandhi University of Health Sciences, Bangalore.

The Executive Committee of the Council considered the Council Assessors report (15th & 16th September, 2014) and decided that the Council should process the applications received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16.

6. **Change of affiliating University/Recognition & inclusion of MBBS degree in the First Schedule of IMC Act granted by the Swami Rama Himalayan University, Dehradun in respect of students admitted at Himalayan Institute of Medical Sciences, Dehradun.**

Read: the matter with regard to Change of affiliating University/Recognition & inclusion of MBBS degree in the First Schedule of IMC Act granted by the Swami Rama Himalayan University, Dehradun in respect of students admitted at Himalayan Institute of Medical Sciences, Dehradun.

The Executive Committee of the Council considered the letter dated 15/9/2014 from the Registrar, Swami Rama Himalayan University, Dehradun and noted the following:-

1. The Hon'ble Supreme Court of India on 12/11/2013 while disposing of I.A. No. 67 of 2013 in Writ Petition (Civil) No. 142 of 2006 (Viplav Sharma Vs Union of India & Ors.) allowed closure of HIHT University and further allowed transfer of all the students pursuing their MBBS course at Himalayan Institute of Medical Sciences and enrolled with HIHT University to 'Swami Rama Himalayan University'.
2. In pursuance to the order passed by the Hon'ble Supreme Court of India on 27/11/2013 in I.A. No. 01 of 2013 in Writ Petition No. 81 of 2012 (HIHT University Versus Union of India & Ors.) the last date of functioning of HIHT University was 31st May, 2014 and from 01/06/2014 the HIHT University has ceased to function.

3. In pursuance to the orders of the Hon'ble Supreme Court of India, from 01/06/2014 all the batches of students, who are pursuing their MBBS University are now enrolled with 'Swami Rama Himalayan University' Dehradun.

The Executive Committee of the Council observed that at its meeting held in June 1988 had decided as under:-

“No inspection is required where there is change of name and change of affiliation of the University or the college whose medical qualifications are already recognized and included in the I schedule to the IMC Act, 1956 unless the Executive Committee decided otherwise”.

The Executive Committee of the Council further noted that Himalayan Institute of Medical Sciences is a recognized medical college.

In view of above, the Executive Committee of the Council decided that the Institute be asked to submit the certificate/approval from UGC with regard to formation of Swami Rama Himalayan University.

7. **Re-admission of Ms. George Nisha TK George, Jubilee Mission Medical College & Research Institute, Thrissur – Reg.**

Read: the matter with regard to Re-admission of Ms. George Nisha TK George, Jubilee Mission Medical College & Research Institute, Thrissur.

The Executive Committee of the Council considered the letter dated 7/6/2014 of the Registrar, University of Calicut with regard to re-admission of Ms. George Nisha TK George, Jubilee Mission Medical College & Research Institute, Thrissur and decided to allow Ms. George Nisha TK in the MBBS course since she was admitted to final MBBS course during 2013 after availing long leave on medical grounds.

Further, the Executive Committee decided that a policy needs to be formulated regarding joining/re-admission of candidates to MBBS course and to obtain legal opinion on what should be the duration of the leave allowed.

8. **Modification/improvisation in the Assessment System for undergraduate course.**

Read: the matter with regard to modification/improvisation in the Assessment System for undergraduate course.

The Executive Committee of the Council perused the report of the Sub-Committee as constituted by it which met on 22.09.2014 and approved the recommendations of the Sub-Committee except point no. 5 which required further deliberation and directed that the matter be resubmitted at its next meeting.

9. **The matter relating to consideration of faculty strength (whether excess Assistant Professor(s) can be considered against vacant post of Senior Resident).**

Read: the matter with regard to consideration of faculty strength (whether excess Assistant Professor(s) can be considered against vacant post of Senior Resident).

The Executive Committee of the Council considered the matter at length and decided to withdraw the following decision of BOG taken at its meeting held on 4 & 5 February 2013 as it is not in conformity with the prevailing Regulations:

“The Board of Governors discussed the issue and noted that earlier the Medical Council of India has sent a proposal to Ministry of Health & F.W wherein it has been proposed that three years post PG teaching experience as Senior Resident is necessary for appointment to the post of Asstt. Professor/Lecturer. The Board of Governors noted that so far the decision has not been received. After detailed deliberations, the Board decided that till

such time the decision is available from the Ministry of Health & F.W., excess Lecturer/Asstt. Professor/Tutor with postgraduate degree qualification will be considered against the post of Senior Resident for the purpose of counting of number of Senior Resident.”

It was also decided that as the proposal of requiring 3 years post PG teaching experience as Senior Resident being necessary for appointment to the post of Asst. Prof. is not in accordance with the provisions of TEQ Regulations, the same may be withdrawn.

It was further decided to give a wide publicity to these decisions, including placing it on website and also informing all medical colleges / institutions by circular. The office was directed to issue the circular conveying these decisions to all the medical colleges / institutions immediately.

10. **Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur under Ayush & Health University, Raipur– Reg.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur under Ayush & Health University, Raipur.

The Executive Committee of the considered the Council Assessment report (16th & 17th September, 2014) and noted the following:

1. Deficiency of faculty is 14.28%.
2. Shortage of Residents is 65.04%.
3. Clinical material: Daily OPD average is only 447; it was 703 on day of assessment. Average daily major operations are only 2 which is inadequate. Radiological & laboratory investigations are inadequate.
4. Lecture theater of 250 capacity is not available. Audiovisual aids are yet to be provided in lecture theaters.
5. Central Library: Area available is 1,025 sq.m. against requirement of 1,600 sq.m. as per Regulations.
6. Hostel accommodation is available for only 264 students which is inadequate.
7. OPD: Separate registration counters for male / female patients are not available. Registration counters are not computerized. Only 2 examination rooms are available in each major department OPD except General Medicine where only 1 room is available against requirement of 4 rooms for each department. There is no separate teaching area in any OPD.
8. Plaster room & Plaster cutting room are one. Injection room for male is not available.
9. Ophthalmology: Minor common procedure room is common with Surgery OPD.
10. Wards: Distance between 2 beds is too less in the wards. Male ENT ward is common with male Surgical ward while female ENT ward is located in female Orthopaedic ward. Surgery minor O.T. is not functional. Ancillary facilities like treatment room, pantry, utility room, etc. are not available in many wards.
11. Average Histopathology workload is only 1. Average Cytopathological workload is only 1. Both these are grossly inadequate.
12. MRD: It is not computerized. ICD X classification of diseases is not followed for indexing.
13. Casualty: Number of beds are only 13 which is inadequate. Crash cart is not available. Separate casualty for OG is not available.
14. O.T.s: There are only 4 major O.T.s which are grossly inadequate. Central Oxygen & central suction are not available. Anaesthesia & Resuscitation equipment are inadequate. There is no preoperative or post-operative ward.

15. ICUs: MICU & RICU are not available. Ventilator in PICU is not functional. Resuscitation equipment is inadequate. Central Oxygen & central suction are not available.
16. X-ray machines: Only 3 mobile machines are available which are inadequate. Only 2 static machines are available which are inadequate.
17. Intercom is not available.
18. RHTC is under control of Director of Health Services & not under the Dean. Residential facilities are not available.
19. UHC is under control of Director of Health Services & not under the Dean.
20. Institute is running DNB course in O.G.
21. Other deficiencies as pointed out in the assessment report.

The Executive Committee further observed that Regulation 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 as inserted by amendment dt. 16/04/2010 reads as under:

“8 (3)(1)....

(c) Colleges which are already recognized for award of M.B.B.S. degree and/or running Postgraduate Courses:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is < 80 %, such an institute will not be considered for processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses.”

In view of above Regulations which being Statutory Regulations are mandatory and binding in character, the Executive Committee of the Council decided not to process the applications and return the applications recommending disapproval of the scheme received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16 and further decided to issue a show cause notice as to why the recommendation for withdrawal of recognition of MBBS degree granted by Ayush & Health University, Raipur in respect of students being trained at **Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur** should not be made.

11. **Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Raichur Institute of Medical Sciences, Raichur under Rajiv Gandhi University of Health Sciences, Bangalore – Reg.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Raichur Institute of Medical Sciences, Raichur under Rajiv Gandhi University of Health Sciences, Bangalore.

The Executive Committee of the Council considered the Council Inspectors report (15th & 16th September, 2014) and noted the following:-

1. Deficiency of teaching faculty is 32.7 % (i.e. 40 out of 122)
2. Shortage of Residents is 65.7 % (i.e. 69 out of 105).
3. Website information is not complete. Citizens' charter & Toll free number for ragging are not displayed.

4. Facility for E class is not available in lecture theaters.
5. Area of common rooms for boys & girls is only 30 sq.m. against requirement of 100 sq.m. as per Regulations.
6. OPD: In the existing hospital, only 2 examination rooms are available for the major departments against requirement of 4 examination rooms. Minor O.T. is not available. Injection room is common for males & females. Plaster room & Plaster cutting room are common.
7. Speech therapy is not available. Portable audiometry cabin is available but no Audiometry is done.
8. Refraction room, dark room & dressing room are in the same room.
9. Child welfare clinic & Sterility clinic are not available.
10. Teaching beds: There are only 343 beds against requirement of 500 as per Regulations as under:

| # | Department | Teaching Beds | | |
|---|------------------|---------------|-----------|------------|
| | | Required | Available | Deficiency |
| 1 | General Medicine | 120 | 79 | 41 |
| 2 | Tb & Chest | 20 | Nil | 20 |
| 3 | Paediatrics | 60 | 47 | 13 |
| 4 | General Surgery | 120 | 95 | 25 |
| 5 | Orthopaedics | 60 | 32 | 28 |
| 6 | Ophthalmology | 20 | 11 | 9 |
| 7 | ENT | 20 | 11 | 9 |
| 8 | O.G. | 60 | 48 | 12 |
| | TOTAL | | | 157 |

11. Average Histopathology workload is only 5. Average Cytopathological workload is only 5. Both these are inadequate.
12. Casualty: There are only 7 beds against requirement of 20 as per Regulations. Separate casualty for O.G. is not available. There is no emergency O.T.
13. O.T.: There are only 6 O.T.s against requirement of 7 major O.T.s. ENT O.T. is shared with Surgery.
14. AERB approval is not available. There are 5 portable X-ray machines against requirement of 6 as per Regulations. There are 2 USG available against requirement of 3 as per Regulations.
15. Other deficiencies as pointed out in the assessment report.

The Executive Committee further observed that Regulation 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 as inserted by amendment dt. 16/04/2010 reads as under:

“8 (3)(1)....

(c) Colleges which are already recognized for award of M.B.B.S. degree and/or running Postgraduate Courses:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is < 80 %, such an institute will not be considered for processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses.”

In view of above Regulations which being Statutory Regulations are mandatory and binding in character, the Executive Committee of the Council decided not to process the applications and return the applications recommending disapproval of the scheme received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16 and further decided to issue a show cause notice as to why the recommendation for withdrawal of recognition of MBBS degree granted by Rajeev Gandhi University of Health Sciences, Bangalore in respect of students being trained at **Raichur Institute of Medical Sciences, Raichur** should not be made.

12. **Consideration of Pre-PG & Compliance Verification Assessment report with regard to continuance of recognition of MBBS degree granted by Guru Ghasidas University in respect of students being trained at Chhattisgarh Institute of Medical Sciences, Bilaspur –Reg.**

Read: the matter with regard to Consideration of Pre-PG & Compliance Verification Assessment report with regard to continuance of recognition of MBBS degree granted by Guru Ghasidas University in respect of students being trained at Chhattisgarh Institute of Medical Sciences, Bilaspur.

The Executive Committee of the Council considered the Council Inspectors report (10th & 11th September, 2014) and noted the following:-

1. Deficiency of faculty is 16 % (i.e. 18 out of 113).
2. Shortage of Residents is 75 %.
3. Auditorium: It is in final stage of completion.
4. Lecture Theaters: There is no facility for E class.
5. OPD: Registration counters are not computerized.
6. MRD is not computerized.
7. O.T.s: There are 10 tables in 8 O.T.s which is not as per Regulations.
8. Occupancy in SICU is 2 out of 5 & in RICU 3 out of 5 on day of assessment which is inadequate.
9. X-ray machines: Only 4 mobile units are available against requirement of 6 as per Regulations.
10. RHTC is under the control of the Government & not under Dean. Residential block is not handed over to the institute. It is not furnished. There are no specialists' visits.
11. Other deficiencies as pointed out in the assessment report.

The Executive Committee further observed that Regulation 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 as inserted by amendment dt. 16/04/2010 reads as under:

“8 (3)(1)....

(c) Colleges which are already recognized for award of M.B.B.S. degree and/or running Postgraduate Courses:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is < 80 %, such an institute will not be considered for processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are

recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses.”

In view of above Regulations which being Statutory Regulations are mandatory and binding in character, the Executive Committee of the Council decided not to process the applications received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16 and further decided to issue a show cause notice as to why the recommendation for withdrawal of recognition of MBBS degree granted by Guru Ghasidas University, Bilaspur in respect of students being trained at **Chhatisgarh Institute of Medical Sciences, Bilaspur** should not be made.

13. Change of affiliating University in respect of Kalinga Institute of Medical Sciences, Bhubaneswar from Utkal to KIIT University, Bhubaneswar, Odisha.

Read: the matter with regard to change of affiliating University in respect of Kalinga Institute of Medical Sciences, Bhubaneswar from Utkal to KIIT University, Bhubaneswar, Odisha.

The Executive Committee of the Council considered the letter dated 13/9/2014 from the college authorities informing that the Registrar, KIIT University, Bhubaneswar had already requested the Secretary, Govt. of India, Ministry of Health with regard to change of University Utkal University to KIIT University and the Govt. of India vide its letter dated 08/07/2014 had also forwarded the request of the University u/s 11(2) of the I.M.C. Act 1956 to MCI.

The Executive Committee of the Council observed that at its meeting held in June 1988 had decided as under:-

“No inspection is required where there is change of name and change of affiliation of the University or the college whose medical qualifications are already recognized and included in the I schedule to the IMC Act, 1956 unless the Executive Committee decided otherwise”.

In view of above, the Executive Committee of the Council decided to approve the request of the Registrar, KIIT University, Bhubaneswar with regard to the change of affiliating University in respect of Kalinga Institute of Medical Sciences, Bhubaneswar from Utkal to KIIT University, Bhubaneswar, Odisha since the University had already got the approval of the UGC in August, 2009.

The Committee further decided to place the matter before the General Body of the Council.

14. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at KMCT Medical College, Kozhikode under Calicut University – Reg.

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at KMCT Medical College, Kozhikode under Calicut University.

The Executive Committee of the Council considered the Council Assessors report (15th & 16th September, 2014) and decided that the Council should process the applications received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16.

15. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Jhalawar Medical College, Jhalawar under Rajasthan University of Health Sciences, Jaipur - reg.

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Jhalawar Medical College, Jhalawar under Rajasthan University of Health Sciences, Jaipur.

The Executive Committee of the considered the Council Assessors report (22nd & 23rd September, 2014) and decided that the Council should process the applications received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16.

16. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Shri Sathya Sai Medical College & Research Institute, Kancheepuram under Sri Balaji Vidyapeeth, Pondicherry (Deemed Univ.) – Reg.

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Shri Sathya Sai Medical College & Research Institute, Kancheepuram under Sri Balaji Vidyapeeth, Pondicherry (Deemed Univ.).

The Executive Committee of the Council considered the Council Inspectors report (23rd & 24th September, 2014) and noted the following:-

1. Deficiency of faculty is 31.78 % (i.e. 48 out of 151).
2. Shortage of Residents is 65.21 % (i.e. 90 out of 138).
3. Clinical Material: large proportion of patients in all the wards were not genuine. Postoperative patients were less and on verification of the OT list of previous day, 4 major surgical postoperative patients were not available in wards.
4. Bed occupancy was 51.42 % (i.e. 360 out of 700 beds) on day of assessment with presence of large number of fake patients.
5. There is no Lecture Theater in the hospital.
6. Central Photography Unit is not available.
7. Dressing room / Minor procedure room of Ophthalmology department is not adequately equipped.
8. Child welfare clinic is not available. Family welfare clinic is not available.
9. Wards: Space between 2 beds is very less (less than half a meter). Signages are not properly placed. Patients of orthopedic ward were seen in the Surgical wards. Similarly, patients of other departments were admitted in wards denoting departments other than their speciality.
10. Demonstration rooms are inadequate.
11. Average workload of major surgical operations is only 10. On day of assessment, it was still less at 9. Laboratory investigations workload is also less.
12. Average Histopathology workload is 11. On day of assessment, it is only 9.
13. MRD is partly computerized.
14. X-ray machines: Only 4 mobile X-ray Units are available against requirement of 6 as per Regulations.
15. Community Medicine Department: There is no essential equipment & instruments and computer with internet facility in the research laboratory. None of the PHCs have been upgraded to RHTC.
16. RHTC: Space is not adequate. Cold chain equipment is inadequate. Accommodation is not as per guidelines. No messing facility is available. There is no Pharmacist, Vehicle or Driver. There is no regular staff. Attendance register for the staff is not maintained.
17. UHC: Teaching facilities are inadequate. Speciality clinics are not conducted.
18. Large number of faculty could not be counted due to reasons mentioned in detail in the assessment report.
19. Dietician is not available.
20. Modeler in Anatomy is not available.
21. Other deficiencies as pointed out in the assessment report.

The Executive Committee further observed that Regulation 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 as inserted by amendment dt. 16/04/2010 reads as under:

“8 (3)(1)....

(c) Colleges which are already recognized for award of M.B.B.S. degree and/or running Postgraduate Courses:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is < 80 %, such an institute will not be considered for processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses.”

In view of above Regulations which being Statutory Regulations are mandatory and binding in character, the Executive Committee of the Council decided not to process the applications and return the applications recommending disapproval of the scheme received from the Institute u/s 10A for starting/increase of various postgraduate courses for the academic year 2015-16 and decided to issue a show cause notice as to why the recommendation for withdrawal of recognition of MBBS degree granted by **Sri Balaji Vidyapeeth, Pondicherry (Deemed Univ.)** in respect of students being trained at **Shri Sathya Sai Medical College & Research Institute, Kancheepuram** should not be made.

17. Admission of I year MBBS students at Hamdard Institute of Medical Sciences & Research, Delhi for the Academic Year 2012-13.

Read: the matter with regard to admission of I year MBBS students at Hamdard Institute of Medical Sciences & Research, Delhi for the Academic Year 2012-13.

The Executive Committee of the Council observed that Ms. Zaara Khan and Ms. Sama Rizvi have been admitted despite securing less than 50% marks in the Entrance test conducted by the Jamia Hamdard University.

In view of above, the Executive Committee of the Council decided to issue a discharge notice in respect of Ms. Zaara Khan and Ms. Sama Rizvi.

18. Reconsideration of the Circular issued by the Council on 09.04.2014 to all the Health Secretaries/DMEs for enforcing three teaching cadres as prescribed in TEQ Regulations, 1998.

Read: the matter with regard to reconsideration of the Circular issued by the Council on 09.04.2014 to all the Health Secretaries/DMEs for enforcing three teaching cadres as prescribed in TEQ Regulations, 1998.

The Executive Committee of the Council considered the D.O. letter No. V.11012/1/2014-MEP-1, dated 21st August, 2014 received from Shri Lov Verma, Secretary (Health), Govt. of India, Ministry of Health & FW, New Delhi addressed to the President of the Council and noted that necessary corrections were required in the circular sent to all Health Secretaries/DMEs on 09.04.2014 and 08.05.2014 requesting to

strictly enforce the three teaching cadres as prescribed in the MCI TEQ Regulations, 1998. The Executive Committee of the Council therefore directed that a corrigendum may be issued giving references of all earlier communications and incorporating of subsequent notifications in relation to TEQ Regulations, 1998.

19. Minutes of the Ethics Committee meeting held on 18th & 19th July, 2014 and 13th August, 2014, for approval.

Read: the matter with regard to minutes of the Ethics Committee meeting held on 18th & 19th July, 2014 and 13th August, 2014 for approval.

The Executive Committee of the Council approved the minutes of the Ethics Committee meeting held on 18th & 19th July, 2014 and 13th August, 2014.

20. Review of suspension of Dr. Davinder Kumar, Joint Secretary, (under suspension).

Read: the matter with regard to review of suspension of Dr. Davinder Kumar, Joint Secretary, (under suspension).

The Executive Committee of the Council ratified the decision of the President dated 22.09.2014 for the constitution of Review Committee comprising of President, MCI; Vice President, MCI; Dr. Vijay Prakash Singh and Dr. K.K. Gupta, for the purpose of reviewing the suspension of Dr. Davinder Kumar, Joint Secretary (under suspension). The Committee also approved the recommendations of the Review Committee which met on 22/09/2014 recommending extension of suspension of Dr. Davinder Kumar, Joint Secretary (U/S) for a further period of 90 days w.e.f. 07/10/2014.

The minutes of the above item were read and confirmed in the meeting itself.

21. Review of suspension of Dr. P. Prasannaraj, Addl. Secretary (Under Suspension).

Read: the matter with regard to review of suspension of Dr. P. Prasannaraj, Addl. Secretary (Under Suspension).

The Executive Committee of the Council noted that a Committee comprising of President, MCI, Dr. Baldev Singh Aulakh, Dr. G.B. Gupta and Dr. Kakollu Venkatesh was constituted by the President on 23/09/2014 for considering the extension of suspension of Dr. P. Prasannaraj w.e.f. 13.10.2014 and fixed the date of meeting of the Review Committee on 01.10.2014 at 10 a.m.

In view of above, the Executive Committee of the Council ratified the decision of the President for constitution of the Review Committee comprising of the above members.

22. Minutes of DPC meeting held on 19.09.2014 for financial upgradation under MACP, for approval-reg.

Read: the matter with regard to minutes of DPC meeting held on 19.09.2014 for financial upgradation under MACP, for approval.

The Executive Committee of the Council approved the recommendations of the Departmental Promotion Committee meeting held on 19.09.2014 for financial upgradation under MACP as under:-

“Minutes of the meeting of the Departmental Promotion Committee held on 19.09.2014 in the Council office, New Delhi to consider for grant of benefits under Modified Assured Career Progression Scheme (MACPS). The following were present: -

- | | | |
|------------------------------------|---|----------|
| 1. Dr. Reena Nayyar, Secretary I/c | - | Chairman |
| 2. Sh. Shikhar Ranjan, Law Officer | - | Member |

3. Sh. Anil Kumar Ahluwalia, Accounts Officer - Member
 4. Sh. B.D. Jain, Administrative Officer - Member

The cases of the following Officials have been placed before the DPC for consideration of grant of financial upgradation under MACP Scheme:-

| <u>Sl.No.</u> | <u>Name & Designation</u> |
|---------------|--|
| 1. | Sh. Ajay Kumar Dubey, Computer Operator |
| 2. | Mrs. Kiran Bala Pandey, Computer Operator |
| 3. | Sh. Amarjeet Singh, L.D.C. |
| 4. | Sh. Santosh Kumar, L.D.C. |
| 5. | Sh. Manoj Kumar, L.D.C. |
| 6. | Sh. Mahender Singh, L.D.C. |
| 7. | Sh. Satish Kumar, L.D.C. |
| 8. | Sh. Sanjay Ujjainwal, L.D.C. |
| 9. | Sh. Subhash Chander, L.D.C. |
| 10. | Mrs. Bhawna Sharma, L.D.C. |
| 11. | Sh. Vinod Singh Negi, L.D.C. |
| 12. | Sh. Rajesh Pd. Raturi, L.D.C. |
| 13. | Mrs. Nirmala Srivastava, L.D.C. |
| 14. | Mrs. Savita, L.D.C. |
| 15. | Mrs. Monika Yadav, L.D.C. |
| 16. | Mrs. Veena Bisht, Record Keeper-cum-Librarian |
| 17. | Sh. Lokesh Kumar, Staff Car Driver (Ordinary Grade) |
| 18. | Sh. Brij Lal Panjla, Staff Car Driver (Ordinary Grade) |
| 19. | Sh. Yama Nidhi, Daftary |
| 20. | Sh. Kishan Singh Chauhan, Messenger |
| 21. | Sh. Damodar, Messenger |
| 22. | Sh. Devanand, Peon |
| 23. | Sh. Man Singh, Peon |
| 24. | Sh. Umesh Chandra, Peon |

The Committee perused the relevant part of provision under MACP, as under: -

“If a Government servant in PB-I in the Grade Pay of Rs.1900 is granted 1st financial upgradation under the MACPS on completion of 10 years of service in the PB-I in the Grade Pay of Rs.2000 and 5 years later he gets 1st regular promotion (UDC) in PB-I in the Grade Pay of Rs.2400, the 2nd financial upgradation under MACPS (in the next Grade Pay w.r.t. Grade Pay held by Government servant) will be granted on completion of 20 years of service in PB-I in the Grade Pay of Rs.2800. On completion of 30 years of service, he will get 3rd ACP in the Grade Pay of Rs.4200. However, if two promotions are earned before completion of 20 years, only 3rd financial upgradation would be admissible on completion of 10 years of service in Grade Pay from the date 2nd promotion or at 30th year of service, whichever is earlier.”

The Committee perused the relevant documents in respect of the following officials and the recommendations of the Committee, individually are as under:-

1. Shri Ajay Kumar Dubey, Computer Operator

Shri Ajay Kumar Dubey, joined the Council as Computer Operator on 04/11/1996 and he was granted financial upgradation on 04/11/2004. He will be completing ten years of service as Computer Operator, after last upgradation, on 04/11/2014 and will be eligible for grant of benefits under MACPS. His performance during

the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Shri Ajay Kumar Dubey, Computer Operator in view of his fulfillment of requisite eligibility criteria of ten years on 04/11/2014.

2. **Mrs. Kiran Bala Pandey, Computer Operator**

Mrs. Kiran Bala Pandey, joined the Council as Computer Operator on 09/07/2003. She has completed ten years of regular service as Computer Operator on 08/07/2013 and is eligible for grant of benefits under MACPS. Her performance during the above said period of ten years has been found to be satisfactory and she is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Mrs. Kiran Bala Pandey, Computer Operator in view of her fulfillment of requisite eligibility criteria of ten years on 08/07/2013.

3. **Mr. Amarjeet Singh, LDC**

Shri Amarjeet Singh joined the Council as LDC on 10.09.1999. He has completed ten years of service as LDC on 10.09.2009 and is eligible for grant of benefits under MACPS.

However, it has been observed by the Committee that Shri Amarjeet Singh has not filled-up his self-appraisal from the year 2003-2004 to 2006-2007 and after that he was placed under suspension from the year 2007-2008 to 2009-2010. The criteria of benchmark as laid down in Clause 17 of Annexure I of OM No.35034/3/2008-Estt.(D), dated 19th May, 2009 issued by the Govt. of India, Ministry of Personnel, Public Grievances and Pensions (Dept. Of Personnel and Training) is not fulfilled.

In view of above, the Committee is of the considered opinion that the case of Mr. Amarjeet Singh, LDC cannot be considered for grant of benefits under MACPS.

4. **Sh. Santosh Kumar, LDC**

Shri Santosh Kumar joined the Council as LDC on 14.09.1999. He has completed ten years of service as LDC on 14.09.2009 and is eligible for grant of benefits under MACPS.

However, it has been observed by the Committee that the issue of regularization of leave availed by Sh. Santosh Kumar, LDC during the year 2011-2012 & 2012-2013 is yet to be decided. Therefore, the Committee is of the considered opinion that till the regularization of leave, his case cannot be considered for grant of financial upgradation under MACPS. After regularization of leave or so, the case may be placed before DPC accordingly.

5. **Sh. Manoj Kumar, LDC**

Sh. Manoj Kumar joined the Council as LDC on 16/05/2002. It has been informed to the DPC that the Vigilance Section has denied the Vigilance Clearance, mentioning as under :

“Major Penalty proceedings against Sh. Manoj Kumar, LDC, MCI in the matter of Sh. Lakshmi Narayan, LDC is pending with CVC. Hence, Vigilance Clearance in respect of the said official may be denied, if agreed to.”

In this regard, it has been reported to the Committee that the matter with regard to the proceedings against Lt Col (Retd.) Dr.ARN Setalvad, the then Secretary

and others, a preliminary enquiry was registered by the CBI. Thereafter, an Enquiry Committee was constituted headed by the Hon'ble Justice S.K. Mahajan. After completing the enquiry the concluding remarks of the Enquiry Officer was as under:-

“though there was some negligence on the part of these two employees namely Ms. S. Savitha and Mr. Manoj Kumar, but we agree with the explanation given by them that because of rush of work and inadvertent error they did not notice that Mr. .Laxminarayan was over aged and was not eligible for the post of LDC. We are informed that warning has already been given to the said employees and in our opinion no further action is required in their case.”

The said report of the Enquiry Committee was placed before the Executive Committee at its meeting held on 10th/11th June, 2009, which reads as under:-

“The report of the enquiry committee with reference to CBI report in PE-DAI 2005-0015 in relation to Lt.Col.(Retd.)Dr.A. R. N. Setalvad, Secretary, Medical Council of India, Ms. Savitha Section Officer and Mr. Manoj Kumar, LDC in the office of the Medical Council of India was read. After the deliberations on this report submitted by the Enquiry Committee comprising of Mr. Justice S.K.Mahajan (Retd.), Hon'ble Delhi High Court, Dr. Manoj Singh, Prof., Dept. Of Pathology, AIIMS, New Delhi and Dr. B.P. Dubey, Dean, Gandhi Medical College, Bhopal, it was decided to accept this report.”

The aforesaid decision of the Executive Committee were communicated to the Secretary, Ministry of Health & F.W. Govt. of India, New Delhi by a communication dt.11.3.2010 by the Vice-President, Medical Council of India enclosing therewith the copy of Hon'ble Justice S.K. Mahajan Committee's reports.

The matter was again placed before the Executive Committee at its meeting held on 18.02.2014 and the Committee decided as under:-

In view of the above, the Executive Committee decided to reiterate the decision of the earlier Executive Committee dated 10-11/06/2009 and further, the said matter be treated as closed in the light of the conclusion drawn by Hon'ble Justice Hon'ble Justice S.K. Mahajan (Retd.) in its reports.

In view of above, the Committee recommends to grant financial upgradation to Shri Manoj Kumar subject to the condition that if any adverse remarks are received from the CVC and if they are accepted by the Council, the same shall be considered accordingly.

6. Sh. Mahender Singh, LDC

Shri Mahender Singh, joined the Council as LDC on 16/05/2002. He has completed ten years of regular service as LDC on 15/05/2012 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Shri Mahender Singh, LDC in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 15/05/2012.

7. Sh. Satish Kumar, LDC

Shri Satish Kumar, joined the Council as LDC on 27/11/2002. He has completed ten years of regular service as LDC on 26/11/2012 and has become eligible for

grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Shri Satish Kumar, LDC in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 26/11/2012.

8. Sh. Sanjay Ujjainwal, LDC

Shri Sanjay Ujjainwal, joined the Council as LDC on 02/12/2002. He has completed ten years of regular service as LDC on 01/12/2012 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP scheme may be granted to Shri Sanjay Ujjainwal, LDC in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 01/12/2012.

9. Sh. Subhash Chander, LDC

Sh. Subhash Chander, joined the Council as Peon on 10/03/1986 and promoted to the post of Daftary on 24/04/2001, further he was promoted to the post of LDC on 01/04/2003, now he has completed ten years of regular service as LDC on 31/03/2013. He has become eligible for 3rd financial Upgradation under MACP Scheme on completion of 10 years regular service in the same grade i.e. Rs. 1900/- as per O.M. No. 35034/3/2008-Estt.(D), dated 19/05/2014 of Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Shri Subhash Chander, LDC in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 31/03/2013.

10. Smt. Bhawana Sharma, LDC

Smt. Bhawana Sharma, joined the Council as LDC on 03/07/2003. She has completed ten years of regular service as LDC on 02/07/2013 and has become eligible for grant of benefits under MACPS. Her performance during the above said period of ten years has been found to be satisfactory and she is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Smt. Bhawana Sharma, LDC in view of her fulfillment of requisite eligibility criteria on completion of ten years of regular service on 02/07/2013.

11. Sh. Vinod Singh Negi, LDC

Shri Vinod Singh Negi, joined the Council as LDC on 03/07/2003. He has completed ten years of regular service as LDC on 02/07/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Shri Vinod Singh Negi, LDC in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 02/07/2013.

12. Sh. Rajesh Prasad Raturi, LDC

Shri Rajesh Prasad Raturi, joined the Council as LDC on 04/07/2003. He has completed ten years of regular service as LDC on 03/07/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Shri Rajesh Prasad Raturi, LDC in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 03/07/2013.

13. Smt. Nirmala Shrivastava, LDC

Smt. Nirmala Shrivastava, joined the Council as LDC on 17/05/2004. She has completed ten years of regular service as LDC on 16/05/2014 and has become eligible for grant of benefits under MACPS. Her performance during the above said period of ten years has been found to be satisfactory and she is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Smt. Nirmala Shrivastava, LDC in view of her fulfillment of requisite eligibility criteria on completion of ten years of regular service on 16/05/2014.

14. Smt. Savita, LDC

Smt. Savita, joined the Council as LDC on 17/05/2004. She has completed ten years of regular service as LDC on 16/05/2014 and has become eligible for grant of benefits under MACPS. Her performance during the above said period of ten years has been found to be satisfactory and she is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Smt. Savita, LDC in view of her fulfillment of requisite eligibility criteria on completion of ten years of regular service on 16/05/2014.

15. Smt. Monika Yadav, LDC

Smt. Monika Yadav, joined the Council as LDC on 17/05/2004. She has completed ten years of regular service as LDC on 16/05/2014 and has become eligible for grant of benefits under MACPS. Her performance during the above said period of ten years has been found to be satisfactory and she is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Smt. Monika Yadav, LDC in view of her fulfillment of requisite eligibility criteria on completion of ten years regular service on 16/05/2014.

16. Smt. Veena Bisht, Record Keeper – cum – Librarian

Smt. Veena Bisht, joined the Council as Record Keeper – cum – Librarian on 24/05/2004. She completed ten years of regular service as Record Keeper – cum – Librarian on 23/05/2014 and she has become eligible for grant of benefits under MACPS. Her performance during the above said period of ten years has been found to be satisfactory and she is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Smt. Veena Bisht, Record Keeper – cum – Librarian in view of her fulfillment of requisite eligibility criteria on completion of ten years of regular service on 23/05/2014.

17. Sh. Lokesh Kumar, Staff Car Driver (Ordinary Grade)

Sh. Lokesh Kumar, joined the Council as Staff Car Driver (Ordinary Grade) on 14/08/2003. He has completed ten years of regular service as Staff Car Driver (Ordinary Grade) on 13/08/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Lokesh Kumar, Staff Car Driver (Ordinary Grade) in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 13/08/2013.

18. Sh. Brijlal Panjla, Staff Car Driver (Ordinary Grade)

Sh. Brijlal Panjla, joined the Council as Staff Car Driver (Ordinary Grade) on 21/08/2003. He has completed ten years of regular service as Staff Car Driver (Ordinary Grade) on 20/08/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Brijlal Panjla, Staff Car Driver (Ordinary Grade) in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 20/08/2013.

19. Sh. Yama Nidhi, Daftary

Sh. Yama Nidhi, joined the Council as Messenger on 30/09/1991 and promoted to the post of Daftary on 01/04/2003. Now he has completed ten years of regular service as Daftary on 31/03/2013. He has become eligible for grant of benefits under MACP Scheme. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Yama Nidhi, Daftary in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 31/03/2013.

20. Sh. Kishan Singh Chauhan, Messenger

Sh. Kishan Singh Chauhan, joined the Council as Messenger on 09/05/2003. He has completed ten years of regular service as Messenger on 08/05/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Kishan Singh Chauhan, Messenger in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 08/05/2013.

21. Sh. Damodar Sharma, Messenger

Sh. Damodar Sharma, joined the Council as Messenger on 17/05/2004. He has completed ten years of regular service as Messenger on 16/05/2014 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Damodar Sharma, Messenger in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 16/05/2014.

22. **Sh. Devanand, Peon**

Sh. Devanand, joined the Council as Peon on 07/05/2003. He has completed ten years of regular service as Peon on 06/05/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Devanand, Peon in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 06/05/2013.

23. **Sh. Man Singh, Peon**

Sh. Mansingh, joined the Council as Peon on 09/05/2003. He has completed ten years of regular service as Peon on 08/05/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Man Singh, Peon in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 08/05/2013.

24. **Sh. Umesh Chandra, Peon**

Sh. Umesh Chandra, joined the Council as Peon on 13/05/2003. He has completed ten years of regular service as Peon on 12/05/2013 and has become eligible for grant of benefits under MACPS. His performance during the above said period of ten years has been found to be satisfactory and he is also clear from the Vigilance angle. Therefore, the Committee recommends that financial upgradation under MACP Scheme may be granted to Sh. Umesh Chandra, Peon in view of his fulfillment of requisite eligibility criteria on completion of ten years of regular service on 12/05/2013.

In view of above, the Committee further recommends that in accordance with the rules of MACP Scheme the benefits of the same may be allowed to the above officials except Mr. Amarjeet Singh, LDC & Mr. Santosh Kumar, LDC with effect from the date of completion of their 10 years of regular service in the same grade”.

23. **Minutes of DPC meeting held on 19.09.2014 for confirmation of employees of the Council, for approval-reg.**

Read: the matter with regard to minutes of DPC meeting held on 19.09.2014 for confirmation of employees of the Council, for approval.

The Executive Committee of the Council approved the recommendations of the Departmental Promotion Committee meeting held on 19.09.2014 for confirmation of employees of the Council as under:-

“.....In view of the mandate given by the IMC Act to employ such other persons as it deems necessary, the Committee in view of the staff requirement of the Council recommends for deletion/omission of the condition stipulated by the earlier DPC in its meeting dated 05.09.2013 and the Committee further recommends that the following employees may be confirmed in their entry grade with effect from the date of completion of their probationary period as mentioned against each:

| S.No. | Name of employee with designation | Date of joining | Date of completion of period |
|-------|-----------------------------------|-----------------|------------------------------|
| 1. | Mrs. Deepika, LDC | 26.06.2009 | 25.06.2011 |
| 2. | Sh. Manish Kumar, LDC | 01.07.2009 | 30.06.2011 |
| 3. | Sh. Rajesh, Peon | 07.01.2009 | 06.01.2011 |
| 4. | Sh. Roshan Kumar, Peon | 07.01.2009 | 06.01.2011 |
| 5. | Sh. Rajesh Kumar, Peon | 07.01.2009 | 06.01.2011 |

.....”

24. **Coordinator Orientation Workshop – for assessments to be carried out for the academic year 2015-16.**

Read: the matter with regard to Coordinator Orientation Workshop – for assessments to be carried out for the academic year 2015-16.

The Executive Committee of the Council approved the minutes of the meeting of the Coordinator Orientation Workshop along with the revised SAF-I & II, Assessors' Guide and format of compliance report with the following modifications in Assessors' Guide:

(1) The following sentence be inserted after the words “assessment report” in the paragraph for Videography under the caption “Stages of Assessment”:

“If the institute does not arrange for Videography, it should be recorded and the signature of the Dean be obtained on it. Thereafter, Assessors may take photographs as they deem fit on their mobile phones / cameras. A catalogue of the photographs showing the date, time & place of these photographs should be prepared and submitted along with the photographs to the Council and a copy whereof should be handed over to the Dean and acknowledgement be obtained.”

(2) The following sentence should be added after the words “serious consequences” in Point # 6 under the caption “Stages of Assessments”:

“Observations which do not conform to the Regulations of the Council or which are based on personal whims should be avoided.”

(3) The Point # 11 under the caption “Verification of Teaching Faculty / Others be amended as under:

“Excess of Professor/Associate Professors/Asst. Professor can be counted towards deficiency of Associate Professor/Assistant Professor/Tutor in Pre & Para-clinical departments. Excess of Professors/Associate Professors can be counted towards deficiency of Assistant Professor in clinical departments. Excess of teaching faculty cannot be counted against the deficiency of Senior or Junior Resident doctors.

(4) The following Point # 5 under the caption “Infrastructure” be deleted:

“In addition to the physical journals subscribed to and available in the library, e-journals and other electronic media facilities may be used as a replacement for hard copies, if enough portals are made available in the library for students and staff to access the literature.”

Secretary I/c recused herself from the meeting.

25. **Appointment to the post of Secretary, MCI**

Read: D.O. Letter dated 04.09.2014 received from Additional Secretary, Ministry of Health, Govt. of India

The members of the Executive Committee perused the D.O. letter dt. 04.09.2014 received from Sh. Arun Kumar Panda, Additional Secretary, Ministry of Health & Family Welfare regarding the appointment to the post of Secretary, MCI. The letters dt. 21.03.2011 (from Ministry of Health, Govt. of India) and dt. 22.07.2014 (from DOPT) were also perused. The perusal of the above-mentioned D.O. letter dated 04.09.14 expressing reservations by the Ministry on the appointment of Dr. Reena Nayyar as the Secretary of the MCI.

The members of the Executive Committee felt it necessary to firstly place on record correct factual position. The post of Secretary, MCI is lying vacant since December 2013. The Secretary MCI is the Chief Executive Officer. The day to day functioning of the MCI, which includes critical time bound actions and taking of decisions, is exclusively the responsibility of the Secretary. In other words, the absence of Secretary – in the day to day functioning of the MCI, would neither be permissible nor is it conducive to discharge the statutory functions of the Council.

As per the provisions of the Act, which are binding and mandatory for all concerned, it has been provided u/s 9 thereof that the appointment of the Secretary shall vest with the 'Council'. Ministry of Health & Family Welfare, Govt. of India is not the appointment authority of the Secretary of the MCI. The notification dated 09.05.13, seeking to amend the recruitment rules, is under challenge before the Hon'ble Delhi High Court in WP (C) No. 4038/2013 – Indian Medical Association Vs. MCI & Ors. It is a matter of record that on the instructions from the then Board of Governors nominated by the Ministry of Health, Govt. of India, it was stated before the Hon'ble Court that no appointment to the post of Secretary shall be made, when the Hon'ble Court is seized of with the adjudication of the issue of validity of the notification dated 09.05.13. This factual position before the Hon'ble Court continues to remain in existence.

Having regard to the critical nature of functions to be performed, on day to day basis by the MCI, even when the functioning of the MCI was being administered by the nominated Board of Governors – for most of the time some senior official of the MCI etc. had been placed in the office of the Secretary, MCI on being given the additional charge.

Dr. Reena Nayyar is the senior most official in the MCI, as on date. Under these circumstances and having regard to the exigencies of the functional requirement of the office of the Secretary and also having regard to the past practices, Dr. Reena Nayyar, Jt. Secy. has been given the additional charge of the office of the Secretary. She has not been appointed as the Secretary of the MCI and is discharging the duties of the office of the Secretary, MCI only as an additional charge. There is neither any requirement nor any prescription of any kind for taking any approval from any authority for giving of this additional charge to the senior most official of the MCI.

The Executive Committee of the Council was not in a position to appreciate that what could be the basis for the issuance of the above-mentioned D.O. letter dated 04.09.14, especially, in the light of the clear provisions of Section 9 of the Indian Medical Council Act, 1956 and the statement made on behalf of the then Board of Governors nominated by Govt. of India before the Hon'ble Delhi High Court. Giving of additional charge to Dr. Reena Nayyar being the senior most official of the MCI, under these circumstances, is not only a necessity but is also entirely proper, appropriate and justified and in administrative order.

Secretary I/c re-joined the meeting.

26. **Concerns raised by Parliamentary Standing Committee on SC/ST at its meeting held on 30.09.2014.**

Read: the concerns raised by Parliamentary Standing Committee on SC/ST at its meeting held on 30.09.2014.

The Executive Committee of the Council deliberated upon the concerns raised by Parliamentary Standing Committee on SC/ST at its meeting held on 30.09.2014 and decided to constitute a Sub-Committee consisting of the following members and directed the Committee to submit its report within a period of 30 days:-

- | | |
|---|----------|
| 1. Dr. C.V. Bhirmanandham, Vice-President----- | Chairman |
| 2. Dr. S.B. Siwach, Chairman, Postgraduate Committee----- | Member |
| 3. Dr. Ved Prakash Mishra, Chairman, Academic Committee---- | Member |

The Executive Committee of the Council directed that an interim reply be sent to Ministry of Health & FW conveying the above decision.

27. Search by the Central Bureau of Investigation in the Room of Dr. P. Prasannaraj, Addl. Secretary (U/S.), Dr. Anshu Sethi Bajaj, Deputy Secretary and PG Section.

Read: the original First Information Report (U/s. 154 Cr.PC) vide Book No. 1382 and Serial No. 19, dated 22/09/2014.

The Executive Committee of the Council considered the following act of serious misconduct and activities prejudicial to the interest of the MCI by Dr. Anshu Sethi Bajaj, Deputy Secretary, Medical Council of India, New Delhi, the details of omission and commission are as follows : -

The Members of the Executive Committee perused the First Information Report dated 22/09/2014 registered by the CBI, New Delhi against Dr. Anshu Sethi Bajaj, Deputy Secretary. The Members of the Executive Committee while perusing FIR report of CBI observed that through a reliable source, it had been revealed that Dr. P. Prasannaraj, Additional Secretary and Dr. Anshu Sethi Bajaj, Deputy Secretary, in the matter of issuance of permission to start various post-graduate courses in Dr. Somervell Memorial CSI Medical College, Karakonam, Thiruvananthapuram, Kerala, had committed gross misconduct by issuing/granting permission without obtaining approval from the then Board of Governors of MCI.

It has also been observed that the case of Siddhartha Medical College, Tumkur was presented as a precedence case for grant of permission to the medical college. It is revealed that Dr. Prasannaraj and Dr. Anshu Sethi Bajaj, Deputy Secretary, MCI briefed the then Board of Governors about the case of Siddhartha Medical College, Tumkur in comparison to Dr. Somervell Medical College, though both the cases were different from each other. The grant of permission to Siddhartha Medical College, Tumkur by the then Board of Governors was on the basis that Bank Guarantee was submitted by the college on time to the Central Government but the same could not reach MCI on time. Whereas, in the case of Dr. Somervell Medical College, the Bank Guarantee was not submitted by the college on time. Information further reveals that by briefing the then Board of Governors in such a manner and presenting wrong precedence, Dr. Prasannaraj and Dr. Anshu Sethi Bajaj misled the BOG and got a favourable decision for Dr. Somervell Medical College.

That as per procedure it is mandatory that compliance / representations received from the medical colleges elucidating that the deficiencies pointed out by the assessor have been rectified, should always be physically verified so as to ascertain the genuineness of the claim of the medical college. It has been revealed that the compliance verification was mandatory in 2 subjects out of 9 viz. Community Medicine and Radio Diagnosis, as there were major deficiencies pointed out by the assessor and that the same were not physically verified.

That undue favours were shown to Dr. Somervell Memorial CSI Medical College, Kerala on the part of the officials of Medical Council of India viz. Dr. Prasannaraj, Additional Secretary, Dr. Anshu Sethi Bajaj, Deputy Secretary and Smt. Madhu Handa, the then Asstt. Secretary. It was also pointed out that the relevant regulations of MCI were blatantly ignored by these officials of MCI and necessary permissions were granted which resulted in significant pecuniary benefits to the private medical college.

It has further been observed by the Executive Committee that Dr. Samson Nessim, Principal, Dr. Somervell Memorial CSI Medical College, Kerala in conspiracy with MCI officials named above submitted false information for the purpose of getting the required permission and hence cheated the Council.

Upon consideration of these facts and after going through the FIR dated 22/09/2014 registered by the CBI, New Delhi and having regard to the fact that the investigation by the CBI is underway, the Members of the Executive Committee of the Council are of the considered opinion that Dr. Anshu Sethi Bajaj, Deputy Secretary, MCI – should be kept away from her said position in the MCI. For ensuring that there is no interference with the investigation and there is no attempt to do anything with the records of the MCI, it has been decided to place Dr. Anshu Sethi Bajaj, Deputy Secretary, MCI under suspension with immediate effect in accordance with Rule 10 (1) (a) of CCS (CCA) Rules, 1965 read with Clause 58 (1) of the Medical Council of India Regulations, 2000 pending investigation and initiation of departmental proceedings in the matter; and she be paid Subsistence and Other Allowances in accordance with FR 53.

The Executive Committee of the Council, in exercise of the powers conferred by sub-rule (1) of Rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, read with clause 58 (1) of the Medical Council of India Regulations, 2000, hereby decides to place Dr. Anshu Sethi Bajaj, Deputy Secretary under suspension with immediate effect.

The Executive Committee of the Council directed that during the period the order of suspension remain in force, the Headquarters of Dr. Anshu Sethi Bajaj, Deputy Secretary will be New Delhi and that Dr. Anshu Sethi Bajaj, Deputy Secretary will not leave the Headquarters without obtaining the previous permission of the competent authority. It is further directed that Dr. Anshu Sethi Bajaj may be paid Subsistence and Other Allowances from the date and during the period of suspension in accordance with FR 53.

The Committee further noted that Dr. P. Prasannaraj, Additional Secretary had already been placed under suspension vide Executive Committee decision dated 16.04.2014 and Mrs. Madhu Handa, Assistant Secretary had already retired from the services of the Council in June, 2012.

The minutes of the above item were read and confirmed in the meeting itself.

28. Review of suspension of Dr. P. Prasannaraj, Addl. Secretary (Under Suspension)- Recommendations of the Review Committee

Read: the matter with regard to review of suspension of Dr. P. Prasannaraj, Addl. Secretary (Under Suspension).

The Executive Committee of the Council approved the recommendations of the Review Committee which met in the Council office on 01/10/2014 at 10.00 a.m. recommending extension of suspension of Dr. P. Prasannaraj, Additional Secretary (U/S) for a further period of 90 days w.e.f. 13/10/2014.

The minutes of the above item were read and confirmed in the meeting itself.

The meeting ended with a vote of thanks to the Chair.

(Dr. Reena Nayar)
Secretary I/c

New Delhi, dated
the 1st October, 2014

A P P R O V E D

(Dr. Jayshreeben Mehta)
President