

No. MCI-5(3)/2017-Med.Misc./

MEDICAL COUNCIL OF INDIA
NEW DELHI
EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on 11th July, 2017 at 2.00 p.m.in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.

:Present:

Dr. Jayshree 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, Chennai (Tamil Nadu)
Dr. Mhaske Chandrakant Bhaskar	Professor & HOD, Deptt. of Skin & V.D. BJ Medical College, Pune-411001(Maharashtra)
Dr. Anil Chauhan	Principal, Dr. R.P. Govt. Medical College, Tanda (Himachal Pradesh)
Prof.(Dr.) Ashwani Kumar	Professor, Department of Microbiology, University College of Medical Sciences, Shahdara(Delhi-110095)
Dr. G.B. Gupta	Vice-Chancellor, Ayush & Health Sciences University, G.E. Road, Raipur (Chhatisgarh)
Dr. Kampa Shankar	Professor, General Medicine & Superintendent, Sir Ronald Ross Institute of Tropical & Communicable Diseases, Nallkunta, Hyderabad
Dr. Narain Venkatesh Bhandare	Consulting Surgeon, Bhandare Hospital, Fontainhas, Panaji (Goa-403001)
Dr. Alok Ahuja	Lab Director, Dr. Ahujas Pathology & Imaging Centre, 7- B, Astley Hall, Dehradun (Uttarakhand)

Dr. Reena Nayyar, Secretary I/c.

Apologies for absence were received from Dr. Vijay Prakash Singh & Dr. Sinam Rajendra Singh.

1. **Minutes of the Executive Committee Meeting held on 23rd May, 2017 – Confirmation of.**

The Executive Committee of the Council at its meeting held on 23rd May, 2017 had decided as under:-

Item No. 24. Closure of Probation Period of Dr. Reena Nayyar, Additional Secretary.

Read: the matter with regard to closure of probation period of Dr. Reena Nayyar, Additional Secretary.

The Executive Committee of the Council decided to constitute a Departmental Promotion Committee consisting of the following members:-

1. Dr. Jayshree Mehta, President
2. Dr. C.V. Bhirmanandham, Vice President
3. Dr. Vijay Prakash Singh, Member, Executive Committee
4. Dr. G.B. Gupta, Member, Executive Committee

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

The Executive Committee noted that inadvertently name of Dr. Ashwani Kumar had been missed out from the above list of members. The Committee therefore decided that the above decision be read as under:-

“The Executive Committee of the Council decided to constitute a Departmental Promotion Committee consisting of the following members:-

1. Dr. Jayshree Mehta, President
2. Dr. C.V. Bhirmanandham, Vice President
3. Dr. Anil Chauhan, Member, Executive Committee
4. Dr. G.B. Gupta, Member, Executive Committee
5. Dr. Ashwani Kumar, Member, Executive Committee

The minutes of the above item were read out, approved and confirmed in the meeting itself.”

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 23rd May, 2017.

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. **Minutes of the Academic Committee meeting held on 8th May, 2017.**

Read: the matter with regard to minutes of the Academic Committee meeting held on 8th May, 2017.

The Executive Committee of the Council perused the minutes of the Academic Committee meeting held on 8th May, 2017 and observed as under:-

4. **Minutes of the meetings of the Reconciliation Board held on January 31, 2017, February 9, 2017 & April 28, 2017.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

5. Guidelines and MSR for M.Ch in Reproductive Medicine & Surgery – Comments of PG Committee and Action Taken.

The Executive Committee of the Council approved the recommendations of the Academic Committee with the following modifications:

1. Number of journals required is kept at 5– 3 International & 2 National. No journals to be listed by name.

6. Guidelines and MSR for M.D in Palliative Medicine – Comments of PG Committee and Action Taken.

The Executive Committee of the Council approved the recommendations of the Academic Committee with the following modifications:

1. Number of journals required is kept at 5- 3 International & National. No journals to be listed by name.
2. Special training for a period of 2 years in India or abroad in this department.
3. Teaching Unit in this department should be of 30 beds & have faculty complement as prescribed in PG Regulations. Beds in other departments, Hospice, etc. are not to be considered for the component of 30 teaching beds.

7. Guidelines and MSR for M.S in Traumatology & Surgery – Comments of PG Committee and Action Taken.

The Executive Committee of the Council approved the recommendations of the Academic Committee.

8. Guidelines and MSR for DM Neuro Anaesthesia – Comments of PG Committee and Action Taken.

The Executive Committee approved the recommendations of the Academic Committee with modifications that the marking & evaluation shall be as per existing PG Regulations.

9. Guidelines, TEQ and MSR for DM Hepatology

The Executive Committee of the Council approved the recommendations of the Academic Committee with the following modifications:

D.M. (HAEPATOLOGY)

1. Requirement is prescribed as M.D. (Medicine). It should be M.D. (General Medicine).
2. Bed Strength: It is prescribed at 20 beds including ICU & HDU. It should be 20 beds for the Unit excluding ICU & HDU as is prescribed for other Super Specialties.
3. In TEQ, prescribed qualification is D.M. (Haepatology). During transition period, D.M. (Gastroenterology) is also prescribed. In addition, M.D. (General Medicine) with 2 y special training in Haepatology should also be prescribed as a qualification during transit period.

10. Insertion in MCI Website of Guidelines and MSR in broad and superspecialty subjects prepared by Academic Cell.

The Executive Committee of the Council approved the recommendations of the Academic Committee.

11. **Note from UG section regarding suggestion from Dean, Gandhi Medical College, Bhopal to introduce to Moral Education in MBBS Curriculum.**

The Executive Committee of the Council noted the recommendations of the Academic Committee.

12. **E-mail from Dr. Chandrekha (clekha28@hotmail.com) regarding incorporation of Clinical posting in Anesthesiology in MBBS course.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

13. **Letter from (VIP reference) Sh. Rakesh Singh, Hon'ble MP (Lok Sabha) regarding a revised plan of Medical Education from Ministry of Health & Family Welfare – forwarded by the UG Section on 31.01.2017.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

14. **Letter from the Tamil Nadu Dr. MGR Medical University, Chennai to increase the existing total marks of 40 for theory paper to 100 marks in the MBBS course - forwarded by the UG Section on 12.01.2017.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

15. **Letter from Dr. Shanker Jhakar, Assistant Professor & Dr. Kamlesh Kumar Harsh, Assistant Professor, Acharya Tulsi Cancer Chikitsa & Research Centre, Bikaner to make radiotherapy/Radiation oncology (Cancer) main subject in MBBS course - forwarded by the UG Section on 31.01.2017.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

16. **E-mail dated 09.02.2017 from Dr. Kautilya Shukla, Vadodara (kautilyashukla@gmail.com) regarding suggestions for libraries in medical colleges in India.**

The Executive Committee of the Council approved the recommendations of the Academic Committee with the following modifications:

1. Regular updating exercise should be undertaken at 5 year interval.
2. Connectivity problems & data transmission speed still remain major hurdles all over India. Hence E journals should not be made compulsory; they should be over the minimum number of journals as required under MSR/Phasewise Regulations which should be met by Print journals only.
3. As approved by Academic Committee.
4. As approved by Academic Committee.
5. It is beyond the scope of the Council.
6. It is beyond the scope of the Council.

17. **Starting diploma course in Bronchology and Intervention Pulmonology – Letter from A. C. Shah, Patron, IABIP –letter to President, MCI.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

18. **Letter from Chairman, Atomic Energy Regulatory Board on: Minimum Radiation safety Syllabus Course prescribed by AERB for PG course for Radiotherapy.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

19. **Letter received from Sh. Amit Biswas, Under Secretary, Govt. of India, MOH&FW, New Delhi regarding action taken report on the decisions of the Second Meeting of National Commission on Population held on 21st October, 2010 under the Chairmanship of Hon'ble Prime Minister.**

The Executive Committee of the Council noted the recommendations of the Academic Committee and directed that the same be communicated to the Central Govt.

20. **Request for Regional Centre status for Jorhat Medical College & Hospital, Jorhat- documents sent by Principal cum Chief Superintendent -reg.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

21. **Letter received from Sh. S. Bhattacharyya, Chief Manager M & E/BD, Gramin Vikas Trust regarding request for Live Demonstration – Proposal to deploy Cloud Based Skill Upgradation / Training and Capacity Building Platform for Health Care Professionals.**

The Executive Committee of the Council observed that no recommendation is made by Academic Committee. Referred back with a direction to make a specific recommendation in this regard & resubmit the matter.

22. **Letter received from Sh. Arun Singhal, Joint Secretary, Ministry of Health & Family Welfare dated 12.04.2017 regarding Draft DCI Regulations on Post Bachelor of Dental Surgery-Medical Bridge Course, 2016.**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

23. **Any other item with permission from Chair.**

(a) Guidelines for assessment of functional ability of amputee of lower limbs after wearing external aid / artificial limb for the purpose of considering admission on MBBS courses - matter referred by UG section.

The Executive Committee of the Council approved the recommendations of the Academic Committee.

(b) To consider grant of the permission to Atal Bihari Vajpayee Hindi Vishwavidyalaya, Bhopal to provide the medical education in Hindi as a medium of instruction - matter referred by Administrative section.

The Executive Committee of the Council approved the recommendations of the Academic Committee.

5. **Minutes of the Academic Committee meeting held on 13th June, 2017- approval of.**

Read: the matter with regard to Minutes of the Academic Committee meeting held on 13th June, 2017.

The Executive Committee of the Council perused the minutes of the Academic Committee meeting held on 13th June, 2017 and observed as under:-

5. **Item referred back by Executive Committee meeting held on 22nd December, 2016: letter from Dr. Kajal Mitra, Dean, NKP Salve Institute of Medical Sciences & research Centre, Nagpur discussed in the Academic Committee meeting held on 27th October, 2016**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

6. **Guidelines, MSR and TEQ for MD Family Medicine drafted by Expert Group**

The Executive Committee of the Council approved the recommendations of the Academic Committee with the following modifications:

M.D. (FAMILY MEDICINE)

1. It is prescribed that the department will have 30 beds. This should be amended as "Each Unit shall have 30 beds".
2. Prescribed qualifications are M.D./DNB (Family Medicine). This should be amended as M.D. (Family Medicine).
3. During transit period, prescribed qualifications are M.D. (General Medicine), M.D. (Paediatrics), M.S. (General Surgery), M.S.(O.G.). This should be amended as M.D. (General Medicine) or M.D. (Paediatrics).
4. Number of books in Departmental Library is prescribed at 30. This should be amended as minimum 80.

7. **Undertaking to be given by MCI Nodal and Regional Centers**

The Executive Committee of the Council approved the recommendations of the Academic Committee.

8. **Letter from Dr. J.S Kochher enclosing Minutes of meeting of Core group on Mental Health held on 30-11-2016**

The Executive Committee of the Council noted the recommendations of the Academic Committee with the following observations:

1. With regard to separate paper on Psychiatry, it should be dealt separately by the Academic Committee.
2. With regard to capsule course for Doctors of State Medical Services, it is beyond the scope of MCI.
3. A separate department of Psychiatry is already prescribed with requisite infrastructure & faculty requirement in all medical colleges as per MSR.
4. With regard to existing mental health institutions with capability for upgradation to be identified and upgraded into national level teaching & treating institutions in mental health care, it is beyond the scope of MCI.

6. **Approval of the Minutes of the Administration and Grievance Committee Meeting held on 11/05/2017.**

Read: the matter with regard to approval of the minutes of the Administration and Grievance Committee meeting held on 11/05/2017.

The Executive Committee of the Council perused the minutes of the Administration and Grievance Committee meeting held on 11th May, 2017 and observed as under:-

2. **Review of Digital Mission Mode Project (DMMP) Phase – I of MCI.**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee.

3. **Review of Digital Mission Mode Project (DMMP) Phase-II of MCI, i.e. Live Streaming of both classroom teaching and the teaching hospital under all Medical Colleges.**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee with the modification that RFP document be prepared for Option 1 with modifications as suggested by Dr. Sanjay Bijwe.

4. **Grant of Earned Leave to Consultants engaged by the Council.**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee.

5. **Extension of engagement of the Consultant - PMU(DMMP).**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee.

6. **DMMP Project, Finalization of requirements regarding Faculty Declaration Form.**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee. Further the issue also involves appointment/promotion of faculty who are appointed/promoted by the institutions but who are found to be ineligible at a later date by assessors/PG Committee/Executive Committee. The mechanism must incorporate the facility of removing such faculty or showing that they have been found to be ineligible for the post.

7. **Regarding installation of Digi-board display for "Aaj ka Shabd" or "Aaj ka Vichar" of Hindi Language in the Council office.**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee.

8. **Any Other Item:**

1. **AUA/KUA Agreement with UIDAI:**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee.

2. **Additional SIM Card Activation for OFAMOS devices:**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Committee.

3. **MCI new Website Launch:**

The Executive Committee of the Council noted the recommendations of the Administration & Grievance Committee.

4. **OFAMOS SIM monthly rental bill intimation to Medical Colleges:**

The Executive Committee of the Council noted the recommendations of the Administration & Grievance Committee.

5. The Executive Committee of the Council decided that the opinion of Consultant (Finance) be obtained and decision be taken accordingly.

6. **Level 2b and Level 3 De-duplication in OFAMOS:**

The Executive Committee of the Council noted the recommendations of the Administration & Grievance Committee.

7. **Biometric Login device for Council desktop:.**

The Executive Committee of the Council noted the recommendations of the Administration & Grievance Committee.

7. **Approval of the Minutes of the Migration Sub-Committee meeting held on 13th June, 2017.**

Read: the matter with regard Approval of the Minutes of the Migration Sub-Committee meeting held on 13th June, 2017.

The Executive Committee of the Council perused the minutes of the Migration Sub-Committee meeting held on 13th June, 2017 and observed as under:-

Item No. 2: Migration of Mr. Nishant Shukla from Govt. Medical College, Nagpur to GSVM Medical College, Kanpur.

The Executive Committee of the Council approved the recommendations of the Migration Sub-Committee.

Item No.3: Migration of Ms. Neelansha Pratap, from Jorhat Medical College & Hospital, Jorhat to S.N. Medical College, Agra.

The Executive Committee of the Council did not approve the recommendations of the Migration Sub-Committee. Facts of the case clearly show that Disturbed Area Act was already prevalent in Assam when Ms. Neelansha Pratap got admission in I MBBS Course on 14.09.2015 at Jorhat Medical College, Jorhat under All India Pre-Medical Test, 2015. Once having taken admission in Jorhat when the Act was already applicable, she cannot now claim migration for the reason of applicability of Disturbed Area Act. As has been observed by Executive Committee earlier, If admission was taken under AIEE category knowing that Disturbed Area Act was in force in Assam when the admission was taken then there is no valid ground for migration.

8. **Approval of the proceedings of the Ethics Committee meetings held on 9th January, 2017, 6th April, 2017, 27th& 28th April, 2017, 18th& 19th May, 2017 & 6th& 7th June, 2017.**

Read: the matter with regard to approval of the proceedings of the Ethics Committee meetings held on 9th January, 2017, 6th April, 2017, 27th& 28th April, 2017, 18th& 19th May, 2017 & 6th& 7th June, 2017.

The Executive Committee of the Council perused the proceedings of the Ethics Committee meetings held on 9th January, 2017, 6th April, 2017, 27th& 28th April, 2017, 18th& 19th May, 2017 & 6th& 7th June, 2017 and approved the following proceedings as under:-

1. Case No. : 11. **File No. MCI-211(2)(69)(Appeal)/2016-Ethics/**
Appeal dated NIL filed by Sh. Panna Lal Sahu against order dated 22.03.2016 passed by Chhattisgarh Medical Council.

3. Case No. : 03. **File No. MCI-211(2)(10)(Appeal)/2015-Ethics/**
Appeal dated 28.04.2015 filed by Sh. Dinesh Prasad Mishra against Order dated 02.09.2014 passed by Uttar Medical Council.

4. Case No. : 04. **File No. MCI-211(2)(19)(Appeal)/2015-Ethics/**
Appeal dated 01.06.2015 filed by Mr. Kaushik Kumar Das against Dr. Gour Chandra Naskar, Dr. Chandi Charan Roy, Dr. Ashok Kumar Biswas, Dr. R. Basu and Dr. A. Bhattacharya.

5. Case No. : 06. **File No. MCI-211(2)(44)(Appeal)/2015-Ethics/**
Appeal dated 01.10.2015 filed by Sh. Mahendra Kumar Gupta against order dated 30.07.2015 passed by Delhi Medical Council.

6. Case No. : 07. **File No. MCI-211(2)(70)(Appeal)/2015-Ethics/**
Appeal dated 30.12.2015 filed by Sh. Sanjay Seth against order dated 30.12.2015 passed by Delhi Medical Council.

7. Case No. : 08. File No. MCI-211(2)(75)(Appeal)/2015-Ethics/
Appeal dated 06.02.2016 filed by Sh. Ajay Kumar Meena against Dr. Hari Singh Meena & Dr. Makkhan Lal Kanwat.

8. Case No. : 11. File No. MCI-211(2)(31)(Appeal)/2016-Ethics/
Appeal dated 11.07.2016 filed by Dr. Jose Chellan against Order dated 23.05.2016 passed by Tamilnadu Medical Council on the direction of Order of the Hon'ble High Court of Madras in W.P. No. 20663/2016 & WMP No. 17751/2016.

9. Case No. : 13. File No. MCI-211(2)(28)(Comp.)/2016-Ethics/
Regarding fake documents submitted alongwith Declaration Forms of various faculties by Hind Institute of Medical Sciences, Barabanki, Uttar Pradesh.

10. Case No. : 14. File No. MCI-211(2)(459)/2011-Ethics/
Appeal dated 14.01.2013 filed by Mrs. Shalini Gupta against Dr. Nikhil Raheja.

11. Case No. : 15. File No. MCI-211(2)(05)(Appeal)/2016-Ethics/
Appeal dated 23.03.2016 filed by Prof. (Dr.) K.C. Garg against Dr. Anjan Trikha, Department of Anaesthesiology, All India Institute of Medical Sciences, New Delhi.

12. Case No. : 16. File No. MCI-211(2)(78)(Appeal)/2015-Ethics/
Appeal dated 26.02.2016 filed by Sh. Subhra Sankar Mukherjee against Order dated 03.02.2016 passed by West Bengal Medical Council against Dr. Purnendu Roy & Dr. Mahesh Goenka of Apollo Gleneagles Hospital, Kolkata.

13. Case No. : 21. File No. MCI-211(2)(Gen)/2017-Ethics/
E-mail dated 28.01.2017 of Sh. Sunil Pokharel, Advocate on behalf of his clients Sh. Christopher Doyle in the matter of birth of a child baby Simone through IVF.

14. Case No. : 23. File No. MCI-211(2)(Gen)/2017-Ethics/
E-Mail Dated 09.11.2016 received from Sh. Dhawal Mohan/Sh. Gourav Sharma Standing Counsel of Medical Council of India seeking opinion in the matter with regard to Rule 3 (3) (1) (b) PCPNDT rule.

15. Case No. : 24. File No. MCI-211(2)(91)(48)(Complaint)/2015-Ethics/
Report of the Sub-Committee regarding fake faculty declaration forms for the academic year 2015-16 in respect of Dr. Khursheed Anwar, Tutor / Assistant Professor of Pharmacology appeared in more than one medical college.

16. Case No. : 26. File No. MCI-211(2)(29)(Appeal)/2016-Ethics/
Appeal dated 01.07.2016 filed by Sh. Anup Kumar Samui against Dr. V. Ramasubramanian, Dr. Abhilash, Dr. Vinay of Apollo Hospitals, Chennai and Dr. Anirban Neogi, Dr. S. Naskar, Dr. S.K. Mandal, Dr. Krishnendu Mukherjee, Dr. Dipankar Datta of Belle Vue Clinic, Kolkata.

17. Case No. : 30. File No. MCI-211(2)(05)(Appeal)/2017-Ethics/
Appeal dated 21.03.2017 filed by Ms. Sukla Panja (Nee Kundu) against order dated 04.11.2015 passed by West Bengal Medical Council, Kolkata.

18. Case No. : 31. File No. MCI-211(2)(39)(Appeal)/2016-Ethics/
Appeal dated 14.07.2016 filed by Sh. Sarjerao Nivrutti Aldar against Dr. Ajit Mehta of Mehta Hospital, Sangli, Maharashtra.

19. Case No. : 34. File No. MCI-211(2)(Gen.)/2016-Ethics/
Violation of "Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002" – Reg. (Sh. Brinda Karat, Member, Polit Bureau, CPI(M), Former Member, Rajya Sabha)- regarding unethical clinical trials.

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

**20. Case No. : 35. File No. MCI-211(2)(35)(Appeal)/2014-Ethics/
Appeal dated 04.08.2014 filed by Ms. Nandini Nimesh Suchade, Maharashtra against Dr. Murarilal Nagarmal Saraf, Dr. Borges (Cardiologist), Dr. E. Bharucha (Neurologist), Dr. Parekh (Dermatologist), Dr. Asmita S. Sakhale (Pathology MD), Dr. Anand Gokhani (Endocrinologist), Dr. Kunjal Bhatija (Gynaecologist), Dr. Sujata Meheta (Insetivist) of Medical Research Centre, Bombay Hospital.**

**21 Case No. : 03(i). File No. MCI-211(2)(161 & 164)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by Vydehi Institute of Medical Sciences & Research Centre, Bangalore, to the residents pertaining to MS(General Surgery) with the matter with regard to irregularities in stipend paid by Vydehi Institute of Medical Sciences & Research Centre, Bangalore, to the residents pertaining to MS (OBG).**

**25. Case No. : 03(i)(5). File No. MCI-211(2)(128 & 129)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by Shri B.M. Patil Medical College, Hospital & Research Centre, Bijapur, to the residents pertaining to MD (Radio Diagnosis) & The matter with regard to irregularities in stipend paid by Shri B.M. Patil Medical College, Hospital & Research Centre, Bijapur, to the residents pertaining to MD (Anaesthesia).**

**28. Case No. : 03(i)(8). File No. MCI-211(2)(161 & 164)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by Jawaharlal Nehru Medical College, Belgaum, to the residents pertaining to MD (Radio Diagnosis), MD (General Medicine), MD (TB & RD), MD (DVL), MD (Paediatrics).**

**30. Case No. : 03(i)(10). File No. MCI-211(2)(150 to 157)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by S. Nijalingappa Medical College & HSK Hospital & Research Centre, Bagalkot, to the residents pertaining to MS (General Surgery), MS (OBG), MD (Pathology), MD (Paediatrics), MD (Orthopaedics), MD (Pharmacology), MS (ENT) & MS (Ophthalmology).**

**31. Case No. : 03(i)(12). File No. MCI-211(2)(130)(Comp.)/2016-Ethics/
The matter with regard to payment of stipend at Rohilkhand Medical College & Hospital, Bareilly, Uttar Pradesh.**

**32. Case No. : 04. File No. MCI-211(2)(13)(Appeal)/2016-Ethics/
Appeal dated 03.05.2016 filed by Sh. Saranveer Singh against Dr. C.P. Singh of LLRM Medical College, Meerut, UP.**

**33. Case No. : 05. File No. MCI-211(2)(30)(Appeal)/2016-Ethics/
Appeal dated 24.06.2016 filed by Sh. Prem Kishore against order dated 01.06.2016 passed by Delhi Medical Council**

**34. Case No. : 7(1). File No. MCI-211(2)(92)(Appeal)/2016-Ethics/
File No. MCI-211(2)(3)(Appeal)/2017-Ethics/
Appeal dated 20.02.2017 filed by Dr. Ashwani Maichand against order dated 30.01.2017 passed by Delhi Medical Council & Appeal dated 28.03.2017 filed by Sh. Ravi Rai, against the Order dated 30.01.2017 passed by Delhi Medical Council**

35. Case No. : 7(2). **File No. MCI-211(2)(93)(Appeal)/2016-Ethics/**
File No. MCI-211(2)(3)(Appeal)/2017-Ethics/
 Appeal dated 21.02.2017 filed by Dr. Rahul Kakran against order dated 30.01.2017 passed by Delhi Medical Council.

36. Case No. : 14. **File No. MCI-211(2)(06)(Appeal)/2017-Ethics/**
 Appeal dated 02.04.2017 filed by Sh. Anil Prasad Singh against Dr. Mitali Kumari of Baranwal Medical Hall, Siwan, Bihar.

37. Case No. : 16. **File No. MCI-211(2)(08)(Appeal)/2017-Ethics/**
 Appeal dated 25.03.2017 filed by Dr. Prem Narain Parya against Dr. R.C. Bhatt of U.H.M. Hospital, Kanpur, Uttar Pradesh.

38. Case No. : 17. **File No. MCI-211(2)(10)(Appeal)/2017-Ethics/**
 Appeal dated 08.04.2017 filed by Sh. Vinod Kumar Wadhwa against Dr. Sukesh Bhatia, Dr. Jasleen Kaur & Dr. K.P. Bhandari of New Bhandari Hospital, Amritsar, Dr. J.S. Arora of Arora Gastro & Liver Care Centre, Amritsar and Dr. P.S. Mokha of Mokha Hospital, Amritsar.

39. Case No. : 18. **File No. MCI-211(2)(11)(Appeal)/2017-Ethics/**
 Appeal dated 06.04.2017 filed by Sh. Parveen Kumar against Dr. Jitender Sharma of Jitender Hospital, Panipat, Haryana.

40. Case No. : 19. **File No. MCI-211(2)(12)(Appeal)/2017-Ethics/**
 Appeal dated 31.03.2017 filed by Sh. Raj Kumar Narang against Dr. Sunil Singh Gautam of Gautam Super Specialty Hospital, Rudrapur, Uttarakhand.

41. Case No. : 22. **File No. MCI-211(2)(16)(Appeal)/2017-Ethics/**
 Appeal dated NIL filed by Sh. Manish Kumar against order dated 09.11.2016 passed by Delhi Medical Council.

42. Case No. : 25. **File No. MCI-211(2)(68)(Appeal)/2016-Ethics/**
 Appeal dated 07.12.2016 filed by Sh. Sanjeev Bansal against Dr. Raju Vaishya, Dr. S.K. Aggarwal, Dr. Sanjiv Jasuja, Dr. S.K. Sogani, Dr. Purnima Dhar & Medical Director, all of Indraprastha Apollo Hospital, Sarita Vihar, New Delhi.

44. Case No. : 3(02). **File No. MCI-211(2)(66)(Complaint)/2015-Ethics/**
 Irregularities found during the assessment of SMBT Institute of Medical Sciences & Research Centre, Nandihills, Maharashtra under Maharashtra University of Health Sciences, Nashik.

48. Case No. : 03(07). **File No. MCI-211(2)(46-Appeal)/2016-**
Ethics/Appeal dated 20.08.2016 filed by Smt. Neelima Kewalia against order dated 28.06.2016 passed by Rajasthan Medical Council.

50. Case No. : 03(20). **File No. MCI-211(2)(91)(57)(Complaint)/2015-Ethics/**
 Report of the Sub-Committee regarding fake faculty declaration forms for the academic year 2015-16 in respect of Dr. Sanjeev Kumar, Assistant Professor /Sr. Resident, Deptt. Of General Surgery appeared in more than one medical college.

52. Case No. : 03(09). **File No. MCI-211(2)(83)(Appeal)/2014-Ethics/**
 Appeal dated 11.03.2015 filed by Sh. Athique Ahamed against Order dated 14.02.2015 passed by Karnataka Medical Council.

**53. Case No. : 03(12). File No. MCI-211(2)(88)(Appeal)/2014-Ethics/
Appeal dated 07.03.2015 filed by Sh. Rakesh Kumar Shrivastava, UP against
Order dated 30.12.2014 passed by Uttar Pradesh Medical Council.**

**54. Case No. : 03(17). File No. MCI-211(2)(91)(31)(Complaint)/2015-Ethics/
Report of the Sub-Committee regarding fake faculty declaration forms for
the academic year 2015-16 in respect of Dr. Shailendra Singh, Assistant
Professor of Orthopaedics appeared in more than one medical college.**

**55. Case No. : 03(18). File No. MCI-211(2)(91)(32)(Complaint)/2015-Ethics/
Report of the Sub-Committee regarding fake faculty declaration forms for
the academic year 2015-16 in respect of Dr. Parul Verma, Assistant Professor
of Dermatology appeared in more than one medical college.**

**56. Case No. : 03(19). File No. MCI-211(2)(91)(13)(Complaint)/2015-Ethics/
Report of the Sub-Committee regarding fake faculty declaration forms for
the academic year 2015-16 in respect of Dr. Shiuli, Lecturer / Assistant
Professor of Forensic Medicine appeared in more than one medical college.**

**57. Case No. : 03(20). File No. MCI-211(2)(91)(57)(Complaint)/2015-Ethics/
Report of the Sub-Committee regarding fake faculty declaration forms for
the academic year 2015-16 in respect of Dr. Sanjeev Kumar, Assistant
Professor /Sr. Resident, Deptt. Of General Surgery appeared in more than one
medical college.**

This is repetition of Item # 50.

**58. Case No. : 03(22). File No. MCI-211(2)(117)(Comp.)/2016-Ethics/
Assessment of the physical and other teaching facilities available for renewal
of permission for MBBS course for 3rd batch of 150 MBBS students at
Viswabharathi Medical College, Kurnool, Andhra Pradesh under Dr. NTR
University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the
academic year 2016-2017.**

**59. Case No. : 03(24). File No. MCI-211(2)(Gen.)/2014-Ethics/
Letter/e-mail dated 12.08.2016 received from National Accreditation Board
for Testing & Calibration Laboratories.**

**61. Case No. : 05. File No. MCI-211(2)(218)(6)/2014-Ethics/
Report of the Sub-Committee regarding fake faculty declaration forms for
the academic year 2014-15 in respect of Dr. Mohamed Wasi Khan, Asstt.
Professor of Forensic Medicine appeared in more than one medical college.**

**62. Case No. : 20. File No. MCI-211(2)(98)(Appeal)/2016-Ethics/
Appeal dated 16.03.2017 filed by Dr. Rushama Tandon against the complaint
filed by Sh. Lakshman Singh, Gurgaon, Haryana.**

***The minutes of the above item (case no.20) were read out, approved
and confirmed in the meeting itself.***

However, with regard to the following proceedings of Ethics Committee meetings held on 9th January, 2017, 6th April, 2017, 27th& 28th April, 2017, 18th& 19th May, 2017 & 6th& 7th June, 2017, the Executive Committee of the Council observed as under:-

**2. Case No. : 04. File No. MCI-211(2)(87)(Appeal)/2014-Ethics/
Appeal dated 04.03.2015 filed by Smt. Mita Dey (Roy), West Bengal
against Dr. Debasis Basu, Dr.(Prof.) Mukul Bhattacharya, Dr.(Prof.)
Subrata Pahari Medical College & Hospital, Kolkata and Dr.(Prof.) Kedar
Bandhopadhyay of Nivedita Specialist Polyclinic & Computerised
Diagnostic Centre, Kolkata.**

The Executive Committee of the Council did not approve the proceedings of the Ethics Committee. With regard to Dr. Mukul Bhattacharya, sudden cardiac arrest within few minutes of administering spinal anaesthesia is a known complication of spinal anaesthesia, which is described in several Text books and Journals but aetiology is still unknown. he was to undergo open reduction & internal fixation for Fracture Of Lateral Condyle Of Right Tibia Schetzkar Type-2 and was given necessary treatments, check-ups including PAC prior to such operation and various examinations were conducted before such operation, the patient suffered sudden cardiac arrest after injecting the spinal Anaesthesia for reasons unknown to the medical science as will be evident from the text books and medical Journals. Sudden cardiac arrest during spinal Anaesthesia in healthy patients is well documented in medical literature. The aetiology of sudden cardiac arrest after spinal Anaesthesia is not understood. The said emergent situation was urgently attended to by the attending doctors and all necessary and appropriate treatments and steps were taken by the doctors as would be evident from the treatment records of the Patient, and as a matter of fact the patient recovered from such sudden cardiac arrest and was shifted to CCU, for further treatment. The sequence of events suggests that this is a complication of Spinal Anaesthesia. Under these circumstances, it cannot be said that Dr. Mukul Bhattacharya who is Professor & HOD of Orthopaedics was negligent. With regard to Dr. Kedar Bandopadhyay, record itself speaks that the entire episode has arisen due to complication arising from administration of Spinal Anaesthesia on the operation table and has no relation whatsoever with the medications prescribed by him. Further, it has been shown on record that he has informed that he has left Nursing Home practice. In the entire proceedings, there is no mention of any enquiry or action against Anaesthesiologist even though it was primarily established that this was a complication of Spinal Anaesthesia. This be verified.

In view of the above the committee decided to refer back the matter to ethics committee with above observation.

**22. Case No. : 03(i)(2). File No. MCI-211(2)(123 & 124)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by Saraswati
Institute of Medical Sciences, Ghaziabad, to the residents pertaining to
MD(Physiology) & The matter with regard to irregularities in stipend paid
by Saraswati Institute of Medical Sciences, Ghaziabad, to the residents
pertaining to MD(Pharmacology).**

The Executive Committee of the Council observed that the details of Form 16 issued to these residents an IT returns filed by the residents have not been obtained. Referred back to ethics committee with direction to obtain this information and decide the matter accordingly.

**23. Case No. : 03(i)(3). File No. MCI-211(2)(125)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by Mahatma
Gandhi Missions Medical College, Aurangabad, Maharashtra, to the
residents pertaining to MD (DVL).**

The Executive Committee of the Council approved the proceedings of the Ethics Committee. However, report of Sub-committee shows that out of total strength of 207 Residents, information is provided only for 173 implying thereby that no information is given for 34 Residents. Referred back to Ethics Sub-committee to re-examine the matter in respect of these 34 residents& resubmit the matter thereafter after taking appropriate decision in the matter.

24. Case No. : 03(i)(4). File No. MCI-211(2)(126 & 127)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by School of Medical Sciences & Research, Greater Noida, to the residents pertaining to MD (Pharmacology) & The matter with regard to irregularities in stipend paid by School of Medical Sciences & Research, Greater Noida, to the residents pertaining to MS (Anatomy).

The Executive Committee of the Council observed that no recommendation or decision is taken by Ethics Committee. Referred back with direction to obtain legal opinion and to take appropriate decision in the matter and resubmit the item.

26. Case No. : 03(i)(6). File No. MCI-211(2)(130 to 139)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by K S Hegde Medical Academy, Mangalore, to the residents pertaining to MS (ENT), MD (DVL), MD (Paediatrics), MD (Orthopaedics), MD (Pharmacology), MD (SPM), MD (Biochemistry), MD (Forensic Medicine), MD (Psychiatry) & MD (Physiology).

The Executive Committee of the Council approved the proceedings of the Ethics Committee. However, report of Sub-committee shows that out of total strength of 294 Residents, information is provided only for 235-245 implying thereby that no information is given for 49-59 Residents. Referred back to Ethics Sub-committee to re-examine the matter in respect of these 49-59 residents & resubmit the matter thereafter after taking appropriate decision in the matter.

27. Case No. : 03(i)(7). File No. MCI-211(2)(140 & 141)(Comp.)/2016-Ethics/

The matter with regard to irregularities in stipend paid by Kempegowda Institute of Medical Sciences, Bangalore, to the residents pertaining to MS (Orthopaedics) & The matter with regard to irregularities in stipend paid by Kempegowda Institute of Medical Sciences, Bangalore, to the residents pertaining to MD (Paediatrics).

The Executive Committee of the Council directed that complaint of Shri Chandrasekhar be referred to Secretary (Medical education) to inquire into the matter and submit the report.

29. Case No. : 03(i)(9). File No. MCI-211(2)(147 to 149)(Comp.)/2016-Ethics/
The matter with regard to irregularities in stipend paid by JSS Medical College, Mysore, to the residents pertaining to DO qualification, DDVL qualification, DA qualification.

The Executive Committee of the Council approved the proceedings of the Ethics Committee. However, report of Sub-committee shows that out of total strength of 433 Residents, information is provided only for 337-376 implying thereby that no information is given for 57-96 Residents. Referred back to Ethics Sub-committee to re-examine the matter in respect of these 57-96 residents & resubmit the matter thereafter after taking appropriate decision in the matter.

43. Case No. : 3(01). File No. MCI-211(2)(Gen.)/2015-Ethics/
Irregularities found during the assessment of Kalinga Institute of Medical Sciences, Bhubaneswar.

The Executive Committee noted that the decision in respect of the Faculty/Residents of Kalinga Institute of Medical Sciences of the Ethics Sub-Committee dated 14.12.16 was not approved by the Executive Committee in its meeting on 13.01.17 and was referred back to the Ethics Committee for review.

The proceedings that have been received from the Ethics Sub-Committee of its meeting dated 06-07 June 2017 do not disclose as to whether the Ethics Sub-Committee has taken into account the fact that the faculty/residents have not been able to provide the documentary evidence of the telephone number given

by them in the Declaration Form at the time of assessment. They have produced records of either different Telephone number/Mobile Number or Electricity bill/PAN card/Voter ID/ Quarter allotment letter etc. as an address proof at the time of hearing granted by the Ethics Sub-Committee. However, till date no proof has been provided in support of the telephone/mobile number provided by the concerned faculty/resident in their declaration form which has been signed both by the Dean and the concerned faculty/resident.

The Ethics Sub-Committee may also note that the Faculty/Resident is required to give following Declaration:

"It is declared that each statement and/or contents of this declaration and/or documents, certificates submitted along with the declaration form, by the undersigned are absolutely true, correct and authentic. In the event of any statement made in this declaration subsequently turning out to be incorrect or false the undersigned has understood and accepted that such mis declaration in respect to any content of this declaration shall also be treated as misconduct thereby rendering the undersigned liable for necessary disciplinary action (including removal of his name from Indian Medical Register).

In view of the above, the Ethics Sub-Committee ought to examine the records specifically with regard to the documentary proof of the telephone/mobile number mentioned by the concerned faculty/resident in their declaration form and make appropriate recommendation. Accordingly, the matter is referred back to the Ethics Sub-Committee for reconsideration.

**45 Case No. : 03(04). File No. MCI-211(2)(Gen.)/2014-Ethics/
To consider the matter of Dr. R. Vedamanickam, Sr. Resident, for his appearance in two departments as a faculty i.e. General Medicine & Cardiology at Sree Balaji Medical College & Hospital, Chennai, in the same session.**

The Executive Committee of the Council noted the proceedings of the Ethics Committee and further noted the explanation submitted by the Ethics Section.

The Section in its explanation has mentioned that the Ethics Committee vide its minutes dated 10th and 11th Aug.2015 had placed the matter before the EC to impose stiff financial penalty upon the college besides taking other action, as deemed appropriate. However, no comments have been received from EC on this issue till date even after placing the same many times before it.

The Executive Committee of the Council further noted that the Ethics Section has failed to place before it the details of the meetings/dates when these matters were placed before the Executive Committee and therefore decided to form an Enquiry Committee of the following members/officials to ascertain at which level the matter was kept pending and as to how the decision of Ethics Committee was communicated to the concerned parties even while the matter was still under the consideration of the Executive Committee and also to fix the responsibility for this lapse:

- (1) Dr. Vinay Agarwal, Member Ethics Committee;
- (2) Dr. R.N. Wabale, Joint Secretary
- (3) Shri Shikhar Ranjan, Law Officer.

The Executive Committee directed that the report be submitted to Executive Committee within 4 weeks.

46. Case No. : 03(05). File No. MCI-211(2)(Gen.)/2014-Ethics/

To consider the matter of Dr. Pradeep Kumar, Sr. Resident, for his appearance in two departments as a faculty i.e. Surgery & Urology at Fr. Mullers Institute of Medial Education & Research, Mangalore, in the same session.

The Executive Committee of the Council noted the proceedings of the Ethics Committee and further noted the explanation submitted by the Ethics Section.

The Section in its explanation has mentioned that the Ethics Committee vide its minutes dated 10th and 11th Aug.2015 had placed the matter before the EC to impose stiff financial penalty upon the college besides taking other action, as deemed appropriate. However, no comments have been received from EC on this issue till date even after placing the same many times before it.

The Executive Committee of the Council further noted that the Ethics Section has failed to place before it the details of the meetings/dates when these matters were placed before the Executive Committee and therefore decided to form an Enquiry Committee of the following members/officials to ascertain at which level the matter was kept pending and as to how the decision of Ethics Committee was communicated to the concerned parties even while the matter was still under the consideration of the Executive Committee and also to fix the responsibility for this lapse:

- (1) Dr. Vinay Agarwal, Member Ethics Committee;
- (2) Dr. R.N. Wabale, Joint Secretary
- (3) Shri Shikhar Ranjan, Law Officer.

The Executive Committee directed that the report be submitted to Executive Committee within 4 weeks.

**47. Case No. : 03(06). File No. MCI-211(2)(Gen.)/2014-Ethics/
To consider the matter of Dr. Naveen N., Sr. Resident, for his appearance in two departments as a faculty i.e. Department of Surgery & Plastic Surgery at Raja Rajeshwari Medical College & Hospital, Bangalore, in the same session.**

The Executive Committee of the Council noted the proceedings of the Ethics Committee and further noted the explanation submitted by the Ethics Section.

The Section in its explanation has mentioned that the Ethics Committee vide its minutes dated 10th and 11th Aug.2015 had placed the matter before the EC to impose stiff financial penalty upon the college besides taking other action, as deemed appropriate. However, no comments have been received from EC on this issue till date even after placing the same many times before it.

The Executive Committee of the Council further noted that the Ethics Section has failed to place before it the details of the meetings/dates when these matters were placed before the Executive Committee and therefore decided to form an Enquiry Committee of the following members/officials to ascertain at which level the matter was kept pending and as to how the decision of Ethics Committee was communicated to the concerned parties even while the matter was still under the consideration of the Executive Committee and also to fix the responsibility for this lapse:

- (1) Dr. Vinay Agarwal, Member Ethics Committee;
- (2) Dr. R.N. Wabale, Joint Secretary
- (3) Shri Shikhar Ranjan, Law Officer.

The Executive Committee directed that the report be submitted to Executive Committee within 4 weeks.

**49. Case No. : 03(13). File No. MCI-211(2)(171)/2013-Ethics/
Investigation of case - RC-0072010A0012, Shri Guru Ram Rai Institute of Medical and Health Sciences, Dehradun.**

The Executive Committee of the Council noted the explanation submitted by the Ethics Section with regard to Dr. P.K. Arya and found it unsatisfactory as no details have been provided of the dates of meeting of Ethics Committee & Executive Committee at which this matter was considered nor dates of communication of the decision of Executive Committee. It is also not clear as to why one punishment awarded to Dr. P.K. Arya in the case of submission of fake declaration forms at Shri Guru Ram Rai Instt. Of Medical & Health Sciences, Dehradun was not communicated till 13.02.2017 while the other in the matter of fake experience certificate was communicated even while the matter of Dr. P.K.

Arya and his wife Muktanjali Arya was still under consideration of Executive Committee.

In view of above, the Executive Committee decided to constitute an enquiry committee of the following members to enquire into the matter and fix the responsibility for this lapse:

- (1) Dr. Vinay Agarwal, Member Ethics Committee;
- (2) Dr. R.N. Wabale, Joint Secretary
- (3) Shri Shikhar Ranjan, Law Officer.

The Executive Committee directed that the report be submitted to Executive Committee within 4 weeks.

51. Case No. : 21. File No. MCI-211(2)(54)(Appeal)/2014-Ethics/ Appeal dated 15.11.2014 filed by Mrs. Kasthuri against Order dated 04.09.2014 passed by Tamilnadu Medical Council.

The Executive Committee of the Council noted the explanation given by the Ethics Section. The Section has admitted to the delay in communicating the decision due to heavy workload and frequent meetings of the Ethics Committee and the file being mixed up with other files. In view of above, the Executive Committee decided to issue a warning to the Ethics Section to be more careful and not repeat such lapses in future.

60. Case No. : 04. File No. MCI-211(2)(29)(Comp.)/2015-Ethics/ Irregularities found during the Compliance verification assessment for Establishment of new medical college at Kaithal, Haryana by Dr. Puran Chand Dharmarth Trust, Gurgaon, Haryana.

The Executive Committee of the Council approved the proceedings of the Ethics Committee and directed that the file be placed before U.G. section for initiating action u/s 8(3)(1)(d) against the Institute.

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

9. Regarding permission to appear in the final Professional examination for completing the MBBS Course.

Read: the matter with regard to regarding permission to appear in the final Professional examination for completing the MBBS Course.

The Executive Committee of the Council perused the matter and decided to grant permission Miss Jyoti Puri D/o Lt. Shri Lakshmi Puri of Indira Gandhi Medical College, Shimla to appear in III M.B;B.S. examination and complete her course as has been done in similar cases in the past.

10. Approval of the minutes of the Monitoring Sub-Committee meeting held on 29/05/2017.

Read: the matter with regard to approval of the minutes of the Monitoring Sub-Committee meeting held on 29/05/2017.

The Executive Committee of the Council approved the minutes of the Monitoring Sub-Committee meeting held on 29/05/2017 with regard to item Nos.1,2,3,4,5,6,7,8,9,10,12,13,15,16,17,18,19,20,21,25,26,29,31,33,38,40,41&42. For the remaining items, the Executive Committee observed as under:-

Item No.11 : Admission of 1st year MBBS student at Shree Guru Gobind Singh Tricentenary Medical College, Gurgaon, for the Academic Year 2016-17 – Regarding.

The Executive Committee observed that the institute in its reply has stated that “Para ii of the said notification clearly contemplates that the procedure as laid down in the said notification shall not apply to Shree Guru Gobind Singh University, Budhera, Gurgaon (Private University) namely SGT Medical College & Research Institute and SGT Dental Hospital & Research. In view of provisions in para ii of the Notification the provisions of admission process as contained in Para f quoted in your letter does not apply to SGT Medical College Hospital & Research Institute.” This aspect be examined by Law Officer and matter be resubmitted alongwith opinion of Law Officer & also the complaint received under RTI.

Item No. 14: Admission of 1st year MBBS student at Ruxmaniben Deepchand Gardi Medical College, Ujjain, Madhya Pradesh for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. However the following para of Hon’ble Supreme Court be conveyed to Institute, Secretary (ME), DME, affiliating University, Admission Authority & State Medical Council for strict compliance:

*“The Colleges which shall be benefited by the allocation of the students by virtue of our order, which is in excess of the intake capacity, **shall not admit equal number of students for the academic session 2017-18.**”*

Item No. 22: Admission of 1st year MBBS student at MP Shah Medical College, Jamnagar, Gujarat for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided to issue Discharge Notice in respect of the 4 students. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI.

Item No.23: Admission of 1st year MBBS student at Dr. Vaishampayan Memorial Medical College, Solapur, Maharashtra for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee and directed to issue Discharge Notice in respect of the 2 students. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI.

Item No.24: Admission of MBBS Student at Dr. Somervel Memorial CSI Hospital & Medical College, Karakonam, Thiruvananthapuram for Academic year 2015-16 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided that copy of the decision be sent forthwith to Secretary (ME), DME, affiliating University & Admission Authority.

Item No.27: Admission of the I Year MBBS at Amla Institute of Medical Sciences, Thrissur for the A. Y. 2015-16.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided that copy of the decision be sent forthwith to Secretary (ME), DME, affiliating University & Admission Authority.

Item No.28: Admission of MBBS Student at Chandulal Chandrakar Memorial Medical College, Durg for Academic year 2015-16 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided that copy of the communication be sent forthwith to Secretary (ME), DME, affiliating University & Admission Authority for strict compliance.

Item No.30 : Admission of MBBS Student Tagore Medical College & Hospital, Chennai for Academic year 2015-16 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided that copy of the communication be sent forthwith to Secretary (ME), DME, affiliating University & Admission Authority for strict compliance.

Item No.32: Admission of MBBS Student at Mediciti Institute of Medical Sciences, Ghanpur for Academic year 2015-16 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided that the Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI. With regard to action to be taken against the Institute, matter be resubmitted with the opinion of Law Officer.

Item No.34: Admission of MBBS Student at Shri Guru Ram Rai Institute of Medical & Health Sciences, Dehradun, Utrakhand for the Academic Year 2014-15 – regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and further decided that the entire sequence of events be brought to notice of Hon'ble Health Minister, Chief Secretary & Secretary (ME).

Item No.35: Admission of MBBS student at GMERS Medical College, Nanakwada, Valsad, Gujarat for the Academic Year 2014-15 – Regarding.

Executive Committee observed that decision to issue Discharge Notice has already been approved earlier. Institute be directed to discharge the student forthwith. Institute be asked to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI. Explanation may also be sought from the Dean as to how a candidate was allowed to commence his study from middle of a term. Full details of his attendance, when his terms were stated to be completed, when was he allowed to appear in I M.B.S. examination be sought from the Dean for further necessary action against the Dean.

Item No.36: Admission of 1st year MBBS student at Belgaum Institute of Medical Sciences, Belgaum, Karnataka for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee and further observed that enough opportunities have been given to the Institute to submit proper records. The Committee decided to issue Discharge Notice in respect of the candidate. Institute be directed to discharge the student forthwith. Institute be asked to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI.

Item No.37: Admission of 1st year MBBS student at Chamarajanagar Institute of Medical Sciences, Karnataka for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee and further observed that enough opportunities

have been given to the Institute to submit proper records. Issue Discharge Notice in respect of this candidate. Institute be directed to discharge the student forthwith. Institute be asked to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI.

Item No.39: Seeking immediate intervention and drastic action to cancel the arbitrary and fraudulent selection list prepared by IQ-City Medical College, Durgapur, West Bengal for admission in MBBS 2016-17 – regarding.

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee and observed that the complaint was with regard to seeking immediate intervention and drastic action to cancel the arbitrary and fraudulent selection list prepared by IQ City Medical College, Durgapur, West Bengal for admission in MBBS 2016-17. The order of Hon'ble Supreme Court cited by the Institute pertains to modality of admissions. However it needs to be verified whether any fraud as alleged by the complainant is perpetuated or not for which the Sub-Committee of the following is appointed:

- (1) Dr. Anil Chauhan, Member
- (2) Dr. R.N. Wable Jt. Secretary
- (3) Shri Shikhar Ranjan, Law Officer.

The Executive Committee of the Council directed the Sub-Committee to investigate the complaint and submit its report at the next meeting of the Executive Committee.

Item No.43: Admission of 1st year MBBS student at Index Medical College Hospital & Research Centre, Indore, Madhya Pradesh for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee and observed that enough opportunities have been given to the Institute to submit proper records. Issue Discharge Notice in respect of these 5 candidates(Mention Name). Institute be directed to discharge the student forthwith. Institute be asked to submit compliance within 2 weeks. Copy of Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State Govt. on MCI.

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

11. Consideration of compliance verification assessment report with regard to Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Dr. B.R. Ambedkar Medical College, Bangalore.

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

The Executive Committee of the Council considered the compliance verification assessment report (15th May, 2017) alongwith previous assessment reports (21st November, 2016 and 22nd& 23rd February, 2016)and decided to revoke the decision of application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16th April, 2010.

The Executive Committee further recommended that recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Dr. B.R. Ambedkar Medical College,

Bangalore be continued restricting the number of admission to 100 (One Hundred) students.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April, 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

- (2) The recognition so granted to an Undergraduate Course for award of degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.
- (3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.
- (4) Failure to seek timely renewal of recognition as required in sub clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

12. Consideration of compliance verification assessment report with regard to Continuance of recognition of MBBS degree granted by Sher-I-Kashmir Institute of Medical Sciences, Srinagar (Deemed University) in respect of students being trained at Sher-I-Kashmir Institute of Medical Sciences, Srinagar.

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Sher-I-Kashmir Institute of Medical Sciences, Srinagar (Deemed University) in respect of students being trained at Sher-I-Kashmir Institute of Medical Sciences, Srinagar.

The Executive Committee of the Council considered the compliance verification assessment report (17th April, 2017) alongwith previous assessment report (30th and 31st May, 2014) and noted the following:-

1. OPD: Most of the OPDs have 3 Examination rooms against requirement of 4 rooms for Major departments.
2. There are 3 Static X-ray machines against requirement of 5. There are 3 Mobile X-ray machines against requirement of 4. Deficiency remains as it is.
3. Lecture Theaters: Capacity of 4 Lecture Theaters is 90 against 120 required. Deficiency remains as it is.
4. Central Library: Available area is 200 sq.m. against requirement of 1,600 sq.m. Total seating capacity available is 100 against requirement of 200. 49 Journals are available against requirement of 100.
5. Total accommodation available for Students, Interns, Residents is inadequate.
6. Anatomy Department: Demonstration room is not available. Embalming room is not available. Band Saw is not available. Cooling chambers are non-functional.
7. Physiology Department: Demonstration room is not available. Capacity of Students' Laboratories is smaller than required.
8. Biochemistry Department: Demonstration room is not available. Audiovisual aids are not available.
9. Pathology Department: Demonstration room is not available. Capacity of 1 Students' Laboratory is 35 against requirement of 2 Laboratories with capacity of 60 each.
10. Microbiology Department: Demonstration room is not available. 6 Service Laboratories are available against requirement of 7. Capacity of Students' Laboratory is smaller than required.
11. Pharmacology Department: Demonstration room is not available.
12. Forensic Medicine Department: Autopsy room is not available. Wet Specimens are not available.
13. Community Medicine Department: Demonstration room is inadequate.

14. Size of Dean's office is smaller than required. Deficiency remains as it is.
15. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Sher-I-Kashmir Institute of Medical Sciences, Srinagar (Deemed University) in respect of students being trained at Sher-I-Kashmir Institute of Medical Sciences, Srinagar and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

13. Consideration of compliance verification assessment report with regard to Continuance of recognition of MBBS degree granted by Dr. NTR University of Health Sciences, Vijayawda in respect of students being trained at Osmania Medical College, Hyderabad.

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Dr. NTR University of Health Sciences, Vijayawda in respect of students being trained at Osmania Medical College, Hyderabad.

The Executive Committee of the Council considered the compliance verification assessment report (21st April, 2017) alongwith previous assessment report (14th& 15th March, 2013) and decided to recommend that recognition of MBBS degree granted by Dr. NTR University of Health Sciences, Vijayawda in respect of students being trained at Osmania Medical College, Hyderabad be continued restricting the number of admission to 200 (Two Hundred) students.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April, 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

- (2) The recognition so granted to an Undergraduate Course for award of degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.
- (3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.
- (4) Failure to seek timely renewal of recognition as required in sub clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

14. Consideration of Compliance Verification Assessment report with regard to continuance of recognition of MBBS degree granted by Tilkamanshi Bhagalpur University in respect of students being trained at Jawaharlal Nehru Medical College, Bhagalpur.

Read: the matter with regard to consideration of Compliance Verification Assessment report with regard to continuance of recognition of MBBS degree granted by Tilkamanshi Bhagalpur University in respect of students being trained at Jawaharlal Nehru Medical College, Bhagalpur.

The Executive Committee of the Council considered the compliance verification assessment report 15.05.2017 alongwith previous assessment reports (24th& 25th October, 2016 and 24th September, 2014) and decided to recommend that recognition of MBBS degree granted by Tilkamanshi Bhagalpur University in respect of students being trained at Jawaharlal Nehru Medical College, Bhagalpur be continued restricting the number of admission to 50 (Fifty) students.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April, 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

- (2) The recognition so granted to an Undergraduate Course for award of degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.
- (3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.
- (4) Failure to seek timely renewal of recognition as required in sub clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

15. Consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Manipal Academy of Higher Education (Deemed University), Manipal in respect of students being trained at Kasturba Medical College, Mangalore.

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Manipal Academy of Higher Education (Deemed University), Manipal in respect of students being trained at Kasturba Medical College, Mangalore.

The Executive Committee of the Council considered the compliance verification assessment report 15.05.2017 alongwith previous assessment report (25th & 26th May, 2016) and noted the following:-

1. Deficiency of faculty is 9.09% as detailed in the report.
2. Wards and beds are located in 3 hospitals. Distance between 2 beds required as per regulations (<1.5m) is not uniformly done. Few wards in the surgical department are having beds spaced more than 1.5m. Wards are not as per MSR Regulations. The sister's duty room is one and quite away from different indoor wards. This is in both hospitals. Teaching space is inadequate in wards to accommodate more than 10 students.
3. There were only 09 major and 05 minor operations on the day of assessment.
4. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Manipal Academy of Higher Education (Deemed University), Manipal in respect of students being trained at Kasturba Medical College, Mangalore and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

16. Consideration of Compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Vinayaka Missions University, Salem, Tamilnadu in respect of students being trained at Vinayaka Mission's Kirupananda Variyar Medical College & Hospital, Salem.

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Vinayaka Missions University, Salem, Tamilnadu in respect of students being trained at Vinayaka Mission's Kirupananda Variyar Medical College & Hospital, Salem.

The Executive Committee of the Council considered the compliance verification assessment report 16.05.2017 alongwith previous assessment report (30th& 31stMay, 2016) and noted the following:-

1. Deficiency of faculty is 12.5 % as detailed in the report.
2. Shortage of Residents is 5.88 % as detailed in the report.
3. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment. There was NIL woman in the Labour room at the time of taking the round.
4. There were only 05 Minor Operations on day of assessment.
5. NIL Histopathology samples were received till 12:30 p.m. on day of assessment.
6. Cytopathology workload is only 05 on day of assessment.
7. ICUs: ABG Analyser is not available.
8. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Vinayaka Missions University, Salem, Tamilnadu in respect of students being trained at Vinayaka Mission's Kirupananda Variyar Medical College & Hospital, Salem and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Committee further decided to continue the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II) dated 16th April, 2010.

17. Consideration of Compliance Verification Assessment report with regard to continuance of recognition of MBBS degree (150 seats) granted by Bharat University, Chennai in respect of students being trained at Sri Lakshmi Narayana Institute of Medical Sciences, Puducherry.

Read: the matter with regard to compliance Verification Assessment report with regard to continuance of recognition of MBBS degree (150 seats) granted by Bharat University, Chennai in respect of students being trained at Sri Lakshmi Narayana Institute of Medical Sciences, Puducherry.

The Executive Committee of the Council considered the compliance verification assessment report 16.05.2017 alongwith previous assessment reports (25.07.2016 & 9th& 10th May, 2016) and decided to revoke the decision of application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part- II), dated 16th April, 2010.

The Executive Committee further recommended that recognition of MBBS degree granted by Bharat University, Chennai in respect of students being trained at Sri Lakshmi Narayana Institute of Medical Sciences, Puducherry be continued restricting the number of admission to 150 (One Hundred Fifty) students.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April, 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

- (2) The recognition so granted to an Undergraduate Course for award of degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.
- (3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

- (4) Failure to seek timely renewal of recognition as required in sub clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

18. Continuance of recognition of MBBS degree granted by Santosh University, Ghaziabad in respect of students being trained Santosh Medical College, Ghaziabad.

Read: the matter with regard to continuance of recognition of MBBS degree granted by Santosh University, Ghaziabad in respect of students being trained Santosh Medical College, Ghaziabad.

The Executive Committee of the Council perused the letter dated 16.05.2017 received from the above assessors in which states as under:-

".....I would like to inform that we, the undersigned, reached Santosh Hospital and Santosh Medical College at 9.00 AM and 10.00 AM respectively but the inspection could not be carried out as per Dean's request in writing to postponed the same as the faculties busy for preparing for vacations starting from 17th May 2017.

So, we submit the blank A III form duly signed by the Assessors and Dean and other documents for your perusal."

The Committee further perused the letter dated 16.05.2017 received from the Dean, Santosh Medical College & Hospital, Ghaziabad wherein it is stated that *"in view of the summer vacation starting w.e.f. 17.05.2017 to 16.07.2017, faculties proceeding on vacation from tomorrow 17.05.2017 are preparing for the vacation. Therefore, it is requested that the MCI inspection to be postponed till 16th July 2017"*.

In view of above, the Executive Committee of the Council decided to conduct assessment for continuation of recognition of MBBS degree granted by Santosh University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad, at the earliest.

19. Continuance of recognition of MBBS degree granted by Chhatrapati Shahuji Maharaj University, Kanpur in respect of students being trained at U.P. Rural Institute of Medical Sciences & Research, Saifai, Etawah, U.P.

Read: the matter with regard to recognition of MBBS degree granted by Chhatrapati Shahuji Maharaj University, Kanpur in respect of students being trained at U.P. Rural Institute of Medical Sciences & Research, Saifai, Etawah, U.P.

The Executive Committee of the Council perused the letter dated 05.05.2017 received from the above assessors in which states as under:-

"As per above order we have reached the above said institute for Inspection on 05th May, 2017 at 09:00 am. Vice Chancellor of the institute regretted for the inspection for the reasons mentioned in their letter no. 533/E/VC(O)/UPUMS/2017-18 dated 05th May, 2017 which is attached along with this letter. Inspection fees already submitted by college authorities in Sept., 2016. Photocopy of which is attached along with this."

The Committee further perused the letter dated 05.05.2017 received from the Vice Chancellor, Uttar Pradesh University of Medical Sciences, Saifai, Etawah (U.P.) wherein it is stated as under:-

“Dr. Ashok Anand, (Co-ordinator) Professor, Deptt. of Obs. & Gynaecology, Grant Medical College, Mumbai, Dr. Utpal Dan, Professor, Deptt. of Anatomy, Burdwan Medical College, Burdwan, West Bengal & Dr. Meera Sikka, Professor, Deptt. of Pathology, University college of Medical Sciences & GTB Hospital, New Delhi have come for inspection today at 9.00 am. In this connection we refer our letter no. 356/E/UPUMS/Esst.-1/2017-18 dated 22nd April, 2017 regarding summer vacation from 01st May, 2017 to 30th June, 2017 in two halves (Copy enclosed). I requested you not to get the inspection done during this period, as the summer vacation has already started from 01st May, 2017 as per circular no. 305/UPUMS/Estt-F/2017-18 dated 24th April, 2017 (Copy enclosed) and 50% faculty is already on leave. In this connection please refer our earlier inspection in which similar thing has happened and in the compliance report no. MCI-34(41)(UG)/2016-Med./132334 dated 26-09-2016 (Copy enclosed) the deficiency shown as 34% inspite of producing the letter of summer vacation and other relevant documents.

In view of above we do not want the similar situation to arise. Hence, I want to state that we are not ready for the inspection. So, I request you that the inspection can be carried out on any date after 30th June, 2017.”

In view of above, the Executive Committee of the Council decided to conduct assessment for continuation of recognition of MBBS degree granted by Chhatrapati Shahuji Maharaj University, Kanpur in respect of students being trained at U.P. Rural Institute of Medical Sciences & Research, Saifai, Etawah, U.P. at the earliest.

20. Pre-PG compliance verification Assessment of the physical and other teaching facilities available for starting of PG course at Bidar Institute of Medical Science, Bidar under Rajiv Gandhi University of Health Sciences.

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

The Executive Committee of the Council considered the compliance verification assessment report 14.06.2017 alongwith previous assessment report (16th& 17th May, 2016) and noted the following:-

1. Deficiency of faculty is 16.19 % as detailed in the report.
2. Shortage of Residents is 47.76 % as detailed in the report.
3. Deficit of 100 teaching beds as shown previously remains as it is as the new hospital building is not yet handed over.
4. OPD attendance on day of assessment is 694 against requirement of 800.
5. There were only 05 Major Operations on day of assessment.
6. Cytopathology workload is NIL & Histopathology workload is only 01 on day of assessment.
7. Nursing Staff: 141 Nursing staff are available against requirement of 260.
8. O.T.: There are only 3 Major O.T.s against 7 required. Each O.T. has 2 tables which is not as per norms.
9. OPD: Area is inadequate. Teaching area is inadequate. Minor O.T. is leaking from roof. Plaster Cutting room & Dressing room are common.
10. Intercom is not available in the hospital building.
11. MRD: ICD X classification of diseases is not followed for indexing of diseases.
12. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to grant 01(One) month time to the institute to submit the compliance on rectification of deficiencies to the Council.

21. DMMP Project - Shipment of OFAMOS devices where road permit and other document required.

Read: the matter with regard to DMMP Project - Shipment of OFAMOS devices where road permit and other document required.

The Executive Committee of the Council perused the opinion of Consultant (Finance) which reads as under:

"

Due to following, the responsibility cannot be shifted to colleges.

(a) Contract Provision (Article 6.3) details explained in office file note P/99, mentioned as under:-

Article 6.3 of contract reads as under:-

"Assistance and Exemption: Unless otherwise specified, the MCI shall use its efforts to ensure the following:

- *Provide the SI with work permits and such other documents as shall be necessary to enable the SI to perform the Services."*

(b) To prevent tampering of devices (as recorded in office file Note P/61), mentioned as under:-

"As decided in Minutes of Meeting of Review Committee held on 02.09.2016, Para 4, which reads as under:-

"There was discussion about the safety of the Bio-metric machine to be installed at different medical colleges. On asking about the method of procurement of Bio-metric machine, it was informed by the representatives of System Integrator, that as per the terms and conditions of RFP document, the hardware items including bio-metric machines will be procured from the supplier in bulk i.e. in six lots of 500 machines each. They further informed that the bio-metric machines will be delivered directly at the individual colleges. The payment will be released to the System Integrator lot wise i.e. cost of each lot of 500 machines.

After hearing the above version of System Integrator, the Committee was of the opinion that if delivery of the Bio-metric machines was made directly at the colleges, there were chances of tampering the machines by the colleges. Therefore, the Committee was of the opinion that all the bio-metric machines should first be delivered at the MCI and then the same will be authenticated/inspected and sealed by MCI and thereafter will be handed over to the System Integrator for installation at each college.

The relevant agreement part regarding the clause for procurement and delivery of Hardware/Bio-metric machines may be suitably amended with mutual consent."

(c) Ownership of devices lies with Council.

As regards point no. 2 of the Executive Committee observation, the reasonableness of rate was asserted keeping in view the rates charged by Courier Companies dealing with the Council and not through the open tender."

After due deliberations, the Executive Committee of the Council decided to approve the opinion of Consultant (Finance) and the office is directed to act accordingly.

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

22. Review of Digital Mission Mode Project (DMMP) Phase-II of MCI, i.e. Live Streaming of both classroom teaching and the teaching hospital under all Medical Colleges.

Read: the matter with regard to review of Digital Mission Mode Project (DMMP) Phase-II of MCI, i.e. Live Streaming of both classroom teaching and the teaching hospital under all Medical Colleges.

The Executive Committee of the Council noted that this is a referred back matter. DMMP Sub-Committee who met on 22.05.2017 reviewed the response received from the members. It was observed that only minor suggestions have been received. The Committee decided that the suggestions received from the members will be considered alongwith the inputs received from interested vendors after publication of the EOI (Expression of Interest). The suggestions approved by the Technical Committee will be incorporated in the final tender document. The Committee recommends to Executive Committee for the approval of draft RFP and issuance of EOI.

The Executive Committee of the Council further noted the recommendations of the Admn. & Grievance Committee which reads as under:-

"Option 1 – With 3 cameras to be at College level, and Centralized Infrastructure provisioned for Supporting 15 Cameras at College.

1. Architecture/ central infrastructure is scalable and capable to host up-to 15 cameras per college
2. SI to supply and install and commissioning of 3 cameras at college location
3. Colleges will be responsible for providing LAN (Networking), power and band width (site level) till the camera points
4. SI will be responsible for Data Center Setup at MCI
5. SI will be responsible for setting-up of centralized infrastructure, Control/Monitoring Center
6. SI to complete project (Supply, Installation and Commissioning) in 6 Months from award of LOI/PO
7. SI to provide O&M support for 3 years
8. SI to provide Video/Picture Monitoring Manpower for 1 year
9. Total Project Cost Estimated at 106 Crores INR

In view of above, the Executive Committee decided to approve the draft RFP and permit the issuance of EOI.

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

23. Requirement of NEET to the Indian students wishing to pursue medical and dental studies abroad.

Read: the matter with regard to requirement of NEET to the Indian students wishing to pursue medical and dental studies abroad.

The Executive Committee of the Council noted that the Council Office has received a copy of the minutes of Monthly Review Meeting held on 26.05.2017 in the office of J.S. (ME). In the said meeting, the matter with regard to the requirement of qualifying NEET was also discussed and concluded that "The requirement of qualifying NEET for issuance of eligibility certificate has been

introduced by amending clause of the GME Regulation to provide that a candidate would be eligible to pursue MBBS if he has qualified NEET”.

The Executive Committee further noted that the Ministry of Health & F.W. vide letter No. V.11025/06/2017-MEP(PT.) dated 21st June, 2017 further requested the Council to make corresponding changes in the Eligibility Certificate Regulations, 2002 and/or the Screening Test Regulations, 2002 as the case may be to make it clear that qualifying NEET is mandatory for students desirous to pursue MBBS course in medical colleges outside the country.

In view of above, the Executive Committee of the Council decided to direct the Office to make necessary changes in the Eligibility Certificate Regulations 2002 for incorporation of provisions of NEET.

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

24. Regarding Merging of supplementary batch with main batch for IInd Prof. MBBS examination.

Read: the matter with regard to merging of supplementary batch with main batch for IInd Prof. MBBS examination.

The Executive Committee of the Council observed that as per the facts stated by the Registrar in his letter, M.P. Medical Science University, Jabalpur conducted first MBBS exam of batch 2014 in Sep-Oct 2015 & exam result was declared on Jan-2016. The student who failed in main exam gave supplementary exam held in March-2016 & result of this exam declared on June-2016. Thus the students who passed Supplementary examination in June 2016 could not have completed 18 months of study in June 2017 when the students who passed main examination would appear in II M.B;B.S. examination. Hence allowing them to appear in II M.B;B.S. examination in June 2017 would be contrary to Regulation 7(7) of GME Regulations which reads as under:

“The supplementary examination for 1st Professional MBBS examination may be conducted within 6 months so that the students who pass can join the main batch and the failed students will have to appear in the subsequent year provided that the students who pass the supplementary examination shall be allowed to appear in the second professional MBBS examination only after he/she completes the full course of study of three semesters (i.e. 18 months) for the second professional MBBS examination irrespective of the examination of the main batch.”

In view of above stated Regulatory position, the Executive Committee decided that the Registrar be informed accordingly.

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

25. Online application for establishment of Medical Colleges – amendment in regulations regarding.

Read: the matter with regard to online application for establishment of Medical Colleges – amendment in regulations.

The Executive Committee of the Council noted that the matter with regard to online application for establishment of medical colleges was considered during the monthly review meeting held on 26/5/2017 under the Chairmanship of JS(ME). The Council Office submitted that due to hardware constrains at present,

applications may not be received in online mode only for UG courses for 2018-19. The Executive Committee of the Council approved the suggestion made by JS(ME) that changes be made in the Establishment of Medical College Regulations, 1999 for removing the provisions “ by registered post”.

26. Approval of the minutes of the Finance Committee meeting held on 23rd June, 2017.

Read: the matter with regard to approval of the minutes of the Finance Committee meeting held on 23rd June, 2017.

The Executive Committee of the Council approved the minutes of the Finance Committee meeting held on 23rd June, 2017.

27. Pre-PG – Compliance Verification Assessment of the physical and other teaching facilities available for starting of PG course at Tagore Medical College & Hospital, Chennai under the Tamilnadu Dr. MGR Medical University, Chennai.

Read: the matter with regard to Pre-PG – Compliance Verification Assessment of the physical and other teaching facilities available for starting of PG course at Tagore Medical College & Hospital, Chennai under the Tamilnadu Dr. MGR Medical University, Chennai.

The Executive Committee of the Council considered the compliance verification assessment report (14.06.2017) along with previous reports (21st February, 2017 and 2nd& 3rd June 2016) and noted the following:-

1. Shortage of Residents is 10.12 % as detailed in the report.
2. Bed Occupancy at 10 a.m. on day of assessment was 70 % as verified by assessors. In most of the wards, > 60% of the cases were not genuine & were admitted with minor ailments and most were admitted on day of assessment.
3. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment. There was NIL delivery in past 2 days.
4. There were only 04 Major Operations for the whole hospital on day of assessment. At 1:30 p.m. during the visit to Post-operative room, there was not a single patient.
5. There were only 09 Minor Operations for the whole hospital on day of assessment.
6. Number of operations (both Major & Minor) in the last few days were 1-2/day as verified by assessors.
7. Histopathology & Cytopathology workload is NIL on day of assessment.
8. Data of OPD attendance appear to be inflated.
9. There were only 2 patients each in SICU, PICU, NICU on day of assessment.
10. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to grant 01(One) month time to the institute to submit the compliance on rectification of deficiencies to the Council.

The Committee further decided to continue the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II) dated 16th April, 2010.

28. Consideration of 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 Govt. Medical College, Miraj (Sangli).

Read: the matter with regard to Consideration of 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 Govt. Medical College, Miraj (Sangli).

The Executive Committee of the Council considered the compliance verification assessment report (14th June, 2017) along with previous assessment reports (6th June, 2016, 18th December, 2015 & 1st & 2nd July, 2014) and decided to recommend that recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Govt. Medical College, Miraj (Sangli) be continued restricting the number of admission to 100 (One Hundred) students.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April, 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

- (2) The recognition so granted to an Undergraduate Course for award of degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.
- (3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.
- (4) Failure to seek timely renewal of recognition as required in sub clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

29. Recognition/Approval of Sikkim Manipal Institute of Medical Sciences, Sikkim for the award of MBBS degree granted by Sikkim Manipal University, Gangtok, Sikkim against the increased intake i.e. from 50-100 seats u/s 11(2) of the IMC Act, 1956 - Assessment in pursuance of the Hon'ble Supreme Court order dt. 04.05.2017 passed in IA No. 5/2017 in SLP © No. 34220/2015-Medical Council of India Vs. Sikkim Manipal University & Ors.-req.

Read: the matter with regard to recognition/approval of Sikkim Manipal Institute of Medical Sciences, Sikkim for the award of MBBS degree granted by Sikkim Manipal University, Gangtok, Sikkim against the increased intake i.e. from 50-100 seats u/s 11(2) of the IMC Act, 1956 - Assessment in pursuance of the Hon'ble Supreme Court order dt. 04.05.2017 passed in IA No. 5/2017 in SLP © No. 34220/2015-Medical Council of India Vs. Sikkim Manipal University & Ors.

The Executive Committee of the Council considered the assessment report (17th/ 18th May, 2017) in pursuance of the Hon'ble Supreme Court order dt. 04.05.2017 passed in IA No. 5/2017 in SLP © No. 34220/2015-Medical Council of India Vs. Sikkim Manipal University & Ors. along with letter/representation dated 18.05.2017 received from the Dean of the Institute and noted the following:-

A: OWN HOSPITAL:

1. Deficiency of faculty is 12.17 % as detailed in the report.
2. Shortage of Residents is 14.27 % as detailed in the report.

3. The details of faculty/Residents not considered are as under:

S.No.	Name	Designation	Department	Remarks/Reasons for not considering.
1.	Dr.Bedita Devi	Tutor	Anatomy	Attendance not given in Biometric attendance as print out of Biometric attendance was given by Institute, Time at 10:17:54. (SI No.2525 in Department of Anatomy). Could not produce original address proof.
2	Dr.Rashmi Rekha Phukan	Asstt. Prof.	Biochemistry	Appointment order designated as Senior Medical Officer instead of Assistant Professor.
3	Dr.Ashish Rai	Tutor	Community Medicine	Did not appear in afternoon during verification. Not submitted the declaration form.
4	Dr.C.D.Yellepa	Tutor	Community Medicine	Appointed as Senior Medical Officer as per appointment order.
5	Dr.S.Tenzing	Tutor	Community Medicine	Appointed as Senior Medical Officer as per appointment order.
6	Dr.Prena Chettri	S.R.	Medicine	Stay in her own house. Written declaration in first page of declaration form.
7	Dr. Y Hussain Riza	SR	Medicine	Could not tell name of unit faculties.
8	Dr.Sisir Sharma	SR	Pediatrics	Not staying in hostel. Staying in his own house, written statement is given in declaration form in first page.
9	Dr.Chandra K R	SR	Pediatrics	Not staying in hostel. Campus address column in first page of declaration form remain blank.
10	Dr.Geeta Gunj	SR	Psychiatry	Not staying in hostel. Campus address column in first page of declaration form remain blank.
11	Dr.Abhisekh	SR	Anesthesiology	Not staying in hostel. Written statement is given in first page of declaration form.
12	Dr.Nilima Pradhan	SR	Anesthesiology	Not staying in hostel. Campus address column in first page of declaration form

				remain blank.
13	Dr.Kinggha Bhutia	SR	Anesthesiology	Not staying in hostel. Campus address column in first page of declaration form remain blank.
14	Dr.Ongden Gyastro	Assoc.Prof.	ENT	Two appointment orders for same designation with different date & year.
15	Dr.Pempa Tesling Bhutia	Assoc.Prof.	Ortho.	Two appointment orders for same designation with different date & year.
16	Dr.Chodenia Bhutia	SR	Ortho.	Not staying in campus.
17	Dr.Yomee Kirung Sherpa	SR	OBGY	Date of joining is 18 th August 2016 & date of appointment order 19 th August, 2016.
18	Dr.Tsheing Duma	JR	Surgery	Not staying in campus

4. Ratio of Non-medical faculty in Anatomy department is 62.5 % & in Physiology department is 54.55 % which is in excess of permissible 33 %.
5. Dr.Prateek Rastogi, Professor of FMT joined in SMIMS, Gangtok on 17.05.2017 on the day of inspection after relieving from Karnataka of the same institute on 16.05.2017 A/N.
6. There is deficiency of teaching beds in the own hospital as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Medicine	120	96	24
2	Paediatrics	60	32	28
3	Psychiatry	30	28	02
4	General Surgery	120	78	42
5	Orthopaedics	60	32	28
6	O.G.	60	56	04
	TOTAL			128

7. Bed Occupancy at 10 a.m. on day of assessment in own hospital was 204 out of 510 beds required – i.e. 40 %.
8. Data of OPD attendance as available in individual OPDs do not match with Central Registration data as verified by the assessors.
9. There were only 10 Major Operations for the whole hospital on day of assessment.
10. Wards:
 - (a) All wards were small size of each capacity of 02/03/06 except Medicine has capacity of 09/13/20 beds.

- (b) Surgery and Surgery allied wards have no Pantry. Common pantry for Medicine wards also.
- (c) Common Nursing station for each floor.
- (d) Demonstration room & doctors duty rooms are common in the same floor for all departments.
- (e) In Female Ophthalmology ward was not occupied by ophthalmic patients.
- (f) Available beds are less in many departments.

11. Casualty: Mobile X-ray is not available.
12. O.T.s: Orthopaedics O.T. has 2 tables which is not as per norms.
13. ICUs: There was only 1 patient in SICU on day of assessment.
14. Sterility clinic is not available in O.G. OPD.
15. Website: Citizens' charter is not available.
16. Anatomy department: Lockers are not available.
17. Pharmacology department: Specimens & Models are not available.
18. RHTC: It is not under the control of Dean. Specialists' visits are not organized.
19. UHC: No National programmes are run.
20. Other deficiencies as pointed out in the assessment report.

B: COMBINED REPORT OF OWN HOSPITAL & STNM HOSPITAL:

1. Deficiency of faculty is 5.21 % as detailed in the report.
2. Shortage of Residents is 12.60 % as detailed in the report.
3. The details of faculty/Residents who have not been considered are as under:

S.No.	Name	Designation	Department	Remarks/Reasons for not considering.
1.	Dr.Bedita Devi	Tutor	Anatomy	Attendance not given in Biometric attendance as print out of Biometric attendance was given by Institute, Time at 10:17:54. (SI No.2525 in Department of Anatomy). Could not produce original address proof.
2	Dr.Rashmi Rekha Phukan	Asstt. Prof.	Biochemistry	Appointment order designated as Senior Medical Officer instead of Assistant Professor.
3	Dr.Ashish Rai	Tutor	Community Medicine	Did not appear in afternoon during verification. Not submitted the declaration form.
4	Dr.C.D.Yellepa	Tutor	Community Medicine	Appointed as Senior Medical Officer as per appointment order.
5	Dr.S.Tenzing	Tutor	Community Medicine	Appointed as Senior Medical Officer as per appointment order.
6	Dr.Prena Chettri	S.R.	Medicine	Stay in her own house. Written declaration in first

				page of declaration form.
7	Dr. Y Hussain Riza	SR	Medicine	Could not tell name of unit faculties.
8	Dr.Sisir Sharma	SR	Pediatrics	Not staying in hostel. Staying in his own house, written statement is given in declaration form in first page.
9	Dr.Chandra K R	SR	Pediatrics	Not staying in hostel. Campus address column in first page of declaration form remain blank.
10	Dr.Geeta Gunj	SR	Psychiatry	Not staying in hostel. Campus address column in first page of declaration form remain blank.
11	Dr.Abhisekh	SR	Anesthesiology	Not staying in hostel. Written statement is given in first page of declaration form.
12	Dr.Nilima Pradhan	SR	Anesthesiology	Not staying in hostel. Campus address column in first page of declaration form remain blank.
13	Dr.Kinggha Bhutia	SR	Anesthesiology	Not staying in hostel. Campus address column in first page of declaration form remain blank.
14	Dr.Ongden Gyastro	Assoc.Prof.	ENT	Two appointment orders for same designation with different date & year.
15	Dr.Pempa Tesling Bhutia	Assoc.Prof.	Ortho.	Two appointment orders for same designation with different date & year.
16	Dr.Chodenia Bhutia	SR	Ortho.	Not staying in campus.
17	Dr.Yomee Kirung Sherpa	SR	OBGY	Date of joining is 18 th August 2016 & date of appointment order 19 th August, 2016.
18	Dr.Tsheing Duma	JR	Surgery	Not staying in campus.

4. Ratio of Non-medical faculty in Anatomy department is 62.5 % & in Physiology department is 54.55 % which is in excess of permissible 33 %.
5. Dr.Prateek Rastogi, Professor of FMT joined in SMIMS, Gangtok on 17.05.2017 on the day of inspection after relieving from Karnataka of the same institute on 16.05.2017 A/N.
6. Total number of faculties and Residents from STNMH are forty six (including Assoc.Prof.+Asstt.Professor+Titpr+SR). These doctors get nominal honourium from SMIMS. These faculties take average zero to four classes/year in SMIMS.

7. There is deficiency of teaching beds considering both hospitals as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Surgery	120	114	6
	TOTAL			6

8. Bed Occupancy at 10 a.m. on day of assessment in both hospitals combined was 71.50 %.
9. Registration counters are not computerized in STNM Hospital. Staff is not adequate at STNM Hospital. OPD examination rooms & teaching areas are inadequate in STNM hospital.
10. In CRH Hospital, data of OPD attendance as available in individual OPDs do not match with Central Registration data as verified by the assessors.
11. Wards of CRH Hospital & STNM Hospital
- All wards were small size of each capacity of 02/03/06 except Medicine has capacity of 09/13/20 beds.
 - Surgery and Surgery allied wards have no Pantry. Common pantry for Medicine wards also.
 - Common Nursing station for each floor.
 - Demonstration room & doctors duty rooms are common in the same floor for all department.
 - In Female Ophthalmology ward was not occupied by Ophthalmic patients.
- For STNM Hospital:
- For Surgery & Medicine wards distance between two beds not as per MCI regulations.
 - Ophthalmology & ENT wards Male & Female patients were combined. Total required beds in Pediatrics is 60 but total available beds are 58 including both hospitals. Total required beds in Surgery is 120 but available beds are 114 including both hospitals.
12. Casualty: Mobile X-ray is not available.
13. O.T.s: Orthopaedics O.T. has 2 tables which is not as per norms. Orthopaedics O.T. at STNM Hospital was closed at time of visit.
14. MRD: It is manual in STNM Hospital.
15. ICUs: There was only 1 patient in SICU on day of assessment. No ICU facility is available in STNM Hospital.
16. Blood Bank: Blood Component Separation facility is not available at STNM Hospital.
17. Website: Citizens' charter, Gender Harassment Committee are not available.
18. Anatomy department: Lockers are not available.
19. Pharmacology department: Specimens & Models are not available.
20. RHTC: It is not under the control of Dean. Specialists' visits are not organized.
21. UHC: No National programmes are run.
22. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve Sikkim Manipal Institute of Medical Sciences, Sikkim for the award of MBBS degree granted by Sikkim Manipal University, Gangtok, Sikkim against the increased intake i.e. from 50-100 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

The Committee further decided to continue the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II) dated 16th April, 2010 and amended on 18th March, 2016.

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

30. Grant of Registration for Additional Qualifications i.e. Doctor of Medicine of Radio Diagnosis awarded by the International University of the Health Sciences, St. Christopher and Nevis in respect of Dr. Rachamalla Aparna u/s 26(1) of the IMC Act, 1956.

Read: the matter with regard to Grant of Registration for Additional Qualifications i.e. Doctor of Medicine of Radio Diagnosis awarded by the International University of the Health Sciences, St. Christopher and Nevis in respect of Dr. Rachamalla Aparna u/s 26(1) of the IMC Act, 1956.

The Executive Committee of the Council perused the noting of Chairman, Academic Committee as under:

1. *The relevant qualification as possessed by the applicant is not included in Schedule IInd or IIIrd of the IMC Act.*
2. *It is not covered under the notification dated 07.03.2008 issued by the Ministry of Health & F.W., New Delhi.*
3. *As such the request cannot be granted for want of recognition and inclusion in the relevant schedule appended to the IMC Act, 1956.*

After due deliberations, the Executive Committee of the Council decided to accept the opinion of Chairman, Academic Committee and further decided to inform the candidate accordingly.

31. Establishment of Medical College Regulations, 1999 - Amendment in sub-clauses 8(3)(1)(a) to 8(3)(1)(c).

Read: the matter with regard to establishment of Medical College Regulations, 1999 - Amendment in sub-clauses 8(3)(1)(a) to 8(3)(1)(c).

The Executive Committee of the Council considered the letter dated 20.06.2017 received from the Joint Secretary, Govt. of India, Ministry of Health & Family Welfare, New Delhi requesting that the Council may revisit the applicability of sub-clauses 8(3)(1)(a) to 8(3)(1)(c) of the Establishment of Medical College Regulations, 1999 to bring them in consonance with the provision of the IMC Act, 1956.

The Executive Committee noted that the Hon'ble Division Bench of the Hon'ble Delhi High Court in WP (C) No. 5041/2015 titled as Shree Chhatrapati Shivaji Education Society & Anr. Vs. Union of India & Anr., vide its judgment dated 28.05.2015, had upheld the validity of Regulation 8(3)(1) of the Establishment of Medical College Regulations, 1999 and no opportunity could be granted to an institution who had failed to fulfill the minimum requirements as provided in the said Regulations. The said judgment had been challenged before the Hon'ble Supreme Court wherein no stay was granted and leave was granted in the matter. It is also necessary to note that the Hon'ble Larger Bench of the Hon'ble Delhi

High Court in WP (C) No. 7106/2015 titled as Malla Reddy Institute of Medical Science & Anr. Vs. Union of India & Anr. And WP (C) No. 8541/2015 titled as Lord Buddha Siksha Pratisthan & Anr. Vs. Union of India & Anr., vide its judgment dated 29.09.2015 had even though upheld the validity of the aforesaid Regulations however had observed that an opportunity should be given to the medical college to rectify the deficiencies.

The Executive Committee further noted that the Council had approached the Hon'ble Supreme Court by way of SLP (C) No.31535/2015-Medical Council of India Vs. Malla Reddy Institute of Medical Science & Anr. And SLP (C) No.30742/2015- Medical Council of India Vs. Lord Buddha Siksha Pratisthan & Anr. against the judgment dated 29.09.2015 passed by the Hon'ble Larger Bench of the Hon'ble Delhi High Court. The Hon'ble Supreme Court vide its judgment dated 27.04.2016 in the aforementioned matters has set-aside the judgment dated 29.09.2015 passed by the Hon'ble Larger Bench of the Hon'ble Delhi High Court and has allowed the appeals filed by the Council. Thus the judgment dated 28.05.2015 passed by the Hon'ble Division Bench of the Hon'ble Delhi High Court in WP (C) No. 5041/2015 titled as Shree Chhatrapati Shivaji Education Society & Anr. Vs. Union of India & Anr., stands revived and is the authoritative pronouncement on the validity of Regulation 8(3)(1) of the Establishment of Medical College Regulations, 1999.

The Executive Committee of the Council recollected that the provisions of clause 8(3)(1)(a)(b)(c) had been notified as part of the the Establishment of Medical College Regulations, 1999 by the Council only after approval had been granted by the Government of India. The basic aim/purpose of the said Regulation was to ensure the availability, throughout the year, of faculty/residents and clinical material for the purposes of adequate/better academic environment.

It was also noted that in the past, the Council had an experience that many colleges were grossly deficient in terms of faculty/residents and clinical material in the first assessment and later on at the time of second/third assessment (Compliance verification assessment) which used to take place in the months of April/May just before last date of sending the recommendations by the Medical Council of India to the Central Govt. as per time schedule, the institution made up the deficiencies by recruiting faculty/residents and filling up the hospitals for that brief period only. In nutshell, the institution was having faculty/clinical material required for the purpose of adequate teaching and training to the students effectively for a period of 1-2 months only in a year. To overcome this menace, Council after detailed deliberations, in consultation with Government of India had notified the said Regulations.

In view of above, the Executive Committee decided that the existing Regulations, in the larger interest of maintaining quality of medical education throughout the year and better academic environment in the Institution, the said Regulations be continued and applied without any changes.

32. Request made by Ministry of Defence for considering exemption from NEET requirement for friendly foreign candidates nominated by Ministry of External Affairs against UG/PG course in the medical colleges/institution of AFMS.

Read: the matter with regard to request made by Ministry of Defence for considering exemption from NEET requirement for friendly foreign candidates nominated by Ministry of External Affairs against UG/PG course in the medical colleges/institution of AFMS.

The Executive Committee of the Council noted the request made by Ministry of Defence for considering exemption from NEET requirement for friendly foreign candidates nominated by Ministry of External Affairs against UG/PG course in the medical colleges/institution of AFMS and decided to inform AFMS

that the matter of exemption from NEET was beyond the purview of MCI as it had been made mandatory by the Hon'ble Supreme Court for all undergraduate and postgraduate admissions in medical colleges of the country.

33. Approval of the minutes of the Monitoring Sub-Committee meeting held on 03/07/2017.

Read: the matter with regard to approval of the minutes of the Monitoring Sub-Committee meeting held on 03/07/2017.

The Executive Committee of the Council noted and approved the minutes of the Monitoring Sub-Committee meeting held on 03/07/2017 with regard to item Nos.1,3,4,5,9,10,14,15,19,20,21,22,25,26,28,31,32,34,35,36,37,38,39,40,41,43, 44,45 & 46. For the remaining items, the Executive Committee observed as under:-

Item No.2 Admission of 1st year MBBS student at Raichur Institute of Medical Sciences, Raichur, Karnataka for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and decided to issue Discharge Notice in respect of Mr. Suresh. Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of State on MCI.

Item No. 3 Admission of 1st year MBBS student at Kanachur Institute of Medical Sciences, Mangalore for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council noted the recommendations of the Monitoring Sub-Committee and decided to request the Council Advocate at Bangalore for disposal of W.P. at the earliest.

Item No. 6 Admission of 1st year MBBS student Malabar Medical College, Kozhikode, Calicut, Kerala for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and decided that the position be brought to the notice of Chief Minister, Hon'ble Minister of Medical Education, Secretary (ME) & DME also.

Item No. 7 Admission of 1st year MBBS student at Kannur Medical College, Kannur, Kerala for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council noted the recommendations of the Monitoring Sub-Committee and decided that the latest position in this regard be obtained from Govt. Authorities as well. Law Officer be asked to clarify as to how a decision rendered for Karuna Medical College by Hon'ble Supreme Court has been referred to while giving opinion about this Institute. Matter be resubmitted before Executive Committee thereafter.

Item No. 8 Admission of 1st year MBBS student at Darbhanga Medical College, Lehriasarai, Bihar for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee with regard to admission of candidate after cut-off date.

The Executive Committee of the Council did not approve the recommendation with regard to 3 candidates admitted with < 50 %. Enough opportunities have been given to clarify the status. The Committee decided to issue Discharge Notice in respect of these 3 candidates. Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of State on MCI.

Item No. 11 Admission of 1st year MBBS student at Annai Medical College, Pennalur, Kanchipuram (Rajalakshmi Medical College Hospital), Pennalur, Sriperumbudur Kancheepuram District, Tamilnadu for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. However, copy of the undertaking given by the Institute be also communicated to Secretary (ME), DME, affiliating University & Admission Authority with a request that this year Govt. quota seats should be increased by 6 as indicated.

Item No. 12 Admission of 1st year MBBS student at Madha Medical College and Hospital, Thandalam, Chennai, Tamil Nadu for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. However, copy of the undertaking given by the Institute be also communicated to Secretary (ME), DME, affiliating University & Admission Authority with a request that this year Govt. quota seats should be increased by 7 as indicated.

Item No.13 Admission of 1st year MBBS student at National Institute of Medical Science & Research, Jaipur, Rajasthan for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and decided to issue Discharge Notice in respect of these 98 candidates. Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of State on MCI.

Item No.16 Admission of 1st year MBBS student at Aarupadai Veedu Medical College, Pondicherry for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and decided that a copy of the decision be also communicated to Secretary (ME), DME, affiliating University & Admission Authority with a request that this year Govt. quota seats should be increased by 3 as indicated.

Item No.17 Admission of 1st year MBBS student at BPS Government Medical College for Women, Sonapat, Haryana for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council noted the recommendations of the Monitoring Sub-Committee. However, it appears from the noting that MCI is not a party in the matter. In these circumstances, the Committee decided that Council Advocate be requested to plead before Hon'ble Court that MCI be impleaded as a party in the matter and further for an expeditious hearing.

Item No.18 Admission of 1st year MBBS student at N.C. Medical College & Hospital, Panipat, Haryana for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and decided that a copy of the decision be also communicated to Secretary (ME), DME, affiliating University & Admission Authority with a request that this year Govt. quota seats should be increased as indicated.

Item No.23 Admission of 1st year MBBS student at Government Medical College, Chandigarh, for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council directed that the matter be resubmitted with the opinion of Law Officer.

Item No.24 Admission of 1st year MBBS student at Raipur Institute of Medical Sciences (RIMS), Raipur, Chhatisgarh for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and decided that a copy of the decision be also communicated to Secretary (ME), DME, affiliating University & Admission Authority with a request that this year Govt. quota seats should be increased as indicated.

Item No.27 Admission of 1st year MBBS student at Sridev Suman Subharti Medical College, Dehradun, Uttarakhand for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee. As per the judgment of the Hon'ble Supreme Court in Mridul Dhar V/s Union of India and Ors case, if the Private Medical College makes excess admission in Management + NRI quota, the Management + NRI quota will be reduced by an equal number in the admission in the subsequent academic year and the Govt. quota will be correspondingly increased. Copy of the decision be also communicated to Secretary (ME), DME, affiliating University & Admission Authority with a request that this year Govt. quota seats should be increased as indicated.

Item No.29 Admission of MBBS student at Dr. P.S.I. Medical College, Chinoutpalli for the Academic Year 2015-16 – Regarding.

The Executive Committee of the Council decided to resubmit the matter along with the opinion of Law Officer.

Item No.30. Admission of MBBS student at P E S Institute of Medical Sciences & Research, Kuppam for the Academic Year 2015-16 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. However, the Institute be directed to submit compliance forthwith within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of State on MCI.

Item No.33. Admission of MBBS Student at Katuri Medical College & Hospital, Guntur for Academic year 2015-16 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. However, the Institute be directed to submit compliance forthwith within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of State on MCI.

Item No.42. Admission of 1st year MBBS student at L.N. Medical College and Research Centre, Bhopal, Madhya Pradesh for the Academic Year 2016-17– Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. However, the Institute be directed to submit compliance with regard to discharge of these 5 students forthwith within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of State on MCI.

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

34. Approval of the minutes of the Monitoring Sub-Committee (Any Other Item 46(B)) considered on 03/07/2017.

Read: the matter with regard to approval of the minutes of the Monitoring Sub-Committee (Any Other Item 46(B)) considered on 03/07/2017.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee (Any Other Item 46(B)) considered on 03/07/2017.

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

35. Complaint of ragging at King George Medical university, Lucknow.

Read: the matter with regard to complaint of ragging at King George Medical university, Lucknow.

The Executive Committee of the Council decided to approve the report of the Enquiry Officer.

36. Amendment proposal dated 28.04.2017 to the GMER and PGMER for incorporating the provision of NEET regulations.

Read: the matter with regard to amendment proposal dated 28.04.2017 to the GMER and PGMER for incorporating the provision of NEET regulations.

The Executive Committee of the Council approved the inclusion of relaxation clause for lowering the minimum marks if sufficient number of candidates fail to secure minimum marks should be retained in UG NEET regulation. With regard to allowing inclusion of NIOS and private candidates for NEET examination and Medical courses, the Executive Committee directed the office to obtain the details of course content/syllabus/practical schedules etc. from NIOS & other such schools and resubmit the matter with opinions of Chairman, Academic Committee & Law officer.

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

37. Minutes of the Coordinators/Assessors Orientation Workshop held on 4th July 2017.

Read: the matter with regard to Minutes of the Coordinators/Assessors Orientation Workshop held on 4th July 2017.

The Executive Committee of the Council approved the minutes of the Coordinators/Assessors Orientation Workshop held on 4th July 2017.

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

38. Revised schedule for completion of admission to MBBS Course for the academic session 2017-18.

Read: the matter with regard to revised schedule for completion of admission to MBBS Course for the academic session 2017-18.

The Executive Committee of the Council noted that in the last column i.e. "Last date up to which students can be admitted against vacancies arising due to any reason by Deemed Universities / Medical Institutions", it is not clear as to how the vacant seats will be filled up and a last date has been mentioned for deemed universities.

In view of above, the Executive Committee decided to issue a clarification in this regard that any vacancy remaining even after the mop up round by DGHS/ State Government would be filled up by the following method as directed by the Hon'ble Supreme Court in W.P.(C) No. 267/2017 – Dar-Us-Slam Educational Trust and Ors. –Vs.- Medical Council of India and Others vide its order dated 09.05.2017:-

“The DGHS/ State Government shall determine the number of seats that are still vacant in deemed universities/colleges (Govt./Pvt.) in the State respectively and thereafter shall forward a list of students in order of merit, equaling to ten times the number of vacant seats to the university/medical college/institution so that in case of any stray vacancy arising in any college the said seat may be filled up from the said list and the last date for any such admission would be 31st August in both the cases.”

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

39. Election/nomination of members of the Medical Council of India.

Read: the matter with regard to election/nomination of members of the Medical Council of India.

The Executive Committee of the Council noted that the General Body of the Council had at its meeting held on 29.03.2017 decided to seek legal opinion on the term of members of the Council as the Ordinance i.e. Indian Medical Council (Amendment) Ordinance 2013 had lapsed when the Council was reconstituted.

The Executive Committee further noted that the legal opinion has been received from the Additional Solicitor General of India. The Committee perused the opinion and decided to communicate the same to the Central Government for necessary action at their end.

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

40. Extension of Services of Dr. Srikanta Barik.

Read: the matter with regard to extension of Services of Dr. Srikanta Barik.

The Executive Committee of the Council decided to extend the contractual services of Dr. Srikanta Barik for a further period of six months.

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

41. Approval of minutes of the Departmental Promotion Committee for considering closure of probation period of Dr. Reena Nayar, Additional Secretary.

Read: the matter with regard to approval of minutes of the Departmental Promotion Committee for considering closure of probation period of Dr. Reena Nayar, Additional Secretary.

The Executive Committee of the Council decided to close the probation period of Dr. Reena Nayar, Additional Secretary.

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

42. Approval of minutes of the Departmental Promotion Committee for considering the case of promotion of Council Employees to the post of L.D.C.

Read: the matter with regard to approval of minutes of the Departmental Promotion Committee for considering the case of promotion of Council employees to the post of L.D.C.

The Executive Committee of the Council ratified the minutes of the Departmental Promotion Committee meeting held on 30.06.2017 as approved by the President of the Council recommending that Shri Devanand, Peon be promoted to the post of Lower Division Clerk (L.D.C.) in accordance with the Recruitment Rules of the Council.

43. Appointment of Consultant (Hindi) on consolidated remuneration.

Read: the matter with regard to appointment of Consultant (Hindi) on consolidated remuneration.

The Executive Committee of the Council after detailed deliberations decided to appoint Dr. V. K. Agarwal as Consultant (Hindi) initially for a period of one month on full time basis at the consolidated remuneration @ Rs.90,000/- per month on the same terms and conditions as applicable to other Consultants and thereafter on part-time basis for which remuneration will be paid on pro-rata.

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

44. Creation of minimum number of Hindi Posts for the compliance/implementation of the Official Languages Policy of the Central Government and compliance of Official Language Act.

Read: the matter with regard to creation of minimum number of Hindi Posts for the compliance/implementation of the Official Languages Policy of the Central Government and compliance of Official Language Act.

The Executive Committee noted that as per norms/guidelines of the Official Languages Policy of the Central Government, the required number of posts are presently not there in the Council Office. After due deliberation, the Executive Committee of the Council approved for the creation of the following posts as per the Recruitment Rules of the Govt. of India:-

1. One Hindi Officer(Assistant Director(OL)
2. One Junior Hindi Translator
3. Two LDC (Hindi Typing)

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

45. The role of the Presenting Officer (PO) in Disciplinary Proceedings against Sh. Daney Kumar, LDC and Sh. Gajender Kumar, UDC.

Read: the matter with regard to the role of the Presenting Officer (PO) in Disciplinary Proceedings against Sh. Daney Kumar, LDC and Sh. Gajender Kumar, UDC.

The Executive Committee of the Council noted that on the basis of Inquiring Authorities enquiry reports, the Disciplinary Authority has imposed major penalty upon both the officials namely Sh. Daney Kumar, LDC and Sh. Gajender Kumar, UDC and both of them have been dismissed from the services of the Council vide

Council's order dated 29.06.2017. The Executive Committee after detailed deliberations and examining all relevant documents further decided that since the enquiries have been completed and the Presenting Officer attended all the hearings, no further action is required in the matter.

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

46. Change of Inquiry Officer in Disciplinary Proceedings due to demise of the I.O. in the case regarding Disproportionate Assets.

Read: the matter with regard to the change of Inquiry Officer in Disciplinary Proceedings due to demise of the I.O. in the case regarding Disproportionate Assets.

The Executive Committee of the Council deliberated upon the matter at length and decided to appoint Shri S.P. Dixit, Retired I.A.S as Inquiry Officer for conducting departmental enquiry in the matter. The honorarium to the Inquiry Officer shall be paid, as per rules.

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

47. Request of Dr. Davinder Kumar, Joint Secretary (U/S) for providing him services of a legal practitioner in Disciplinary Proceedings.

Read: the matter with regard to the request of Dr. Davinder Kumar, Joint Secretary (U/S) for providing him services of a legal practitioner in Disciplinary Proceedings.

The Executive Committee of the Council noted that the request of CO has already been rejected by the Executive Committee and perused the revision filed by the CO under Rule-29 and after detailed deliberations in the matter decided to reiterate its earlier decision that the services of a legal practitioner cannot be provided to Dr. Davinder Kumar (Charged Officer) as the P.O. in the case is not a legal practitioner and the facts of the case are such that do not require the services of a legal practitioner. It is also concluded that the IO in this case is not biased, as alleged by the Charged Officer.

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

48. Departmental Enquiry against Dr. Davinder Kumar, Joint Secretary U/S in two cases i.e. wrongful medical reimbursement of his father and wrongful LTC claim upto Kathmandu, Nepal.

Read: the matter with regard to the Departmental Enquiry against Dr. Davinder Kumar, Joint Secretary U/S in two cases i.e. wrongful medical reimbursement of his father and wrongful LTC claim upto Kathmandu, Nepal.

The Executive Committee of the Council after detailed deliberations in the matter decided that there is no need to change the Inquiring Authority as the complaint of bias made by the Charged Officer against the Inquiring Authority, is without any substance.

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

49. Complaint of Sh. Hemant Kalra regarding appointment of Dr. Davinder Kumar to the post of Deputy Secretary in the Office of MCI.

Read: the matter with regard to the complaint of Sh. Hemant Kalra regarding appointment of Dr. Davinder Kumar to the post of Deputy Secretary in the Office of MCI.

The Executive Committee of the Council after detailed deliberations in the matter decided to approve the charge sheet. Further, the Executive Committee directed that the chargesheet may be issued to Dr. Davinder Kumar, Joint Secretary (U/S) by the President, MCI

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

50. Consideration of rectification of irregular fixation of 18 officials pointed out in C&AG audit para in its report no.18 of 2015 as directed in Ministry of H&FW, New Delhi letter No. G.2011/02/2015-MEP dated 17.2.2017 and 27.6.2017.

Read: the matter with regard to consideration of rectification of irregular fixation of 18 officials pointed out in C&AG audit para in its report no.18 of 2015 as directed in Ministry of H&FW, New Delhi letter No. G.2011/02/2015-MEP dated 17.2.2017 and 27.6.2017.

The Executive Committee of the Council perused the legal opinion of the Additional Solicitor General of India dated 8.7.2017, the extract of the same is reproduced below:-

".....11. In view of the above factual matrix, I am of the opinion that the querist is entitled to fix the pay of its officers/employees including granting of upgradation of pay, as per its requirements, so as to carry out the purposes of the IMC Act, 1956. Therefore, the objections raised by the Auditors of C&AG in respect of fixation/ upgradation of pay of 18 officers/employees of the querist are unfounded. In so far as initiation of recovery of amounts from the 18 officers/employees of the querist is concerned, in view of the settled law by the Supreme Court, in my opinion, it would be highly iniquitous at such a highly belated stage to initiate any such action, particularly in light of the fact that the said officers/employees of the querist are completely innocent".

In view of the above said opinion of the ASG, the Executive Committee of the Council decided to accept the same and communicate it to the Central Government, Ministry of Health & FW.

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

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

**(Dr. Reena Nayyar)
Secretary I/c**

**Place: New Delhi
Dated :11.07.2017.**

APPROVED

**(Dr. Jayshree Mehta)
President**