

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 23<sup>rd</sup> May, 2017 at 11:00 a.m. in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.**

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**:Present:**

Dr. Jayshree Mehta	President Medical Council of India, Former Professor of Surgery, Govt. Medical College, <b>Vadodara (Gujarat)</b>
Dr. C.V. Bhirmanandham	Vice-President, Medical Council of India, Former Vice-Chancellor of Dr. M.G.R. Health University, <b>Chennai (Tamil Nadu)</b>
Dr. Mhaske Chandrakant Bhaskar	Professor & HOD, Deptt. of Skin & V.D. BJ Medical College, <b>Pune-411001 (Maharashtra)</b>
Dr. Anil Chauhan	Principal, Dr. R.P. Govt. Medical College, <b>Tanda (Himachal Pradesh)</b>
Prof.(Dr.) Ashwani Kumar	Professor, Department of Microbiology, University College of Medical Sciences, <b>Shahdara(Delhi-110095)</b>
Dr. G.B. Gupta	Vice-Chancellor, Ayush & Health Sciences University, G.E. Road, <b>Raipur (Chhatisgarh)</b>
Dr. Kampa Shankar	Professor, General Medicine & Superintendent, Sir Ronald Ross Institute of Tropical & Communicable Diseases, <b>Nallkunta, Hyderabad</b>
Dr. Narain Venkatesh Bhandare	Consulting Surgeon, Bhandare Hospital, Fontainhas, <b>Panaji</b> <b>(Goa-403001)</b>
Dr. Vijay Prakash Singh	Professor & Head, Department of Gastroenterology, Patna Medical College, <b>Patna (Bihar)</b>

Dr. Reena Nayyar, Secretary I/c.

Apologies for absence was received from Dr. Alok Ahuja.

1. **Minutes of the Executive Committee Meeting held on 28<sup>th</sup> April, 2017 – Confirmation of.**

The Executive Committee of the Council confirmed the minutes of the Executive Committee meeting held on 28<sup>th</sup> April, 2017. The Committee was apprised of the letter of the Oversight Committee dated 18.05.2017 regarding completion of their tenure.

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

The Executive Committee of the Council noted that action has been taken on minutes of its meetings held on 16.03.2017, 21.03.2017, 11.04.2017 and 28<sup>th</sup> April, 2017 on the items that were not “read and confirmed”.

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. **Pre-PG Assessment – Compliance verification assessment of the physical and other teaching facilities available for starting of PG course at Chhattisgarh Institute of Medical Sciences, Bilaspur under Ayush and Health Sciences University, Raipur (Previously under Guru Ghasidas University).**

Read: the matter with regard to Pre-PG Assessment – Compliance verification assessment of the physical and other teaching facilities available for starting of PG course at Chhattisgarh Institute of Medical Sciences, Bilaspur under Ayush and Health Sciences University, Raipur (Previously under Guru Ghasidas University).

The Executive Committee of the Council considered the compliance verification assessment (4<sup>th</sup> May, 2017) along with previous report (16<sup>th</sup> December, 2016 and 8<sup>th</sup> & 9<sup>th</sup> June, 2016) and noted the following:-

1. Deficiency of faculty is 19.04 % as detailed in the report.
2. Shortage of Residents is 26.86 % as detailed in the report.
3. CT Scan is single slice against requirement of minimum 16 slice.
4. ETO Sterilizer is not available.
5. OPD: Registration counters are partially computerized.
6. 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 minutes of the above item were read out, approved and confirmed in the meeting itself.***

5. **Pre-PG (compliance verification) assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Dr. Ulhas Patil Medical College & Hospital, Jalgaon, Maharashtra under Maharashtra University of Health Sciences, Nashik.**

Read: the matter with regard to Pre-PG (compliance verification) assessment – Assessment of the physical and other teaching facilities available

for starting of PG course at Dr. Ulhas Patil Medical College & Hospital, Jalgaon, Maharashtra under Maharashtra University of Health Sciences, Nashik.

The Executive Committee of the Council considered the compliance verification assessment report (3<sup>rd</sup> May, 2017) along with previous reports (11<sup>th</sup> January, 2017, 17<sup>th</sup> November, 2016 & 6<sup>th</sup> & 7<sup>th</sup> June, 2016), representation/letter dated 4.5.2017 received from the college authorities and noted the following:-

1. Shortage of Residents is 10.7 % as detailed in the report.
2. None of the faculty or Residents has attached up-to-date passbooks detailing payment of salary in 2016-2017.
3. Quality of some of the patients in Medicine & Paediatric wards were not upto the mark. Two patients namely Lila Sonawal (IPD # 2694) & Kaushalya (IPD # 2679) were eye patients shown to be admitted in Medicine. On random verification of Medicine ward, 6 patients were found to be routine OPD cases not fit for indoor admission.
4. Data of clinical material is found to be less than the figure provided by the Institute.
5. Number of CT Scans was only 03 for the whole hospital at the time of taking round.
6. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision regarding apply of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016 which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses."

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2018-19) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956, along with direction of stoppage of admissions in permitted postgraduate courses and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

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

**6. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Chirayu Medical College & Hospital, Bhopal under Barkatullah University.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Chirayu Medical College & Hospital, Bhopal under Barkatullah University.

The Executive Committee of the Council considered the assessment report (3<sup>rd</sup> and 4<sup>th</sup> May, 2017) alongwith a letter dated 04.05.2017 and 10.05.2017 of the Dean, Chirayu Medical College & Hospital, Bhopal and a complaint/letter 03.05.2017 of Sh. Arvind Yadav, and noted the following:-

1. Data of OPD attendance given by the Institute seems to be highly inflated.
2. After taking detailed round of wards & enquiry with respective treating doctors & paramedical staff, it was found that significant number of indoor patients in Medicine had minor ailments like URTI, Headache, Shoulder pain, weakness who did not require admission.
3. In Medicine wards, many patients were having malignancies of various types who were admitted just for bed occupancy. Similarly in Surgical wards, many patients were admitted for long without active management.
4. Most of the patients admitted in O.G., Surgery, Tb & Chest and Skin & VD wards were admitted for > 1 week without basic investigation and appropriate treatment as per their diagnosis.
5. On physical verification of Drugs dispensed register, only 231 patients were dispensed drugs on a day previous to day of assessment.
6. In view of above, Bed Occupancy is 64.37 % as verified by assessors.
7. Data of laboratory investigations provided by the Institute are grossly inflated and do not match with IPD & OPD figures.
8. Central Library: Students' Reading room (Outside) is not air-conditioned.
9. Anatomy department: Cold Storage cabinet is for 4 bodies only against 8 bodies required.
10. The following residents found not to be staying in rooms allotted to them:-

Sl.No.	Name	Designation	Branch	Remarks
1.	Dr. Sanjay Abhore	SR	Medicine	Room No. 105 door blocked by air cooler.
2.	Dr. Faizan Chitapure	JR	Medicine	Room 106 blocked by air cooler.
3.	Dr. Pranay Choubey	SR	Surgery	On verification G Mishra was found to be living in D 308
4.	Dr. Siddharth Singh	SR	Surgery	Address Room 206 allotted to Sudhir Lokwani
5.	Dr. Rishika Naik	SR	OBGY	Address does not match as per declaration form
6.	Dr. Rishika Jain	SR	OBGY	Does not appear to stay at address mentioned.

11. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016, which reads as under:-

8(3)(1).....

- (c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

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

bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2018-19) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956, along with direction of stoppage of admissions in permitted postgraduate courses and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

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

**7. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at L.N. Medical College & Hospital, Bhopal, Madhya Pradesh under Barkatullah University.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at L.N. Medical College & Hospital, Bhopal, Madhya Pradesh under Barkatullah University.

The Executive Committee of the Council considered the assessment (3<sup>rd</sup> and 4<sup>th</sup> May, 2017) and noted the following:-

1. Shortage of Residents was 12.64 % as detailed in the report.
2. After taking round of the hospital, it was found that actual number of patients admitted at 10 a.m. was only 401 out of 650 beds giving Bed Occupancy of 60.33 %. This will go down even further if patients who do not merit admission are excluded.
3. Many patients in various wards did not require hospitalization. Several patients had vague complaints which certainly cannot be labelled teaching material.
4. Many patients were shown to be admitted on 02/05/2017 but on asking by assessors they informed that actually they had reported only today (i.e. day of assessment 03/05/2017).
5. A large number of patients have been admitted to-day (i.e. day of assessment) and equally good number were shown to be admitted on a day prior to day of assessment.
6. Clinical material is deficient which is as under:-
  - (a) Medicine Ward-Patient position as follows: 19/30, 16/30, 11/30, 12/20, 12/30 and 16/20=86/160 (of these 41 were admitted today on 3.5.2017 within a span of 30-40 minutes only. Patients had vague complaints. Their complaints did not match with the treatment given. Majority of the patients in the ward were receiving the same treatment. In many wards the case files were being written by the nursing staff. OPD slips of many patients were empty. Some patients who did not have complaints

pertaining to medicine deptt. Were admitted like back pain, decreased vision etc. on asking patients, symptoms did not match with what was written in the file. Some name of the patients having these have been written and they are – Vicky, Raj, Ajay, Pawan, Sukhdev, Jagdish, Shyam Thakre, Aju, Raj Kumar, Ram Raj, Sanjay, Rohit, Rajeswari, Sangita, Kiran, Radha, Basanti, Urmila, Lalita, Anita, Renu, Seema, Kamla, Saviota, Jyoti and many more.

- (b) Surgery Ward: The situation in surgery ward was no better in terms of patients having vague complaints, mismatch of symptoms and writings in the case files, cases not requiring hospitalization like gastritis, UTI etc. An alarming number of patients having hemorrhoids were admitted in all surgical wards. As in Medicine ward, 29 patients were admitted within a span of 30-40 minutes having vague non-specific complaints. A total of 82 patients were found admitted in surgical wards. Some patients with all this are – Dev Chandra, Chotu, Gajraj, Atma Ram, Gajraj Singh, Nagrath Bai, Saraswati, Narain Singh, Mahendra, Dharmendra etc. Almost all of the OPD slips are manually made.
- (c) Orthopedics: Out of 58 patients on 90 beds, a large number (as many as 32) had low back pain and 08 had pain in knees or upper arm and legs. Despite being shown admitted for a long time many patients did not have even x-ray. Some of the noted patients are – Shobha, Kirti, Rajkumari, Neha, Nupur, Phool Bai, Sheela, Ramesh Kumar, Angeela, Monee, Saraswati, Ramesh Dubey, Prabhat Narain, Prem Narain, Bhagwan, Krishna Murari, Ratnakar, Kishan Lal, Vijai, Prem Singh etc. almost all of the OPD slips are manually made.
- (d) Dermatology- Surprisingly in a teaching institute for 150 MBBS intake and aspiring for postgraduate course, 6 out of 11 admitted patients had Tenia, one had angular cheltis and one had P. Versicolor, Rests were of course worth hospitalization. Some patients whose names are noted are – Lala Ram, Sushma, Savita Vikki, Parveen, Arun, Deepak etc. Almost all of the OPD slips are manually made.
- (e) Pediatrics- Out of 58 patients admitted in pediatrics wards out of 90 beds, 28 were admitted today. As many as 6 patients could not be traced although their files were made. The roll call was taken by the assessor himself; and case file wise they were having illnesses like loose motions (without drip), high grade fever which could not explain their absence. Their names noted are Anita, Sheetal, Imran, Lalita, Suraj and Seema. Most of remaining children were happy looking, playing and hardly ever looked as patients. Almost all of the OPD slips are manually made.
7. In PICU, only 1 patient was admitted.
  8. Only 4 beds are available in NICU & 2 beds in PICU against 5 each required.
  9. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016, which reads as under:-

8(3)(1).....

- (c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and

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

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2018-19) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956, along with direction of stoppage of admissions in permitted postgraduate courses and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

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

**8. Pre-PG compliance verification Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Narayan Medical College & Hospital, Sasaram, Bihar under Veer Kunwar Singh University, Bihar.**

Read: the matter with regard to Pre-PG compliance verification Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Narayan Medical College & Hospital, Sasaram, Bihar under Veer Kunwar Singh University, Bihar.

The Executive Committee of the Council considered the compliance verification assessment report (2<sup>nd</sup> May, 2017) along with previous assessment reports (15<sup>th</sup> November, 2016 & 7<sup>th</sup> & 8<sup>th</sup> June, 2016) and decided to revoke clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016 and further decided that the Council should process the applications for starting of postgraduate courses and take further necessary action.

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

**9. Pre-PG Assessment – Compliance Verification Assessment of the physical and other teaching facilities available for starting of PG course at Govt. Medical College, Ananthapuram, A.P. under Dr. NTR University of Health Sciences, Vijayawada.**

Read: the matter with regard to Pre-PG Assessment – Compliance Verification Assessment of the physical and other teaching facilities available for starting of PG course at Govt. Medical College, Ananthapuram, A.P. under Dr. NTR University of Health Sciences, Vijayawada.

The Executive Committee of the Council considered the compliance verification assessment report (4<sup>th</sup> May, 2017) along with the previous assessment reports (11<sup>th</sup> November, 2016 and 16<sup>th</sup> & 17<sup>th</sup> May, 2016) and noted the following:-

1. Deficiency of faculty is 13.20 % as detailed in the report.
2. Shortage of Residents is 31.34 % as detailed in the report.
3. CT Scan is under PPP mode. Details of PPP mode are not provided.

4. There were only 4 Major & 2 Minor Operations for the whole hospital on day of assessment.
5. OPD Registrations are done manually as the computers are non-functional.
6. MRD: It is partially computerized. ICD X classification of diseases is not followed for indexing.
7. Wards: In some wards, pantry is not available.
8. 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 minutes of the above item were read out, approved and confirmed in the meeting itself.***

**10. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at GMERS Medical College, Gotri, Vadodara under The Maharaja Sayajirao University of Baroda, Gujarat.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at GMERS Medical College, Gotri, Vadodara under The Maharaja Sayajirao University of Baroda, Gujarat.

The Executive Committee of the Council considered the assessment report (9<sup>th</sup> and 10<sup>th</sup> May, 2017) and noted the following:-

1. Blood Bank Component Separation Facility is not available.
2. Deficiency of faculty is 41.66 % as detailed in the report.
3. Administrative experience of Dr. Dipak Solanki, Medical Superintendent is not shown. Hence it is not possible to verify whether he has 10 y administrative experience or not.
4. OPD attendance at 2 p.m. on day of assessment is only 922 against requirement of 1,200.
5. Total number of CT Scans was only 08 on day of assessment.
6. OPD: Dark room is not available in Ophthalmology OPD.
7. Wards: There are only 2 Demonstration rooms for all departments which also are not equipped. Pantry is not functional in some wards.
8. Casualty: Only 1 Pulse Oximeter was functional on day of assessment.
9. O.T.: There is no Anaesthesia machine in Emergency O.T.
10. 4 Static X-ray machines are available against requirement of 6. AERB approval is not available.
11. Central Library: Air-conditioning was not functional on day of assessment. Only 29 Journals are available against requirement of 100.
12. Central Research Laboratory: Only space is available. There are no instruments.
13. Interns' Hostel: Cleanliness is poor.
14. Residents' Hostel: Cleanliness is poor.
15. RHTC: Interns are not staying in the hostel.
16. Central Photography Section is not available.
17. 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 minutes of the above item were read out, approved and confirmed in the meeting itself.***



**11. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Govt. Thoothukudi Medical College, Thoothukudi under The Tamilnadu Dr. M.G.R. Medical University, Chennai.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Govt. Thoothukudi Medical College, Thoothukudi under The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Executive Committee of the Council considered the assessment report (8<sup>th</sup> and 9<sup>th</sup> May, 2017) and noted the following:-

1. Deficiency of faculty is 12.38 % as detailed in the report.
2. Administrative experience of Dr. R. Subramaniam, Medical Superintendent is not shown. Hence it is not possible to verify whether he has 10 y administrative experience or not.
3. CT Scan is single slice against minimum 16 slice required.
4. ICUs: Patients admitted in ICCU & ICUs on day of assessment are not shown.
5. 3 Mobile X-ray machines are available against requirement of 6.
6. Lecture Theaters: Acoustics are not echo proof.
7. Students' Hostels: Visitors' room is not available.
8. Anatomy department: Cold Storage is out of order.
9. Biochemistry department: Departmental Library is not furnished.
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 minutes of the above item were read out, approved and confirmed in the meeting itself.***

**12. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Shree Guru Gobind Singh Tricentenary Medical College, Hospital & Research Institute, Gurgaon under Pt. B.D. Sharma University of Health Sciences, Rohtak.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Shree Guru Gobind Singh Tricentenary Medical College, Hospital & Research Institute, Gurgaon under Pt. B.D. Sharma University of Health Sciences, Rohtak.

The Executive Committee of the Council considered the assessment report (3<sup>rd</sup> and 4<sup>th</sup> May, 2017) and noted the following:-

1. Deficiency of faculty is 17.92 % as detailed in the report.
2. Shortage of residents is 42.62 % as detailed in the report.
3. OPD: Child Rehabilitation Clinic is not available in Paediatrics OPD.
4. Wards: One male ward in General Medicine & female ward in Skin & VD had no beds at all. Female Surgical ward was locked at time of taking round.
5. Bed Occupancy is 23.19 % at 10 a.m. on day of assessment.
6. There were only 07 Major & 03 Minor Operations for the whole hospital on day of assessment.
7. Data of OPD & Casualty attendance and Radiological and Laboratory investigations as provided by the Institute are inflated.

8. There were only 2 patients each in MICU & SICU on day of assessment.
9. Parturition register is not maintained properly. It has no delivery details and signature of Doctor conducting the delivery. Birth forms sent to Government are not maintained and were not shown to assessors in spite of repeated requests.
10. Labour Room is under construction. There are no beds for Eclampsia or Septic cases.
11. Some wards on 4<sup>th</sup> floor of hospital are part of Ayurvedic hospital. There is no signage to indicate this.
12. Lecture Theaters: Multipurpose Auditorium is shown as Hospital Lecture Theater.
13. RHTC: Facilities for cooking & dining are available but non-functional. Visits of Specialists are not regular. Activities under National health programmes are not carried out.
14. UHC: Interns are not attending regularly. OPD attendance was NIL at time of visit of assessor. No activity of Survey/MCH/Immunization/FP is carried out. Visits of Specialists is not regular. Activities under National health programmes are not carried out. IN ILR, other things than vaccines were also stored.
15. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016, which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2018-19) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956, along with direction of stoppage of admissions in permitted postgraduate courses and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

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

**13. Approval of the proceedings of the Ethics Committee meetings held on 23<sup>rd</sup> & 24<sup>th</sup> March, 2017 and 6<sup>th</sup> April, 2017.**

Read: the matter with regard to approval of the proceedings of the Ethics Committee meetings held on 23<sup>rd</sup> & 24<sup>th</sup> March, 2017 and 6<sup>th</sup> April, 2017.

The Executive Committee of the Council approved the proceedings of the Ethics Committee meetings held on 23<sup>rd</sup> & 24<sup>th</sup> March, 2017 and 6<sup>th</sup> April, 2017.

**14. Approval of the Minutes of the Registration & Equivalence Sub-Committee meeting held on 8<sup>th</sup> May, 2017.**

Read: the matter with regard to approval of the minutes of the Registration & Equivalence Sub-Committee meeting held on 8<sup>th</sup> May, 2017.

The Executive Committee of the Council perused the minutes of the Registration & Equivalence Sub-Committee meeting held on 8<sup>th</sup> May, 2017 and approved the item nos. 5,6,7,9,10,11,12,13,14,15,16 & 17. Rest of the items, the Executive Committee observed as under:-

**2. Grant of Registration of Additional Qualification i.e. Membership of Royal College of Surgeons of Edinburgh (MRCS) in respect of Dr. Malaviya Shekhar u/s 26(1) of the IMC Act, 1956 (F.No. 17-100042).**

The Executive Committee of the Council observed that no decision is taken by REC Sub-committee. However, as in the Agenda Note, it is stated that he has obtained the qualification after passing Intercollegiate MRCS examination and in view of the explanation, the Executive Committee decided to grant additional registration to Dr. Shekhar Malaviya.

**3. Grant of Registration of Additional Qualification i.e. Membership of Royal College of Surgeons of Edinburgh (MRCS) in respect of Dr. Isha Karwasra u/s 26(1) of the IMC Act, 1956 (F.No. 16-103066).**

The Executive Committee of the Council observed that no decision is taken by REC Sub-Committee. However, as in the Agenda Note, it is stated that she has obtained the qualification after passing Intercollegiate MRCS examination and in view of the explanation, the Executive Committee decided to grant additional registration to Dr. Isha Karwasra.

**4. Grant of Registration of Additional Qualification i.e. Membership of Royal College of Surgeons of Edinburgh (MRCS) in respect of Dr. Abhijit Beniwal u/s 26(1) of the IMC Act, 1956(F.No. 16-103067).**

The Executive Committee of the Council observed that no decision is taken by REC Sub-committee. However, as in the Agenda Note, it is stated that she has obtained the qualification after passing Intercollegiate MRCS examination and in view of the explanation, the Executive Committee decided to grant additional registration to Dr. Abhijit Beniwal.

**8. Grant of Registration of Additional Qualifications i.e. (i) Membership of Royal College of Physicians of the United Kingdom (MRCP) & (ii) CCT in Endocrinology and Diabetes Mellitus in respect of Dr. Ragini Chandrashekhar Bhave u/s 26(1) of the IMC Act, 1956(F.No. 17-100757).**

The Executive Committee of the Council approved the recommendations of the REC Sub-Committee in respect of MRCP. Further, in respect of CCT (i.e. Certificate of Completion of Training) in Endocrinology & Diabetes Mellitus, the Executive Committee directed the office to obtain the opinion of Law Officer whether it is a qualification for which additional registration can be granted.

15. **Minutes of meeting of the TEQ Sub-Committee at its meetings held on 08.05.2017.**

Read: the matter with regard to minutes of meeting of the TEQ Sub-Committee at its meetings held on 08.05.2017.

The Executive Committee of the Council perused the minutes of the TEQ Sub-Committee at its meetings held on 08.05.2017 and noted and approved item nos. 4,7,8 and 10. Rest of the items, the Executive Committee observed as under:-

2. **Confirmation of eligibility for the post of Associate Professor/Assistant Professor in the department of Paediatric Oncology in respect of Dr. Nitin C. Joshi in a Medical College.**

The Executive Committee of the Council did not approve the recommendations of the TEQ Sub-Committee and observed that Dr. Nitin C. Joshi does not have 2 years special training in Paediatric Oncology. Experience as faculty from 01/08/2006 to 31/07/2008 cannot be a substitute for special training as one cannot be a faculty and a trainee in the same department simultaneously. Hence cannot be considered as faculty in Paediatric Oncology.

3. **Confirmation of eligibility for the post of Assistant Professor in department of Orthopedics in respect of Dr. Vinay Vasu Bangera in a Medical College.**

The Executive Committee of the Council did not approve the recommendations of the TEQ Sub-Committee and observed that the experience from 01/01/2008 to 31/12/2008 cannot be considered as Junior Resident by TEQ Sub-committee when he was appointed as Senior Resident by the Institute. Dr. Vinay was not eligible to become Senior Resident when he was appointed as such on 01/01/2008 by the Institute which was in contravention of Regulations. All his subsequent appointments cannot be validated either.

5. **Confirmation of eligibility of Dr. Manjit Singh Chahal for the post of Professor in the Department of General Surgery in a medical college in India.**

The Executive Committee of the Council directed that Dr. Manjit Singh Chahal be asked to produce certificate from DGAFMS with regard to teaching experience and further directed the TEQ Sub-committee to examine the certificate from DGAFMS alongwith other teaching experience & decide accordingly. Matter be resubmitted thereafter.

6. **Proposed Amendments in the Medical Council of India Regulations namely Minimum Qualifications for Teachers in Medical Institution Regulations 1998 – approval of.**

The Executive Committee of the Council approved the recommendations of the TEQ Sub-Committee and directed to place the same before the General Body of the Council.

9. **Confirmation of eligibility for the post of Professor in the department of Anesthesiology in respect of Dr. Sawai Singh Jaitawat in a Medical College.**

The Executive Committee of the Council approved the recommendations of the Sub-Committee and directed that Dr. Sawai S. Jaitawat be asked to produce certificate from DGAFMS.

11. **Confirmation of eligibility for the post of Assistant Professor in the department of Paediatric Cardiology in respect of Dr. Anil Kumar Singhi in a Medical College in India.**

The Executive Committee of the Council noted that the facts as stated are not clear. It is stated that Dr. Anil K. Singhi obtained the qualification of M.D. (Paediatric Cardiology) from Medical College, Calcutta while there is no such qualification by such nomenclature. Also, it is stated that he acquired DNB (Paediatric Cardiology) from Amrita Institute of Medical Sciences, Kochi in 2009; however it is not stated whether it is a permitted course and what is the duration of the course. The Executive Committee directed the TEQ Sub-committee to re-examine the facts and resubmit the case after taking decision accordingly.

**16. Approval of the minutes of the Monitoring Sub-Committee meeting held on 27/03/2017.**

Read: the matter with regard to approval of the minutes of the Monitoring Sub-Committee meeting held on 27/03/2017.

The Executive Committee of the Council perused the minutes of the Monitoring Sub-Committee meeting held on 27/03/2017 and noted & approved item nos. 1,2,3,6,10,11,12,14,15, 16,18,19,21,23,24,25,26,27,28,29,31,32,33,36 & 37. Rest of the items, the Executive Committee observed as under:-

4. **Admission of 1st year MBBS student at Rajashree Medical Research Institute, Bareilly, Uttar Pradesh for the Academic Year 2016-17 – Regarding.**

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. The Executive Committee reiterated its earlier decision dated dt. 25/01/2017 as under:

*“The Executive Committee of the Council approved the minutes of the Monitoring Sub-Committee. The Institute be asked to submit compliance within 2 weeks. Copy of the Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & the nominee of the State/UT on the MCI”.*

The office be directed to convey the abovesaid decision to the Institute and all other authorities immediately. The Institute be directed to comply strictly within 2 weeks.

5. **Admission of 1st year MBBS student at Glocal Medical College, Super Specialty Hospital & Research Center, Saharanpur, Uttar Pradesh for the Academic Year 2016-17 – Regarding.**

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee. The Executive Committee reiterated its earlier decision dated dt. 25/01/2017 as under:

*“The Executive Committee of the Council approved the minutes of the Monitoring Sub-Committee. The Institute be asked to submit compliance within 2 weeks. Copy of the Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & the nominee of the State/UT on the MCI”.*

The office be directed to convey the abovesaid decision to the Institute and all other authorities immediately. The Institute be directed to comply strictly within 2 weeks.

With regard to Hafsa Khatoon, clarification be obtained from DME.

7. **Admission of 1st year MBBS student at Fathimalnstt. of Medical Sciences,Kadapa 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 the Institute has been given enough opportunities to provide allotment letters. The Committee directed to issue Discharge Notice in respect of all such candidates. Institute be directed to submit

compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

8. **Admission of 1st year MBBS student at SukhSagar Medical College and Hospital, Jabalpur, 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 the Institute has been given enough opportunities to provide the explanation. Issue Discharge Notice in respect of 2 candidates, viz. Shivani Sahu & Kanchan Rai. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

9. **Admission of I Year MBBS at People College of Medical Sciences, Madhya Pradesh for the A. Y. 2016-17 Regarding.**

The Executive Committee of the Council reiterated its earlier decision dt. 25/01/2017 as under::

*The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee.*

*Further the Order of the Hon'ble Supreme Court be kept on record of the Section for admissions in 2017-2018 and if the admissions are not reduced by the beneficial number correspondingly necessary action should be taken in that regard.*

The Executive Committee directed that the State Govt. also be informed and requested to ensure that the excess seats in the respective quota be adjusted in Govt. quota for the next year admissions.

13. **Admission of 1st year MBBS student at P E S Institute Of Medical Sciences and Research, Kuppam, Andhra 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 the institute has been given enough opportunities to provide allotment letters. Issue Discharge Notice in respect of all such candidates. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

17. **Admission of 1st year MBBS student at Ashwini Rural Medical College, Hospital & Research Centre, 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 observed that the institute has been given enough opportunities to provide allotment letters. Issue Discharge Notice in respect of all such candidates. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

20. **Admission of 1st year MBBS student at Ananta Institute of Medical Sciences & Research Centre, Rajsamand, Rajasthan 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 the institute has been given enough opportunities to provide allotment letters. Issue Discharge Notice in respect of all such candidates as well as Mr. Jai

Prakash S/o Shri Budha Ram Vishnoi as his NEET mark sheet shows that he has not qualified. Furthermore the date of his OBC certificate is 30.09.2016 which is after the date of declaration of NEET result. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

22. **Admission of 1st year MBBS student at Konaseema Institute of Medical Sciences & Research Foundation, Amalapuram, Andhra 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 the institute has been given enough opportunities to provide the list of students admitted through EAMCET. Issue Discharge Notice in respect of all such candidates. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

30. **Admission of 1st year MBBS student at Anugrah Narayan Magadh Medical College, Gaya, Bihar for the Academic Year 2016-17 – Regarding.**

The Executive Committee of the Council noted that admissions are in consonance of the Hon'ble Supreme Court Order dated 06.10.2016 in the matter of Ashish Ranjan & Ors. Vs. Union of India & Ors. and decided to close the case.

34. **Admission of 1st year MBBS student at Narayan Medical College & Hospital, Sasaram, Bihar for the Academic Year 2016-17 – Regarding.**

The Executive Committee of the Council noted that admissions are in consonance of the Hon'ble Supreme Court Order dated 06.10.2016 in the matter of Ashish Ranjan & Ors. Vs. Union of India & Ors. and decided to close the case.

35. **Admission of 1st year MBBS student at Advanced Institute of Medical Sciences 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 with regard to obtaining a clarification from the college authority regarding the DME list. The Committee further and directed that Discharge Notice in respect of all such candidates. Institute be directed to submit compliance within 2 weeks. Copy of Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

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

17. **Approval of the Minutes of the Administration and Grievance Sub-Committee Meeting held on 12/04/2017.**

Read: the matter with regard to approval of the minutes of the Administration and Grievance Sub-Committee Meeting held on 12/04/2017.

The Executive Committee of the Council perused the minutes of the Administration and Grievance Sub-Committee Meeting held on 12/04/2017 and noted & approved the item nos. 2,3,4 & 5 and observed the following:-

**6. Case of Ragging at Darbhanga Medical College, Laheriasarai.**

The Executive Committee of the Council did not approve the recommendations of the Administration and Grievance Committee and reiterated its earlier decision dt. 28/04/2016 as under:

*“Not approved. Shri Chandan Kumar has not appeared before Subcommittee in spite of giving him enough opportunities. It is not necessary to find out from Dean whether he is attending classes or not. He should also be suspended for 6 months being the same punishment given to another student Shri Chandan Pathak Office is directed to direct the Dean to suspend Shri Chandan Kumar for 6 months and submit the compliance within 2 weeks. A copy of this communication also be sent to DME, Vice Chancellor of the University & nominee of State Govt. on MCI.”*

The Executive Committee directed the office to communicate the said decision immediately and direct the Institute to submit compliance within 2 weeks.

**7. Complaint of Ragging at King George Medical University, Lucknow.**

The Executive Committee of the Council approved the recommendations of the Administration & Grievance Sub- Committee and further decided to send a reminder to Dr. R.N. Wabale, Joint Secretary to complete the enquiry and submit the report.

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

**18. Admission of MBBS Student at Maharajah Institute of Medical Sciences, Vizianagaram for Academic year 2015-16.**

Read: the matter with regard to admission of MBBS Student at Maharajah Institute of Medical Sciences, Vizianagaram for Academic year 2015-16.

The Executive Committee of the Council perused the explanation of the College regarding admission of Mr. Alapatti M. Krishna which reads as under:

*“Regarding the admission of Mr. Alapati Manish Krishna against unfilled seat in Category “B”, we reproduce hereunder the procedure laid down under Rule 6(B) (ix) (h) & (i) and Rules (C) of G.O.Ms. No. 33, dated 17.04.2015 for your kind information and perusal:*

*Rules 6(B)(ix)(h) & (i)*

*(h) If a candidate after final selection fails to report to the Principal of respective colleges on before the stipulated time, he/she shall deemed to have forfeited the seat and all such category B unfilled sets shall be treated as vacant and the vacant seats shall be filled by the individual management of the private colleges under category C rules.*

*(i) All unfilled seats under category “A” after second counseling will be surrendered to the Managements of individual colleges. Such seats shall be filled by the Management of individual colleges on merit following rules seat out for category “C”*

*Rules 6(c)*

*Category – “C” – (NRI quota seats) (15% of the total intake of the seats):*

*These seats shall be filled by the Management of individual colleges or Committee of Managements under these rules.*

*iii) The candidates shall submit an affidavit to establish the bonafides that they are children/wards of bonafide NRI residents.*

*ii) The admissions made under the NRI quota should be according to the merit list prepared by the colleges from the applicants.*

*After final counseling held on 29.09.2015, there was one seat fell vacant in Category “B”. hence, duly following the above procedure as laid down by the Govt. of Andhra Pradesh in G.O.Ms. No. 33, dated 17.04.2015, the same seat was filled by the applying the rules of*



category "C" with Mr. Alapati Manish Krishna, by following the merit obtained in Science group subjects of qualifying examination i.e. intermediate course."

In view of above, the Executive Committee of the Council decided to obtain opinion of Law Officer and further decided that the item be resubmitted thereafter.

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

**19. Admission of 1st year MBBS student at Varun Arjun Medical College, Banthra, Shahjahanpur, Uttar Pradesh for the Academic Year 2016-17.**

Read: the matter with regard to admission of 1st year MBBS student at Varun Arjun Medical College, Banthra, Shahjahanpur, Uttar Pradesh for the Academic Year 2016-17.

The Executive Committee of the Council observed that the explanation given by the Institute vide letter dt. 07/02/2017 is silent on the following point:

*.. (2) Those students whose names do not figure in the list supplied by DME;*

The Executive Committee further observed that in the reply Points (2) &(3) are clubbed together but the reply pertains to Point # (3) only – i.e. 26 students whose names do not figure in hard copy list but are shown as admitted in Online list;

In view of above, the Executive Committee of the Council decided to reiterate earlier decision to discharge those students whose names do not figure in the list supplied by DME. The Institute be directed to submit compliance within 02 weeks. Copy of the letter be sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

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

**20. Re-constitution of Sub-Committee – req.**

Read: the matter with regard to re-constitution of Sub-Committee.

The Executive Committee of the Council reconstituted the following Sub-Committees as under:

**ADMINISTRATION AND GRIEVANCE SUB-COMMITTEE**

Sl.No.	Name
1.	Dr. Ajay Kumar – Chairman
2.	Dr. Satya Prakash Yadav
3.	Dr. Anil Jaydev Nayak
4.	Dr. Mahendrasinh Dolatsinh Chauhan
5.	Dr. Sanjeev Kumar Gupta
6.	Dr. N.S. Sengar
7.	Dr. Abhijit Datta
8.	Dr. Moji Jini
9.	Dr. Raveendran Radhakrishnan

**BUILDING SUB-COMMITTEE**

Sl.No.	Name
1.	Dr. Vinay Kumar Aggarwal – Chairman
2.	Dr. Gurmej Singh Gill

3.	Dr. Satya Prakash Yadav
4.	Dr. Jagdish Cacodcar

#### TEQ SUB-COMMITTEE

Sl.No.	Name
1.	Dr. K.K. Gupta – Chairman
2.	Dr. A.K. Mahajan
3.	Dr. Shirish Srivastava
4.	Dr. K.S. Sivakumar
5.	Dr. Bhaskar Rao Ganni
6.	Dr. Vinay Krishna
7.	Dr. Chitaranjan Kar
8.	Dr. S. Robinson Smile

#### MIGRATION SUB-COMMITTEE

Sl.No.	Name
1.	Dr. Mukesh Kumar Sharma – Chairman
2.	Dr. Bhavin S. Kothari
3.	Dr. F.S. Mehta
4.	Dr. Rajeev Sood
5.	Dr. Radha Madhav Tripathy
6.	Dr. Mahendrasinh Dolatsinh Chauhan
7.	Dr. L.P. Thangavelu
8.	Dr. Vijay Kumar Pandya
9.	Dr. Jaivir Singh

#### REGISTRATION SUB-COMMITTEE

Sl.No.	Name
1.	Dr. Pradeep Bharti – Chairman
2.	Dr. Shajananda Prasad Singh
3.	Dr. Praveenlal Kuttichira
4.	Dr. P.A. Fazal Ghafoor
5.	Dr. Ritu Nath Deokota
6.	Dr. Rajendra Shah
7.	Dr. Kamleshwar Agarwal
8.	Dr. R.P. Srivastava
9.	Dr. Piaray Lal Kariholu

#### ACADEMIC SUB-COMMITTEE

Sl.No.	Name
1.	Dr. Ved Prakash Mishra – Chairman
2.	Dr. P.C. Kesavankutty Nayar
3.	Dr. M.C. Misra
4.	Dr. Nimesh G. Desai
5.	Dr. Abdul Hamid Zargar
6.	Dr. Jawali Vivekanand Sidramappa
7.	Dr. Ashok Seth
8.	Dr. S.S. Sangwan
9.	Dr. R.K. Sharma
10.	Dr. H.S. Ballal

**ETHICS SUB-COMMITTEE**

Sl.No.	Name
1.	Dr. Dhurba Jyoti Borah – Chairman
2.	Dr. Nanadkar Sudhir Digambar
3.	Dr. Nileshbhai V. Parekh
4.	Dr. Rajendra Airan
5.	Dr. Rajiva Ranjan
6.	Dr. Satya Prakash Yadav
7.	Dr. John Zohmingthanga
8.	Dr. Vinay Kumar Aggarwal
9.	Dr. Pradeep G. Naik
10.	Dr. Sudipto Roy
11.	Mr. Ruchin Midha

**FINANCE SUB-COMMITTEE**

Sl.No.	Name
1.	Dr. Nitin S. Vora - Chairman
2.	Dr. P.A. Fazal Ghaffor
3.	Dr. Sudhir Sachdev
4.	Dr. V.K. Jain

**MONITORING SUB-COMMITTEE ((P.G.))**

Sl.No.	Name
1.	Dr. Bhanu Prakash Dubey
2.	Dr. Mahendrainh Dolasinh Chauhan
3.	Dr. Baldev Singh Aulakh

**MONITORING SUB-COMMITTEE ((U.G.))**

Sl.No.	Name
1.	Dr. Raj Bahadur
2.	Dr. Sanjeev Kumar Gupta
3.	Dr. Pradeep G. Naik

21. **Grant of Registration of MD (General Internal Medicine) qualification awarded by University of Buckingham by the Medical Council of India/State Medical Councils and entry of the same in the Indian Medical Register.**

Read: the matter with regard to grant of registration of MD (General Internal Medicine) qualification awarded by University of Buckingham by the Medical Council of India/State Medical Councils and entry of the same in the Indian Medical Register.

The Executive Committee of the Council perused the agenda note and decided that the additional qualification registration granted to 11 candidates under Section 26(1) of the IMC Act, 1956 during the tenure of the then Board of Governors as appointed by the Central Government be revoked / cancelled. Similarly the entry of the aforesaid 6 candidates into the Indian Medical Register who have been granted additional qualification registration by certain State Medical Councils be also deleted and the concerned State Medical Councils be directed to revoke / cancel the additional qualification registrations so granted. Further, all the State Medical Councils be informed that no applicant who possess

the qualification of MD (General Internal Medicine) as awarded by University of Buckingham, United Kingdom can be granted additional qualification registration on the respective State Medical Register.

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

**22. 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 Hassan Institute of Medical Sciences, Hassan.**

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

The Executive Committee of the Council considered the compliance verification assessment report (4<sup>th</sup> May, 2017) alongwith previous assessment report (22<sup>nd</sup> & 23<sup>rd</sup> Feb., 2016) and decided to recommend that recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Hassan Institute of Medical Sciences, Hassan 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.

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

**23. Request of Electrician of the Council to revise/re-fix his basic pay band- 1 (Rs.5200 -20200/- with G.P. Rs.2400/-) as per decision of the Executive Committee.**

Read: the matter with regard to request of Electrician of the Council to revise/re-fix his basic pay band- 1 (Rs.5200 -20200/- with G.P. Rs.2400/-) as per decision of the Executive Committee.

The Executive Committee of the Council accepted the opinion of Consultant (Finance), operative part of which reads as under:

*"... Incidentally certain applications relating to pay matter of the staff of MCI were marked to the undersigned by the Secretary for examination. The application of Sh. Rajesh was also among these applications. After examination the report was submitted in respect of all the*

*applications. In the case of Sh. Rajesh electrician, it was opined that the electrician scale in CPWD, as per 6th CPC is Rs. 5200-20200 with Grade Pay of Rs. 2400/-. Therefore, only to make pay parity with the CPWD and taking a magnanimous view, the Grade Pay of Rs. 2400/- was recommended. It was not a lacuna in the appointment order of the Sh. Rajesh which needed any re-fixation, but was only a magnanimous act on the part of EC that Grade Pay of Rs. 2400/- was granted to him. As such in my view, this cannot be made effective with retrospective effect.”*

In view of above, the Executive Committee of the Council directed the Office to finalize the case accordingly.

***Dr. Reena Nayyar recused herself from the meeting.***

**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.***

***Dr. Reena Nayyar rejoined the meeting***

**25. Compliance Verification Assessment of the physical and the other teaching facilities available for 150 MBBS seats at Meenakshi Medical College Hospital & Research Institute, Enathur, Kanchipuram, Tamilnadu under Meenakshi Academy of Higher Education & Research (Meenakshi University), Enathur, Kanchipuram, Tamilnadu.**

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 150 MBBS seats at Meenakshi Medical College Hospital & Research Institute, Enathur, Kanchipuram, Tamilnadu under Meenakshi Academy of Higher Education & Research (Meenakshi University), Enathur, Kanchipuram, Tamilnadu.

The Executive Committee of the Council considered the compliance verification assessment report (25.04.2017) along with previous assessment report (10<sup>th</sup> & 11<sup>th</sup> January, 2017) and decided to revoke notice issued under clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016.

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

**26. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Govt. Dharmapuri Medical College, Dharmapuri under The Tamilnadu Dr. M.G.R. Medical University, Chennai.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Govt. Dharmapuri Medical College, Dharmapuri under The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Executive Committee of the Council considered the assessment report (8<sup>th</sup> and 9<sup>th</sup> May, 2017) and noted the following:-

1. Deficiency of faculty is 25.47 % as detailed in the report.
2. 3 Static X-ray machines are available against requirement of 5.
3. CT Scan is 4 slice against requirement of minimum 16 slice.
4. Central Library: It is not air-conditioned. Internet Nodes are not available.
5. UHC: Specialists' visits are not organized.
6. 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 minutes of the above item were read out, approved and confirmed in the meeting itself.***

**27. Consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Govt. Theni Medical College, Theni.**

Read: the matter with regard to consideration of compliance verification assessment report to continuance of recognition of MBBS degree granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Govt. Theni Medical College, Theni.

The Executive Committee of the Council considered the compliance verification assessment report (9<sup>th</sup> March, 2017) along with previous assessment report (25<sup>th</sup> & 26<sup>th</sup> May, 2016) and noted the following:-

1. With regard to Dr. M. Lalitha, she has administrative experience of only 1 year 6 months against requirement of 10 years; hence not eligible to hold the post. Deficiency remains as it is.
2. 4 Static X-ray machines are available against requirement of 5. Deficiency remains as it is.
3. CT Scan is single slice against minimum 16 slice.
4. OPD: Registration counters are partially computerized. Staff is inadequate.
5. MRD: It is partially computerized.
6. Central Research Laboratory: Instruments & Equipment are inadequate.
7. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Govt. Theni Medical College, Theni and further decided that the institute

be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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

**28. Consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Maharaja Krishnakumarsinghji Bhavnagar University in respect of students being trained at Govt. Medical College, Bhavnagar.**

Read: the matter with regard to consideration of compliance verification assessment report to continuance of recognition of MBBS degree granted by Maharaja Krishnakumarsinghji Bhavnagar University in respect of students being trained at Govt. Medical College, Bhavnagar.

The Executive Committee of the Council considered the compliance verification assessment report (7<sup>th</sup> & 8<sup>th</sup> March, 2017) along with previous assessment report (25<sup>th</sup> & 26<sup>th</sup> May, 2016) and decided to recommend that recognition of MBBS degree granted by Maharaja Krishnakumarsinghji Bhavnagar University in respect of students being trained at Govt. Medical College, Bhavnagar 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.

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

**29. Consideration of compliance verification assessment report with regard to Continuance of recognition of MBBS degree granted by Dr. Bhim Rao Ambedkar University, Agra in respect of students being trained at S.N. Medical College, Agra.**

Read: the matter with regard to consideration of compliance verification assessment report to Continuance of recognition of MBBS degree granted by Dr. Bhim Rao Ambedkar University, Agra in respect of students being trained at S.N. Medical College, Agra.

The Executive Committee of the Council considered the compliance verification assessment report (27<sup>th</sup> March, 2017) along with previous assessment report (18<sup>th</sup> & 19<sup>th</sup> May, 2016) and noted the following:-

1. Deficiency of faculty is 14.90 % as detailed in the report.
2. Nursing staff: Only 144 Nursing staff are available against requirement of 372.
3. CSSD: No separate CSSD is available. ETO Sterilizer is not available.

4. Central Library: Available area is 360 sq.m. against requirement of 2,400 sq.m. Students' reading room (Outside) & Staff Reading room are not available. Available Internet Nodes are only 10 against 40 required.
5. Residential Quarters for the faculty are not available in the campus.
6. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Dr. Bhim Rao Ambedkar University, Agra in respect of students being trained at S.N. Medical College, Agra and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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

**30. 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 Seth G.S. Medical College, Mumbai.**

Read: the matter with regard to consideration of compliance verification assessment report to continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Seth G.S. Medical College, Mumbai.

The Executive Committee of the Council considered the compliance verification assessment report (8<sup>th</sup> March, 2017) along with previous assessment report (22<sup>nd</sup> & 23<sup>rd</sup> Feb., 2016) and noted the following:-

1. ENT department: There are 49 beds in 2 Units which is not as per Regulations as each Unit should have 30 beds.
2. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
3. Examination Hall: There is no Examination hall. Deficiency remains as such.
4. Lecture Theaters: Capacity of 4 Lecture Theaters is 180 each against requirement of 240 each. Hospital Lecture Theater is not available in the main hospital. Deficiency remains as it is.
5. Central Library: Available area is 2,400 sq.m. against requirement of 3,200 sq.m. Only 09 Internet Nodes are available which are grossly inadequate. Deficiency remains as it is.
6. Students' Hostels: Visitors' rooms are not properly furnished. There is no computer in Study room.
7. MRD: it is partly computerized.
8. Website is not updated as per MCI requirement.
9. Anatomy department: Deficiency of 2 Demonstration rooms remains as such.
10. Biochemistry department: Demonstration rooms are not as per Regulations. Audiovisual aids are not available.
11. Pathology department: Capacity of 3 Demonstration rooms is 60, 30 & 15 which is grossly inadequate. They are shared with Microbiology department.
12. Microbiology department: 3 Demonstration rooms of 60, 30 & 15 capacity shared with Pathology department.
13. Pharmacology department: 2 Demonstration rooms are available against requirement of 3.
14. Forensic Medicine department: Only 1 Museum cum Demonstration room is available against requirement of 3.



15. Community Medicine department: 2 Demonstration rooms are available against requirement of 3.
16. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Seth G.S. Medical College, Mumbai and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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

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

Read: the matter with regard to continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Topiwala National Medical College, Mumbai.

The Executive Committee of the Council perused the letter from Dean of the institute, operative part of which reads as under:

*“...we would like to inform you that the main deficiency pointed out by the Council is mainly infrastructural and we had last communicated to your office by our letter dated 25.03.2014 that our college is an old institution established in 1921 and has only 3 big lecture halls and 6 small lecture halls. Due to limited space to expand horizontally, our college needs to demolish certain old building within the campus and replace it with new multistoried buildings.*

*At this point of time we have prepared and finalized the architectural plan of the new 10 stories 'L' shaped building within the campus in which additional 2 big lecture halls of capacity 200, one examination hall of 400 students capacity and library of 2400 sq. mtr. Area will be built. Budget for the said project has been allocated in the financial year 2017-18. The said 'L' shaped building is expected to be completed within five years.”*

The Executive Committee also observed that this letter does not address the following deficiencies pointed out:

1. Resident shortage by 42.9%.
2. Information regarding Library, Residential Quarters for teaching & non-teaching staff, Casualty Beds, RHTC, UHTC are not available.
3. Form 'A' is also not available
4. Bed Occupancy slightly inadequate (74.12% available as against the requirement of 75%).
5. In Clinical Material: No mention of Minor OT
6. Facilities in Anatomy lab such as Embalming machine, MRICT, Bandsaw not available as per assessor's report.
7. Clinical Pharmacology, Pharmacy & Pathology facilities are inadequate.
8. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Topiwala National Medical College, Mumbai and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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

**32. Compliance Verification assessment of the physical and other teaching facilities available at Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur under Ayush & Health Sciences University, Raipur for 50 MBBS Seats.**

Read: the matter with regard to compliance verification assessment of the physical and other teaching facilities available at Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur under Ayush & Health Sciences University, Raipur for 50 MBBS Seats.

The Executive Committee of the Council considered the compliance verification assessment report (7<sup>th</sup> April, 2017) along with the previous assessment reports (14<sup>th</sup> July, 2016 & 11<sup>th</sup> & 12<sup>th</sup> April, 2016) and noted the following:-

1. Deficiency of faculty is 13.09 % as detailed in the report.
2. Shortage of Residents is 11.11 % as detailed in the report.
3. Distance between 2 beds is < 1.5 m. Deficiency remains as it is.
4. Casualty: Central O<sub>2</sub> and Central Suction are not available.
5. Radio-diagnosis department: Only 2 Static & 2 Mobile X-rays are available against requirement of 5 & 4 machines respectively. Deficiency remains as it is.
6. CT Scan is outsourced.
7. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to give an opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

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

**33. Continuance of Recognition of MBBS degree granted by Vinobha Bhave University in respect of students being trained at Patliputra Medical College, Dhanbad- Consideration of compliance submitted by the college authorities.**

Read: the matter with regard to continuance of recognition of MBBS degree granted by Vinobha Bhave University in respect of students being trained at Patliputra Medical College, Dhanbad- Consideration of compliance submitted by the college authorities.

The Executive Committee of the Council considered the compliance verification assessment report (11<sup>th</sup> April, 2017) along with the previous assessment reports (17<sup>th</sup> October, 2016, 11<sup>th</sup> March 2016, 1st July 2015 & 21<sup>st</sup> & 22<sup>nd</sup> March, 2014) and noted the following:-

1. Deficiency of faculty is 28.60 % on day of assessment.
2. Shortage of Residents is 14.80 % on day of assessment.
3. Most of the Senior Residents are not staying in the campus.
4. Nursing staff: There are 149 Nursing staff available against requirement of 247.
5. Workload of Histopathology on day of assessment is only 01.
6. CT Scan is on PPP mode. Details of PPP are not provided.
7. ICUs: Ventilators & Defibrillators are not available in PICU/NICU.
8. Radio-diagnosis department: 3 Mobile X-ray machines are available against requirement of 4. 2 Static X-ray machines are available against requirement of 3. Deficiency remains as it is.
9. Central Research Laboratory is not available.

10. Lecture Theaters: 3 Lecture Theaters are available against requirement of 4. Capacity of Hospital Lecture Theater is 100 against requirement of 150.
11. Nurses' Hostel: Only 10 rooms are available against requirement of accommodation for 48 Nurses. Deficiency remains as it is.
12. Residential Quarters: NIL Residential quarters are available for Non-teaching staff in the campus.
13. Intercom: It is available only in college.
14. RHTC: Residential facility is not furnished.
15. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Vinobha Bhave University in respect of students being trained at Patliputra Medical College, Dhanbad and further decided that the institute be asked to submit the compliance after rectification of the above deficiencies within 01 month.

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

**34. Consideration of compliance verification assessment with regard to continuance of recognition of MBBS degree granted by The Tamilnadu Dr. MGR Medical University, Chennai in respect of students being trained at Government Medical College, Vellore.**

Read: the matter with regard to consideration of compliance verification assessment to continuance of recognition of MBBS degree granted by The Tamilnadu Dr. MGR Medical University, Chennai in respect of students being trained at Government Medical College, Vellore.

The Executive Committee of the Council considered the compliance verification assessment report (4<sup>th</sup> May, 2017) along with previous assessment report (27<sup>th</sup> & 28<sup>th</sup> June, 2016) and decided to recommend that recognition of MBBS degree granted by The Tamilnadu Dr. MGR Medical University, Chennai in respect of students being trained at Government Medical College, Vellore 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.

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

**35. Consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Darbhanga.**

Read: the matter with regard to consideration of compliance verification assessment report to continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Darbhanga.

The Executive Committee of the Council considered the compliance verification assessment report (11<sup>th</sup> April, 2017) along with previous report (24<sup>th</sup> & 25<sup>th</sup> August, 2012) and noted the following:-

1. Shortage of Residents is 10.14 % as detailed in the report.
2. Nursing staff: Senior Nursing staff is not as per Regulations.
3. O.T.: Air-conditioning is not properly functioning in General Surgery O.T.
4. ICUs: They are poorly maintained & full of visitors.
5. Radio-diagnosis department: IITV + Fluoroscopy is not available. Only 1 Mobile X-ray machine is available. AERB approval is available for 2 machines only.
6. PNDT approval was valid until 31/12/2016. There is no application for renewal.
7. OPD: It is congested. Teaching areas are inadequate.
8. Central Laboratory is under PPP. Details of PPP are not provided.
9. CT Scan is under PPP mode. Details of PPP are not provided.
10. Lecture Theaters: Hospital Lecture Theater is not functional.
11. Central Library: Available area is 680 sq.m. which is grossly inadequate. Students' Reading room (Outside), Staff Reading room, Residents' reading room are not available. Only 25 Journals are available against requirement of 100.
12. MRD: It is partly computerized.
13. Overall hygiene is poor.
14. RHTC: LMO is not available. Cold chain equipment is not available. Specialists' visits are not organized. Immunization, MCH, Family Planning survey registers are not maintained.
15. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Darbhanga and further decided that the institute be asked to submit the compliance after rectification of the above deficiencies within 01 month.

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

**36. Continuance of recognition of MBBS degree granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Midnapore Medical College, Midnapore.**

Read: the matter with regard to continuance of recognition of MBBS degree granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Midnapore Medical College, Midnapore.

The Executive Committee of the Council considered the compliance verification assessment report (3<sup>rd</sup> May, 2017) along with previous assessment reports (18<sup>th</sup> April, 2016, 21<sup>st</sup> Dec., 2015 & 3<sup>rd</sup> July, 2015) and noted the following:-

1. Deficiency of faculty is 11.67 % as detailed in the report.
2. Wards: Distance between 2 beds is < 1.5 m in some wards. Ancillary facilities are inadequate. Demonstration rooms are inadequate.
3. ICUs: SICU is not available.
4. CSSD: It is not available.
5. MRD: It is manual. ICD X classification of diseases is not followed.
6. Examination Hall: Capacity of Examination Hall is 150 against requirement of 250.
7. Lecture Theaters: E class facility is not available. Capacity of 1 Lecture Theater is 150 against requirement of 180.
8. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Midnapore Medical College, Midnapore and further decided that the institute be asked to submit the compliance after rectification of the above deficiencies within 01 month.

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

**37. 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 Belagavi Institute of Medical Sciences, Belagavi.**

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

The Executive Committee of the Council considered the compliance verification assessment report (5<sup>th</sup> May, 2017) along with previous assessment reports (15<sup>th</sup> June, 2016 and 22<sup>nd</sup> & 23<sup>rd</sup> Feb., 2016) and noted the following:-

1. Deficiency of faculty is 10.7 % as detailed in the report.
2. Lecture Theaters: Hospital Lecture Theater is not of Gallery type.
3. Interns' Hostel: It is not yet functional.
4. Residents' Hostel: It is not yet functional.
5. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Belagavi Institute of Medical Sciences, Belagavi and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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

**38. Consideration of compliance verification assessment report with regard to Continuance of Recognition of MBBS degree granted by Kannur University in respect of students being trained at Academy of Medical Sciences, Kannur.**

Read: the matter with regard to consideration of compliance verification assessment report to continuance of recognition of MBBS degree granted by

Kannur University in respect of students being trained at Academy of Medical Sciences, Kannur.

The Executive Committee of the Council considered the compliance verification assessment report (9<sup>th</sup> May, 2017) alongwith previous assessment report (27<sup>th</sup> & 28<sup>th</sup> July, 2016) and noted the following:-

1. Bed Occupancy is 46.17 % at 10 a.m. on day of assessment.
2. Radiodiagnosis department: 3 Static X-ray machines are available against requirement of 5. 2 USG machines are available against requirement of 3.
3. CT Scan is 2 slice against minimum 16 slice required.
4. Lecture Theaters: Except 1, other 3 Lecture Theaters are not of Gallery type. Hospital Lecture Theater is not of Gallery type & its capacity is 80 against requirement of 150.
5. Central Research Laboratory: Facilities are inadequate.
6. Central Library: It is partially air-conditioned. Capacity of Students' Reading room (Inside) is only 40.
7. Students' Hostels: Study rooms are not air-conditioned.
8. MRD: ICD X classification of Diseases is not followed for indexing.
9. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Kannur University in respect of students being trained at Academy of Medical Sciences, Kannur 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 apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016, which reads as under:-

8(3)(1).....

- (c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956 along with direction of stoppage of admissions in permitted postgraduate courses."

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2018-19) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956, along with direction of stoppage of admissions in permitted postgraduate courses and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

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

**39. Continuance of recognition of MBBS degree granted by Kerala University of Health & Allied Sciences, Thrissur in respect of students being trained at Sree Uthradom Thiurnal Academy of Medical Sciences, Thiruvanthapuram.**

Read: the matter with regard to continuance of recognition of MBBS degree granted by Kerala University of Health & Allied Sciences, Thrissur in respect of students being trained at Sree Uthradom Thiurnal Academy of Medical Sciences, Thiruvanthapuram.

The Executive Committee of the Council considered the compliance verification assessment report (8<sup>th</sup> May, 2017) alongwith previous assessment report (30<sup>th</sup> & 31<sup>st</sup> May, 2016) and noted the following:-

1. Deficiency of faculty is 9.52 % as detailed in the report.
2. Shortage of Residents is 12.9 % as detailed in the report.
3. No Residents are staying in the hostel due to renovation work.
4. Blood Component Separation facility is not available.
5. Nursing staff: 244 Nursing staff are available against 247
6. There were only 05 Minor Operations for the whole hospital on day of assessment.
7. Workload of Radiological investigations is grossly inadequate on day of assessment as under:
  - (a) Plain X-rays: 24;
  - (b) USG: 15;
  - (c) CT Scan: 2.
8. Workload of Histopathology was only 05 & of Cytopathology only 06 on day of assessment.
9. 4 Static X-ray machines are available against requirement of 5.
10. ETO Sterilizer is not functional.
11. Residential Quarters: They are under repair & still not allotted to faculty.
12. Microbiology department: 7 service laboratories are shared in 3 rooms which is not as per norms.
13. RHTC: Residential accommodation is inadequate as detailed in the report.
14. Lifts are not working in the hospital. No lifts are installed in the college.
15. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment),2010(Part II), dated 16<sup>th</sup> April, 2010 and further decided that the institute be asked to submit the compliance after rectification of the above deficiencies within 01 month for further consideration of the matter.

The Committee further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16<sup>th</sup> April, 2010 and amended on 18.03.2016, which reads as under:-

8(3)(1).....

- (c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for

withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2018-19) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956, along with direction of stoppage of admissions in permitted postgraduate courses and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

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

**40. Consideration of compliance verification assessment report with regard to Continuance of Recognition of MBBS degree granted by M.S. University, Baroda in respect of students being trained at Govt. Medical College, Baroda.**

Read: the matter with regard to consideration of compliance verification assessment report to continuance of recognition of MBBS degree granted by M.S. University, Baroda in respect of students being trained at Govt. Medical College, Baroda.

The Executive Committee of the Council considered the compliance verification assessment report (2<sup>nd</sup> May, 2017) alongwith previous assessment report (2<sup>nd</sup> & 3<sup>rd</sup> July, 2014) and decided to recommend that recognition of MBBS degree granted by M.S. University, Baroda in respect of students being trained at Govt. Medical College, Baroda be continued restricting the number of admission to 180 (One Hundred Eighty) 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.

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



**41. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Veer Chandra Singh Garhwali Govt. Medical Sciences & Research Institute, Garhwal, Uttrakhand under Uttrakhand Technical University, Dehradun.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Veer Chandra Singh Garhwali Govt. Medical Sciences & Research Institute, Garhwal, Uttrakhand under Uttrakhand Technical University, Dehradun.

The Executive Committee of the Council considered the assessment report (16<sup>th</sup> and 17<sup>th</sup> May, 2017) and noted the following:-

1. Deficiency of faculty is 25.47 % as detailed in the report.
2. Shortage of Residents is 31.34 % as detailed in the report.
3. There is no Radiologist.
4. OPD attendance at 2 p.m. on day of assessment is 491 against 800 required.
5. Bed Occupancy at 10 a.m. on day of assessment is 51 %.
6. Nursing staff: 160 Nurses are available against 247 required.
7. Workload of Radiological investigations is inadequate. Technicians are doing CT Scan without reporting.
8. OPD: Registration counters are partially computerized. Teaching areas are inadequate. Injection room is common for males & females. Dressing room is common for males & females. Plaster Cutting room is not separate. Cancer Detection clinic is not available.
9. Audiometry room is not soundproof. Equipment for Speech Therapy is not available.
10. Wards: Capacity of Demonstration room is smaller than required.
11. Casualty: Separate Casualty for O.G. is not available. 2 CMOs are available against requirement of 4.
12. ICUs: ICCU is not available.
13. Radiodiagnosis department: 2 Static & 2 Mobile X-ray machines are available against requirement of 5 Static & 4 Mobile X-ray machines. 1 USG is available against requirement of 3. PNDT approval is not available.
14. CT Scan is dual slice against minimum 16 slice required.
15. CSSD: ETO Sterilizer is not functional. Receiving & Distribution points are common.
16. Central Research Laboratory is not available.
17. Lecture Theaters: 3 Lecture Theaters are available against requirement of 4.
18. Central Library: Available area is 690 sq.m. against requirement of 1,600 sq.m.
19. Interns' Hostel: It is not available. They are accommodated in Students' Hostels. However, total accommodation available in Students' hostels is 400 which is less than 475 required – 375 for Students & Interns.
20. Residents' Hostel: Available accommodation is for 50 against requirement of 67.
21. MRD: It is partially computerized. ICD X classification of diseases is not followed for indexing.
22. Anatomy department: MRI & CT films are not available in the museum.
23. 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 minutes of the above item were read out, approved and confirmed in the meeting itself.***

**42. Renewal of permission for MBBS course for 5<sup>th</sup> batch (100 seats) of Govt. Medical College, Bettiah, West Champaran, Bihar under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 5<sup>th</sup> batch (100 seats) of Govt. Medical College, Bettiah, West Champaran, Bihar under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the letter dated 11.05.2017, 12.05.2017 and 15.05.2017 received from the Central Government, Ministry of Health & F.W., New Delhi, compliance dated 22.05.2017 received from the college authorities alongwith an undertaking of the Principal Secretary, Department of Health, Govt. of Bihar, dated 23.05.2017 and decided to recommend to the Central Govt. to renew the permission for admission of 5<sup>th</sup> batch of 100 MBBS students at Govt. Medical College, Bettiah, West Champaran, Bihar under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

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

**43. Renewal of permission for MBBS course for 5<sup>th</sup> batch (100 seats) of Vardhman Institute of Medical Sciences, Pawapuri, Nalanda, Bihar under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 5<sup>th</sup> batch (100 seats) of Vardhman Institute of Medical Sciences, Pawapuri, Nalanda, Bihar under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the letter dated 11.05.2017, 12.05.2017 and 15.05.2017 received from the Central Government, Ministry of Health & F.W., New Delhi, compliance dated 22.05.2017 received from the college authorities alongwith an undertaking of the Principal Secretary, Department of Health, Govt. of Bihar, dated 23.05.2017 and decided to recommend to the Central Govt. to renew the permission for admission of 5<sup>th</sup> batch of 100 MBBS students at Vardhman Institute of Medical Sciences, Pawapuri, Nalanda, Bihar under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

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

**44. Establishment of new medical college at Chamba (Pt. Jawahar Lal Nehru Govt. Medical College, Chamba), Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Chamba (Pt. Jawahar Lal Nehru Govt. Medical College, Chamba), Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 11.05.2017, 12.05.2017 and 15.05.2017 received from the Central Government, Ministry of Health & F.W., New Delhi forwarding therewith the compliance submitted by the Principal, Pt. J.L.N. Govt. Medical College, Chamba along with an undertaking of the Principal Secretary (Health), Govt. of Himachal Pradesh, Shimla and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Chamba (Pt. Jawahar Lal Nehru Govt. Medical College, Chamba), Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

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

45. **Renewal of permission for MBBS course for 4<sup>th</sup> batch (100 seats) of Govt. Medical College, Palakkad, Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 4<sup>th</sup> batch (100 seats) of Govt. Medical College, Palakkad, Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the letter dated 11.05.2017, 12.05.2017 and 15.05.2017 received from the Central Government, Ministry of Health & F.W., New Delhi forwarding therewith the compliance dated nil submitted by the college authorities alongwith an undertaking of the Principal Secretary to the Govt. of Kerala, Thiruvananthapuram, dated 23.05.2017 and decided to recommend to the Central Govt. to renew the permission for admission of 4<sup>th</sup> batch of 100 MBBS students at Govt. Medical College, Palakkad, Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

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

46. **Establishment of new medical college at Raigad, Maharashtra (Dr. N.Y. Tasgaonkar Institute of Medical Sciences & Research Centre, Raigad) by Saraswati Education Society, Mumbai, Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Raigad, Maharashtra (Dr. N.Y. Tasgaonkar Institute of Medical Sciences & Research Centre, Raigad) by Saraswati Education Society, Mumbai, Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 09.05.2017 from Sh. P. Seshkumar, Secretary to OC alongwith letter dated 02.05.2017 of the Chairman, Saraswati Education Society, Raigad and observed as under:-

1. The Hon'ble Supreme Court in the case of Royal Medical Trust Vs. Union of India & Ors. - (2015) 10 SCC 19, has laid down guidelines for processing application / scheme submitted by the college for grant of permission. It has

also approved the Time Schedule for processing the application / scheme submitted by the applicant - medical colleges. The said Time Schedule provides different stages of scrutiny as well as the cut-off dates of the said stages. The relevant portion of the said judgment passed by the Hon'ble Supreme Court in Royal Medical Trust Vs. Union of India & Ors. - (2015) 10 SCC 19, is reproduced hereunder:-

“.....31. MCI and the Central Government have been vested with monitoring powers under Section 10-A and the Regulations. It is expected of these authorities to discharge their functions well within the statutory confines as well as in conformity with the Schedule to the Regulations. If there is inaction on their part or non-observance of the time schedule, it is bound to have adverse effect on all concerned. The affidavit filed on behalf of the Union of India shows that though the number of seats had risen, obviously because of permissions granted for establishment of new colleges, because of disapproval of renewal cases the resultant effect was net loss in terms of number of seats available for the academic year. It thus not only caused loss of opportunity to the students community but at the same time caused loss to the society in terms of less number of doctors being available. MCI and the Central Government must therefore show due diligence right from the day when the applications are received. The Schedule giving various stages and time-limits must accommodate every possible eventuality and at the same time must comply with the requirements of observance of natural justice at various levels. In our view the Schedule must ideally take care of:

**(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.**

(B) Inspection should then be conducted by the Inspectors of the MCI. By very nature such inspection must have an element of surprise. Therefore sufficient time of about three to four months ought to be given to the MCI to cause inspection at any time and such inspection should normally be undertaken latest by January. Surprise Inspection would ensure that the required facilities and infrastructure are always in place and not borrowed or put in temporarily.

(C) Intimation of the result or outcome of the inspection would then be communicated. If the infrastructure and facilities are in order, the concerned Medical College should be given requisite permission/renewal. However if there are any deficiencies or shortcomings, the MCI must, after pointing out the deficiencies, grant to the college concerned sufficient time to report compliance.

(D) If compliance is reported and the applicant states that the deficiencies stand removed, the MCI must cause compliance verification. It is possible that such compliance could be accepted even without actual physical verification but that assessment be left entirely to the discretion of the MCI and the Central Government. In cases where actual physical verification is required, the MCI and the Central Government must cause such verification before the deadline.

*(E) The result of such verification if positive in favour of the Medical College concerned, the applicant ought to be given requisite permission/renewal. But if the deficiencies still persist or had not been removed, the applicant will stand disentitled so far as that academic year is concerned.  
.....”*

2. It is pertinent to mention that the any scheme / application for establishment of new medical college has to be processed strictly in accordance with the Time Schedule as prescribed in the Establishment of Medical College Regulations, 1999. The Hon'ble Supreme Court in SLP (C) No.22910 of 2013 -Educare Charitable Trust Vs. Union of India &Anr. while upholding the Time Schedule for submitting the application for increase in admission capacity in the BDS course vide judgement dated 17.09.2013 was pleased to held as under :-

*“.....9. Having regard to the above, it is not possible to accede to the request of the petitioner to change the time schedule when the last date for a meeting the students, which was July 15, 2013, expired long ago. If the Central Government forwards the application to the DCI at this juncture, DCI shall hardly have any time to look into the feasibility of the scheme as per the requirements contained in the regulation 21. We have to keep in mind that in the schedule annexed to the Regulation 2006, six to eight months time is given to the DCI for this purpose. We are, thus, of the view that the High Court did not committed any error in holding that in the given circumstances mandamus cannot be issued to the Central Government to exercise its discretionary powers in a particular manner to modify the time schedule. Sanctity to the time schedule has to be attached. It is too late in the day, insofar as the present academic session is concerned, to give any direction. This Court has highlighted the importance of cut-off date for starting professional courses, particularly medical courses, and repeatedly interest upon that such deadline should be tinkered with. (See: Priya Gupta Vs. state of Chhattisgarh (2012)7 SCC 433 and MaaVaishno Devi MahilaMahavidyalayaVs. State of U. P. (2013)2 SCC 617.*

*We, thus, do not find any error in the impugned judgement of the High Court. This petition is bereft of any merit and is accordingly dismissed....”*

3. The presently applicable Time Schedule has been accorded approval by the Hon'ble Supreme Court vide judgment dated 18.01.2016 passed in the case of Dr. Ashish Ranjan & Ors. Vs. Union of India &Ors.- (2016) 11 SCC 225. The Time Schedule for processing of application for grant of permission for establishment of medical college is reproduced herein-below:-

**The time schedule for receipt of applications for establishment of New Medical Colleges/renewal of permission and processing of the applications by the Central Government and the Medical Council of India.**

<b>S. No.</b>	<b>Stage of Processing</b>	<b>Last Date</b>
1.	Receipt of applications by the Central Government	Between 15 <sup>th</sup> June to 7 <sup>th</sup> July (both days inclusive of any year)
2.	Forwarding application by the Central Government to Medical Council of India.	By 15 <sup>th</sup> July
3.	Technical Scrutiny, assessment and Recommendations for letter of Permission by the Medical Council of India.	By 15 <sup>th</sup> December
4.	Receipt of Reply/ compliance from the applicant by the Central Government and for personal hearing thereto, if any, and forwarding of compliance by the Central Government to the Medical Council of India.	Two months from receipt of recommendation from MCI but not beyond 31 <sup>st</sup> January.
5.	Final recommendations for the letter for Permission by the Medical Council of India.	By 30 <sup>th</sup> April.
6.	Issue of Letter for permission by the Central Government.	By 31 <sup>st</sup> May

Note 1. In case of renewal of permission, the applicants shall submit the application to the Medical Council of India by 15<sup>th</sup> July.

4. As stated hereinabove, the Time Schedule fixed by the Hon'ble Supreme Court regarding the processing of application has prescribed a year on stages of consideration and processing of applications under Section 10A of the IMC Act, 1956 and the same cannot be completed within a period of fourteen days. The inspection of the applicants - medical colleges mentioned in the reply cannot be conducted in such a short span of time as it will take away the surprise element which is extremely crucial to determine the exact status of the infrastructure, teaching faculty, clinical material and other physical facilities available in the proposed college.

In view of above, the Executive Committee of the Council decided to reiterate its earlier decision to return the application for establishment of a new medical college at Raigad, Maharashtra (Dr. N.Y. Tasgaonkar Institute of Medical Sciences & Research Centre, Raigad) by Saraswati Education Society, Mumbai, Maharashtra under Maharashtra University of Health Sciences, Nashik to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

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

47. **Application for establishment of 4(four) new medical colleges in Telangana State for the year 2017-18- Regarding.**

Read: the matter with regard to application for establishment of 4(four) new medical colleges in Telangana State for the year 2017-18.

The Executive Committee of the Council considered the following legal opinion of the Council Advocate:-

“The Ministry has purportedly issued policy directives to the Council to consider the applications of four medical colleges from the State of Telangana, even after the expiry of the cut-off date i.e. 30.04.2017 for sending recommendations to the Central Government. In the letter, the MCI has been requested to conduct inspection of the said medical colleges, even though the Consent of Affiliation submitted along-with the scheme was defective in as much as these colleges have failed to obtain Consent of Affiliation from the appropriate University i.e. Kaloji Narayan Rao University of Health Sciences (KNRUHS), Warangal and have submitted Consent of Affiliation issued by Dr. NTR University of Health Sciences which has jurisdiction for granting affiliation within the State of Andhra Pradesh only. The Ministry has also extended the last date of submitting recommendation till 24.05.2017. In this regard, following is stated:-

1. Attention is invited to the directions passed by the Hon'ble Supreme Court in the case of Royal Medical Trust Vs. Union of India & Ors. - (2015) 10 SCC 19, wherein, the Hon'ble Supreme Court has laid down guidelines for processing application / scheme submitted by the college for grant of permission. As per the guidelines laid down by the Hon'ble Supreme Court in the above-mentioned judgment, the scheme submitted by every applicant-medical college is required to be scrutinized and only, if the scheme is accompanied by a valid Essentiality Certificate, Consent of Affiliation etc. as well as fulfils other threshold requirements then only the scheme / application shall be considered by the Council. If at the stage of initial scrutiny it is found that the Essentiality Certificate, Consent of Affiliation is not valid / defective then such application / scheme are liable to be rejected at the very threshold. Apart from the said directions, the Hon'ble Supreme Court has also approved the Time Schedule for processing the application / scheme submitted by the applicant - medical colleges. The said Time Schedule provides different stages of scrutiny as well as the cut-off dates of the said stages. The relevant portion of the said judgment passed by the Hon'ble Supreme Court in Royal Medical Trust Vs. Union of India & Ors. - (2015) 10 SCC 19, is reproduced hereunder:-

“.....31. MCI and the Central Government have been vested with monitoring powers under Section 10-A and the Regulations. It is expected of these authorities to discharge their functions well within the statutory confines as well as in conformity with the Schedule to the Regulations. If there is inaction on their part or non-observance of the time schedule, it is bound to have adverse effect on all concerned. The affidavit filed on behalf of the Union of India shows that though the number of seats had risen, obviously because of permissions granted for establishment of new colleges, because of disapproval of renewal cases the resultant effect was net loss in terms of number of seats available for the academic year. It thus not only caused loss of opportunity to the students community but at the same time caused loss to the society in terms of less number of doctors being available. MCI and the Central Government must therefore show due diligence right from the day when the applications are received. The Schedule giving various stages and time-limits must accommodate every possible eventuality and at the same time must comply with the requirements of observance of natural justice at various levels. In our view the Schedule must ideally take care of:

**(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.**

**(B) Inspection should then be conducted by the Inspectors of the MCI. By very nature such inspection must have an element of**

surprise. Therefore sufficient time of about three to four months ought to be given to the MCI to cause inspection at any time and such inspection should normally be undertaken latest by January. Surprise Inspection would ensure that the required facilities and infrastructure are always in place and not borrowed or put in temporarily.

(C) Intimation of the result or outcome of the inspection would then be communicated. If the infrastructure and facilities are in order, the concerned Medical College should be given requisite permission/renewal. However if there are any deficiencies or shortcomings, the MCI must, after pointing out the deficiencies, grant to the college concerned sufficient time to report compliance.

(D) If compliance is reported and the applicant states that the deficiencies stand removed, the MCI must cause compliance verification. It is possible that such compliance could be accepted even without actual physical verification but that assessment be left entirely to the discretion of the MCI and the Central Government. In cases where actual physical verification is required, the MCI and the Central Government must cause such verification before the deadline.

(E) The result of such verification if positive in favour of the Medical College concerned, the applicant ought to be given requisite permission/renewal. But if the deficiencies still persist or had not been removed, the applicant will stand disentitled so far as that academic year is concerned.

.....”

2. The Hon'ble Supreme Court in a catena of cases has held that an incomplete / defective scheme u/s 10A of IMC Act, 1956, is not even fit for registration and is liable to be rejected at the threshold, itself. In the case of Govt. of A.P. Vs. Medwin Educational Society - (2004) 1 SCC 86, has been pleased to, inter-alia, hold as under: -

“...In accordance with the statutory time schedule for grant of permissions/renewals to MBBS and PG courses etc. reproduced in para-28 and pg.81-82, MridulDharVs. UOI&Ors. - (2005) 2 SCC 65, the strict adherence to each of the following stages is an absolute imperative: -

All new applications u/s 10A for starting postgraduate course are necessarily required to be submitted with the Central Govt. between 1st of April to 30th of April of any year. This Hon'ble Court has already held in the case of UOI Vs. All India Children Care and Educational Development Society- (2002) 3 SCC 649 (para-5 at pg.652, that it is only such applications which are complete in all respects as per the qualifying criteria laid down in the statutory regulations, deserve to be treated as applications u/s 10A of the Indian Medical Council Act, 1956 which then become eligible for consideration u/s 10A of the respective enactments.

The 2<sup>nd</sup> stage imperative is that the complete applications which are received by the Central Govt. between 1st of April to 30th of April are then required to be forwarded to the MCI positively before 31st of May of that year in which the fresh applications are submitted to the Central Govt. The Central Govt. is, therefore, obliged to forward the complete applications u/s 10A of the Act to the Council by 31st of May and not thereafter.

Upon receipt of the application from the Central Govt. on or before 31<sup>st</sup> of May, the Council is required to undertake the exercise of evaluate those applications and conducting inspections for sending recommendation to the Govt. of India, for grant of Letter of Permission (LOP). This exercise has to be completed by the Council on or before 31st of January and this time stage is also an absolute imperative.

Statutory time schedule permits the Central Govt. to issue of Letter of Permission to a medical college for permission to establish a new medical college on or before 28th of February.

.....”



3. The Hon'ble Supreme Court in the case of BOG, MCI Vs. Index Medical College and Hospital and Research Centre – SLP (C) No. 13465/2013 vide judgment dated 05.08.2013, was pleased to allow the SLP filed by the MCI and set-aside the directions passed by the Hon'ble High Court of Madhya Pradesh, whereby, the Hon'ble High Court had directed the Council to conduct the inspection of the medical college which had failed to submit the Consent of Affiliation alongwith their application / scheme before the cut-off date as provided in the Statutory Regulation of the Council.
4. It is pertinent to mention that the any scheme / application for establishment of new medical college has to be processed strictly in accordance with the Time Schedule as prescribed in the Establishment of Medical College Regulations, 1999. The Hon'ble Supreme Court in SLP (C) No.22910 of 2013 -Educare Charitable Trust Vs. Union of India &Anr. while upholding the Time Schedule for submitting the application for increase in admission capacity in the BDS course vide judgement dated 17.09.2013 was pleased to held as under :-

*“.....9. Having regard to the above, it is not possible to accede to the request of the petitioner to change the time schedule when the last date for a meeting the students, which was July 15, 2013, expired long ago. If the Central Government forwards the application to the DCI at this juncture, DCI shall hardly have any time to look into the feasibility of the scheme as per the requirements contained in the regulation 21. We have to keep in mind that in the schedule annexed to the Regulation 2006, six to eight months time is given to the DCI for this purpose. We are, thus, of the view that the High Court did not committed any error in holding that in the given circumstances mandamus cannot be issued to the Central Government to exercise its discretionary powers in a particular manner to modify the time schedule. Sanctity to the time schedule has to be attached. It is too late in the day, insofar as the present academic session is concerned, to give any direction. This Court has highlighted the importance of cut-off date for starting professional courses, particularly medical courses, and repeatedly interest upon that such deadline should be tinkered with. (See: Priya Gupta Vs. state of Chhattisgarh (2012)7 SCC 433 and MaaVaishno Devi MahilaMahavidyalaya Vs. State of U. P. (2013)2 SCC 617.*

*We, thus, do not find any error in the impugned judgement of the High Court. This petition is bereft of any merit and is accordingly dismissed....”*

5. The presently applicable Time Schedule has been accorded approval by the Hon'ble Supreme Court vide judgment dated 18.01.2016 passed in the case of Dr. AshishRanjan&Ors. Vs. Union of India &Ors.- (2016) 11 SCC 225. The Time Schedule for processing of application for grant of permission for establishment of medical college is reproduced herein-below:-

**The time schedule for receipt of applications for establishment of New Medical Colleges/renewal of permission and processing of the applications by the Central Government and the Medical Council of India.**

S. No.	Stage of Processing	Last Date
1.	Receipt of applications by the Central Government	Between 15 <sup>th</sup> June to 7 <sup>th</sup> July (both days inclusive of any year)
2.	Forwarding application by the Central Government to Medical Council of India.	By 15 <sup>th</sup> July
3.	Technical Scrutiny, assessment and Recommendations for letter of Permission by the Medical Council of India.	By 15 <sup>th</sup> December
4.	Receipt of Reply/ compliance from the applicant by the Central Government and for personal hearing thereto, if any, and	Two months from receipt of recommendation from

	forwarding of compliance by the Central Government to the Medical Council of India.	MCI but not beyond 31 <sup>st</sup> January.
5.	Final recommendations for the letter for Permission by the Medical Council of India.	By 30 <sup>th</sup> April.
6.	Issue of Letter for permission by the Central Government.	By 31 <sup>st</sup> May

Note 1. In case of renewal of permission, the applicants shall submit the application to the Medical Council of India by 15<sup>th</sup> July.

6. As stated herein-above, the Hon'ble Supreme Court vide judgment dated 20.08.2015 in the case of Royal Medical Trust &Anr. Vs. Union of India &Anr.- (2015) 10 SCC 19 has categorically held that any scheme / application, which is incomplete is liable to be rejected, at the threshold. Every scheme / application submitted by the medical college is to be processed strictly in accordance with the Statutory Time - Schedule as approved by the Hon'ble Supreme Court in the case of AshishRanjan (Supra). Further, the above-mentioned Time Schedule was prepared by the MCI in consultation with State Government as well as the Central Government and was thereafter approved by the Hon'ble Supreme Court, and therefore, the same has become the law declared by the Hon'ble Supreme Court. In view of the above, there cannot be any departure / violation of the Time Schedule by any authority including the Central Government. In any case, except the Hon'ble Supreme Court, no authority including the Central Government can relax the time schedule.
7. The Hon'ble Supreme Court in the case of Padmashree Dr. D.Y. Patil Medical College Vs. MCI &Anr., - (2015) 10 SCC 51, wherein, the applicant - medical college had failed to submit a complete application for establishment of new medical college from academic year 2015-16 as the said application was not accompanied with Essentiality Certificate as well as letter of Consent of Affiliation and had submitted the said documents only after the cut-off date for submitting complete scheme had passed. Therefore the Govt. of India disapproved the application of the medical college and returned the same. The Hon'ble Supreme Court after considering the catena of judgments and Statutory Time Schedule of Council vide judgment dated 31.08.2015 directed the Council to consider the scheme of the applicant - medical college, therein, for next / subsequent academic year.
8. In the case of Poonaiyah Ramajayam Institute of Science And Technology Trust Vs. MCI - (2015) 10 SCC 83, the applicant -medical college, therein, had submitted an incomplete application for establishment of medical college as neither the Essentiality Certificate nor the letter of Consent of Affiliation was enclosed alongwith the application. The Essentiality Certificate as well as letter of Consent of Affiliation, were subsequently submitted by the medical college, i.e. after the cut of date for submitting complete application u/s 10A of the Act. The Hon'ble Supreme Court after hearing the parties, while relying on the judgment dated 17.09.2015 passed in Padmashree Dr. D.Y. Patil Medical College Vs. MCI &Anr., - (2015) 10 SCC 51, directed the MCI to consider the case of the applicant - medical college, therein, for subsequent academic year.
9. Similarly, in MCI Vs. V.N. Public - (2016) 11 SCC 216, initially the Hon'ble High Court of Kerala had directed the Council to consider the application of the applicant - medical college, therein, for establishment of a medical college, and take into consideration the revised essentiality certificate submitted by the medical college after the last date, i.e. 30.09.2015 for submitting complete application / scheme u/s10A of the IMC Act, 1956 was over. The Council being aggrieved by the above said directions passed by the Hon'ble High Court, approached the Hon'ble Supreme Court and the Hon'ble Supreme Court was pleased to hold as follows:

“ .....

**16.** *The impugned order [Medical Council of India v. V.N. Public Health & Educational Trust, 2016 SCC OnLine Ker 431] passed by the High Court is to be tested and adjudged on the anvil of the*

*aforesaid authorities. The application for grant of approval was filed with the essentiality certificate which was a conditional one and, therefore, a defective one. It was not an essentiality certificate in law. In such a situation, the High Court could not have directed for consideration of the application for the purpose of the inspection. Such a direction, we are disposed to think, runs counter to the law laid down in Educare Charitable Trust [Educare Charitable Trust v. Union of India, (2013) 16 SCC 474 : AIR 2014 SC 902] and Royal Medical Trust [Royal Medical Trust v. Union of India, (2015) 10 SCC 19] . We may further proceed to state that on the date of the application, the essentiality certificate was not in order. The schedule prescribed by MCI, which had been approved by this Court, is binding on all concerned. MCI cannot transgress it. The High Court could not have gone beyond the same and issued any direction for conducting an inspection for the academic year 2016-2017. Therefore, the directions issued by the learned Single Judge and the affirmation thereof by the Division Bench are wholly unsustainable.*

*17. Consequently, the appeal is allowed and the judgments and orders passed by the High Court are set aside. It will be open to the Trust to submit a fresh application for the next academic year in consonance with the provisions of the Regulations of MCI and as per the time schedule; and in that event, it will be considered appropriately. In the facts and circumstances of the case, there shall be no order as to costs*

*.....”*

10. Recently, the Hon'ble Supreme Court in W.P. (C) No. 178/2017 – KPC Medical College Vs. Union of India & Anr., the applicant - medical college, therein, had failed to submit the letter of Consent of Affiliation issued by the concerned affiliating University alongwith their scheme for starting of Postgraduate medical courses from the academic year 2017-18, before the last date for submission of the said schemes. However, the applicant - medical college had submitted the valid Consent of Affiliation, within, thirteen days, after the expiry of cutoff date. The Govt. of India had, after considering the recommendations of the Council, returned the schemes. The medical college being aggrieved by the decision of the Govt. of India, approached the Hon'ble Supreme Court by way of the above-said writ petition. The Hon'ble Supreme Court, after hearing the parties, vide order dated 21.04.2017, while disposing of the writ petition, directed the Council to treat the schemes submitted by the applicant - medical college to be valid for subsequent academic year i.e. 2018-19 and consider the case of the medical college, in accordance with the provision of IMC Act, 1956 and the Regulations made thereunder.
11. In the present case, the following colleges submitted their application / scheme under Section 10- A of the IMC Act, 1956 for establishment of a new medical college from academic year 2017-18:
  - (1) Ayaan Institute of Medical Sciences, Kanakamamidi, Telangana
  - (2) Surabhi Institute of Medical Sciences, Medak, Telangana
  - (3) TRR Institute of Medical Sciences, Medak, Telangana
  - (4) Dr. PatnamMahender Reddy Institute of Medical Sciences, Ranga Reddy, Telangana
12. The Council duly considered the schemes submitted by the above-named applicants - medical colleges for establishment of new medical college from academic year 2017-18. However, the Council, upon initial scrutiny, noted that the said applicants - medical colleges had submitted Consent of Affiliation issued by the Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh. Whereas, the State Government of Telangana, vide its letter dated 22.07.2015, had informed the Council office that Kaloji Narayan Rao University of Health Sciences (KNRUHS), Warangal, would be issuing the Consent of Affiliation in respect of medical courses in the State of Telangana and that the Consent of Affiliation

issued by Dr. NTR University of Health Sciences on behalf of KNRUHS shall be valid upto 31<sup>st</sup>December, 2015.

13. Accordingly, the Council decided to return the schemes submitted by the above-named applicants - medical colleges for establishment of new medical colleges from academic year 2017-18 as they had failed to submit a valid Consent of Affiliation from the concerned University and also in view of the above-mentioned letter dated 22.07.15 of the State Government of Telangana as well as the directions passed by the Hon'ble Supreme Court in the case of Royal Medical Trust Vs. Union of India &Ors. - (2015) 10 SCC 19. The schemes submitted by the above-mentioned applicants - medical colleges for establishment from academic year 2017-18, were returned to Central Govt. vide letter dated 06.09.2016, alongwith the recommendation for disapproval of the schemes submitted by the applicant - societies.
14. Subsequently, the Govt. of India granted hearing to the officials / representatives of the aforesaid applicants - medical colleges, wherein, the applicants had submitted fresh Consent of Affiliation issued by KNRUHS and the same were forwarded by the Ministry to the Council vide letter dated 07.11.2016.
15. The Executive Committee of the Council considered the Govt. of India letter dated 07.11.2016, and in view of the directions passed by the Hon'ble Supreme Court in the case of Royal Medical Trust (supra) as well as the Statutory Time Schedule of the Council, as upheld by the Hon'ble Supreme Court and noted that the Consent of Affiliation forwarded by the Govt. of India vide the said letter had been submitted after the lapse of the cut-off date i.e. 7<sup>th</sup> July, 2016, for submission of complete schemes, to the Govt. of India. Therefore, the Council decided to reiterate its earlier decision to return the schemes, submitted by the aforesaid applicant medical colleges, to the Govt. of India, alongwith the recommendation to not grant permission for establishment of new medical college from academic year 2017-18. The above-mentioned decision of the Council was communicated to the Govt. of India vide MCI letter dated 01.12.2016.
16. The Hon'ble Oversight Committee vide letter dated 17.04.2017, had, after considering the recommendation of MHFW contained in para 2 to 4 of MHFW letter dated 30 March 2017, requested the MCI to process the applications of the above-named four applicants - medical colleges in the State of Telangana. In response to the above-mentioned letter of the Oversight Committee, the Council addressed a letter dated 30.04.2017 to the Central Govt., MOHFW with copy to the Hon'ble Oversight Committee apprising them that in view the above-mentioned judgments / directions passed by the Hon'ble Supreme Court as well as the Statutory Time Schedule of the Council, as upheld by the Hon'ble Supreme Court, at this stage it is impermissible for the Council to consider or process the schemes submitted by the above-named applicant medical college, from the academic year 2017-18.
17. The Council has now received the letter under reply from the Ministry, whereby, the Ministry has issued policy directives under Section 3C of the IMC Act, 1956 to the Council to consider the applications of above-named four applicants - medical colleges from the State of Telangana. In this regard, it is relevant to consider that under Section 3C of the IMC Act, 1956, the Council is bound by the policy decision of the Central Government, however, the said provision itself carves out an exception in respect of technical and administrative matters. The Central Government under the IMC Act, 1956 is empowered to take policy decision and the Council will be bound by such decision but technical and administrative matters fall within the exclusive domain of the Council. In other words, matters relating to scrutiny of application / scheme submitted by applicant - medical colleges, inspection, recommendation etc. is beyond the purview of policy decision of the Central Government and the Council is the expert Statutory Body constituted for carrying out such technical and administrative jobs. It is relevant to note that the policy directive issued by the Ministry vide letter under reply, if implemented will also be contrary to the binding judicial precedents referred hereinabove as also contrary to the scheme of the IMC Act, 1956 and the Regulations framed thereunder. It is the responsibility of the Council as well as the Ministry to strictly adhere to the direction passed by the Hon'ble Apex Court. Since

the Hon'ble Supreme Court in the cases of MridulDharVs. UOI &Ors. - (2005) 2 SCC 65, Priya Gupta Vs. State of Chhattisgarh - (2012) 7 SCC 433, and AshishRanjan (Supra) has categorically held that any person or authority who deviates or fails to follow the time schedule will be individually prosecuted under the Contempt of Courts Act, 1971.

18. As stated hereinabove, the Time Schedule fixed by the Hon'ble Supreme Court regarding the processing of application has prescribed a year on stages of consideration and processing of applications under Section 10A of the IMC Act, 1956 and the same cannot be completed within a period of twelve days. The inspection of the applicants - medical colleges mentioned in the reply cannot be conducted in such a short span of time as it will take away the surprise element which is extremely crucial to determine the exact status of the infrastructure, teaching faculty, clinical material and other physical facilities available in the proposed college.

In light of the above, it is impermissible for the Council to consider or process the schemes for establishment of new medical colleges submitted by the above-named applicants- medical colleges at this stage. Accordingly, the Ministry of Health and Family Welfare, Government of India may be requested to kindly reconsider the matter appropriately in accordance with the statutory law position and various Hon'ble Supreme Court directions."

In view of above, the Executive Committee of the Council decided to accept the above opinion and convey the same to the Central Government, MOHFW, Govt. of India, New Delhi.

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

**48. Collection of rent, electricity and water charges from the persons (other than Council officials) staying in Guest House of the council.**

Read: the matter with regard to collection of rent, electricity and water charges from the persons (other than Council officials) staying in Guest House of the council.

The Executive Committee of the Council perused the agenda item and decided to refer the matter to the Administration and Grievance Sub Committee of the Council. The Committee further directed the Administration and Grievance Sub Committee to take into cognizance the rents of different types of Govt. quarters in the NCT of Delhi while considering the matter.

**49. Installation of Grid Connected Solar RoofTop System on the roofs of Building of Medical Council of India.**

Read: the matter with regard to installation of Grid Connected Solar RoofTop System on the roofs of Building of Medical Council of India.

M/s P.E.C. Limited had been called for a presentation before the Executive Committee of the Council. Following the presentation, the Executive Committee decided to accept the proposal for placing the order to M/s P.E.C. Limited for installation of Grid Connected Solar RoofTop System on the roofs of building of Medical Council of India.

**50. Extension of services of Dr. Seema Madan, Consultant.**

Read: the matter with regard to extension of services of Dr. Seema Madan, Consultant.

The Executive Committee of the Council decided to extend the contractual services of Dr. Seema Madan, Consultant (PG Section) for a further period of six months.

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

**51. Extension of services of Sh. Nirmal Singh, Consultant (Finance).**

Read: the matter with regard to extension of services of Sh. Nirmal Singh, Consultant (Finance).

The Executive Committee of the Council decided to extend the contractual services of Sh. Nirmal Singh, Consultant (Finance) for a further period of six months.

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

**52. Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Bundelkhand Medical College, Sagar, Madhya Pradesh under Dr. Harising Gour University, Sagar.**

Read: the matter with regard to Pre-PG Assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Bundelkhand Medical College, Sagar, Madhya Pradesh under Dr. Harising Gour University, Sagar.

The Executive Committee of the Council considered the assessment report (16<sup>th</sup> and 17<sup>th</sup> May, 2017) and noted the following:-

1. Deficiency of faculty is 39.63% as detailed in the report.
2. No faculty in Dermatology.
3. No HOD / Professor in the departments of Anatomy, Biochemistry, Paediatrics, OBGY, Anaesthesia, Radiodiagnosis & Dentistry.
4. Deficiency of Residents is 41.79% as detailed in the report.
5. Bed occupancy is 46% as against the required of 75%.
6. No admissions in Pediatric, Dermatology and Psychiatry ward.
7. NICU/PICU not available
8. Blood Bank license expired on 31.12.2016.
9. No Elisa reagent available for testing HIV/HBSAG/HCV etc.
10. Component separation facility not available.
11. Histopathology work not being done due to lack of tissue processing equipment.
12. Basic special stain (Cytochemistry) is not done in Hematology.
13. No demonstration rooms are available in clinical ward.
14. No speciality clinics being run.
15. 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 minutes of the above item were read out, approved and confirmed in the meeting itself.***

53. **Dr. P. Ramachandran V/S Medical Council of India & Ors. - Writ Petition No 11472 of Year 2017 in the Hon'ble Madras High Court at Chennai..**

Read: the matter with regard to Dr. P. Ramachandran V/S Medical Council of India & Ors. - Writ Petition No 11472 of Year 2017 in the Hon'ble Madras High Court at Chennai.

The Executive Committee considered the representation of Dr. P. Ramachandran dated 20.04.2017 in pursuance of order dated 05.05.2017 passed by the Hon'ble High Court of Madras in W.P. (C) No. 11472 of 2017. The order of the Hon'ble High Court reads as under: -

*"...The petitioner is a practising Doctor at Kattumannarkoil, Cuddalore District and seeks a mandamus directing the respondents to modify and amend Clause - V of the notification dated 21.12.2010 so as to make admissions to MBBS course based on the marks obtained in the National Eligibility cum Entrance Test along with marks obtained in the Higher Secondary Examination.*

*2. The petitioner contends that each State has got its own system and pattern of education including the medium of instruction. Children in the Metropolitan Areas enjoy greater privileges than their counterparts in most of the rural areas as far as education is concerned. In a Single Window competition, the disparity in educational standards in different parts of the country cannot ensure a level playing field. That apart, most of the students come from State Board Syllabus and only a meagre section of students emerge from CBSE syllabus in Tamil Nadu and they are unable to face the NEET.*

*3. When that is the position, Clause V of the notification dated 21.12.2010, issued by the Medical Council of India, namely Regulations on Graduate Medical Education, 1997, states that All admissions to MBBS course within the respective categories shall be based solely on marks obtained in the National Eligibility cum Entrance Test and according to the petitioner, the said methodology will not be helpful to the students, who come from rural areas. In this regard, the petitioner submitted a representation dated 20.04.2017 to the 1st respondent and so far, the said representation has not been disposed of, which compelled the petitioner to file the present writ petition seeking a mandamus to modify Clause V of the notification, aforesaid, so as to make admissions to MBBS course, based on marks obtained in NEET along with the marks obtained in Higher Secondary Examination, which method was followed, a few years ago.*

*4. Heard Mr. G. Pugazhenthii, learned Counsel for the petitioner, Mr.V. P.Raman, learned counsel for the first respondent and Mr.R.Vijayakumar, learned Additional Government Pleader for the second respondent.*

*5. The issue raised is of great importance. Therefore, without expressing any opinion on the merits of the case, this Court directs the 1st respondent to consider and pass orders on the petitioner's representation dated 20.04.2017 within a period of three weeks from the date of receipt of a copy of this order.*

*6. The prayer sought for by the petitioner is answered by giving the above direction. However, in respect of the larger issue, the writ petition is kept pending.*

*7. Post the matter after four weeks for reporting compliance, with regard to the above direction passed by this Court and for passing further orders....”*

2. The Executive Committee noted that Dr. P. Ramachandran has suggested that Regulation 5 sub-clause (V) of Graduate Medical Education Regulations, 1997 notified in the Official Gazette as part of National Eligibility cum Entrance Test for admission in MBBS on 27.12.2010, be modified, inasmuch as for admissions to MBBS Course, the marks obtained in 10+2 examination be taken into consideration alongwith marks obtained in NEET in the interest of students coming from the backward states like Tamil Nadu.

3. The provision of Graduate Medical Education Regulations, 1997 in which modification is sought is as under: -

*“V. All admissions to MBBS Course within the respective categories shall be based solely on marks obtained in the National Eligibility cum Entrance Test”*

4. The Executive Committee further noted that prior to December, 2010 notification related to NEET, the admission in MBBS course was made on the basis of competitive entrance examination (CET) in which in order to appear, a candidate must have passed in the subjects of Physics, Chemistry, Biology/Bio-Technology and English individually and must have obtained a minimum of 50% of marks taken together in Physics, Chemistry and Biology/Bio-Technology at the qualifying examination (10+2 examination) and in addition must have come in the merit list prepared as a result of such competitive entrance examination by securing not less than 50% marks in Physics, Chemistry and Biology/Bio-Technology taken together in the concerned competitive entrance examination. In respect of candidates belonging to Schedule Caste, Scheduled Tribes or other Backward Class the marks obtained in Physics, Chemistry and Biology/Bio-Technology taken together in qualifying examination (10+2 examination) and the concerned competitive entrance examination be 40% instead of 50% as stated above.

5. The Executive Committee is of the considered view that the marks obtained, as explained hereinabove in the concerned competitive entrance examination alone has consistently been the parameter for deciding upon the rank in merit list for admission in MBBS Course. All the candidates appearing in the competitive entrance examination are evaluated on the basis of a common exam, the result of which brings out their merit that determines their ability to further pursue a course in Modern Medicine i.e. MBBS Course. The amended provisions of the Graduate Medical Education Regulations, 1997 (NEET notification), providing for the criteria for admission to MBBS Course is therefore consistent with the previous provisions for admission to MBBS Course and the suggestion for modification of the amended provisions of the Graduate Medical Education Regulations, 1997 is accordingly not consistent with such well recognized position on the basis of which admissions have been granted over a large number of years.

6. The Executive Committee further noted that the Hon'ble Supreme Court has vide its judgment dated 18.07.2013 had quashed the NEET Notification in the case of Transferred Cases (C) No. 98 of 2012 – Christian Medical College, Vellore Vs. Union of India & Ors. Subsequently, both the Union of India and Medical Council of India had preferred Review Petition against the judgment of the Hon'ble Apex Court. The Hon'ble Supreme Court by order dated 11.04.2016 was pleased to allow the Review Petition Nos. 2159



to 2268 of 2013 and Review Petition (C) Nos. 2048-2157 of 2013 in Transferred Case (C) Nos. 98-105, 107-108, 110-139, 142, 144-145 of 2012 & 1-5, 7-25, 28-49, 53, 58-73, 75-76 & 107-108 of 2013 and thus the NEET Notification stood revived. The Hon'ble Supreme Court held that the judgment delivered in Transferred Cases (C) No. 98 of 2012 – Christian Medical College case needs re-consideration. The Hon'ble Supreme Court had recalled its judgment dated 18.07.2013 and directed the matters to be heard afresh.

7. Subsequently, the Apex Court on 26.04.2017 in a Writ Petition titled as Sankalp Charitable Trust Vs. Union of India & Anr. W.P. (C) No. 261 of 2016 on 28.04.2016 passed the following order: -

*“The following prayer has been made in this petition:*

*“a) Issue a Writ of Mandamus or any other writ, order or direction in the nature of Mandamus directing the Respondents to conduct the National Eligibility cum Entrance Test (NEET) for admission to MBBS Course throughout the country for academic session 2016-17;*

*(b) Issue or pass any writ, direction or order, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.”*

*When the matter was heard on 27th April, 2016, the following order was passed by this Court :*

*“Taken on board.*

*The learned counsel for the petitioner has assured this Court that he will remove the office objections by tomorrow. At his request, Respondent No.4 is deleted from the array of parties. All the three respondents are represented by their respective counsel and they have assured this Court that they are ready and willing to hold NEET examination for admission to MBBS and BDS courses for the academic year 2016-17.*

*As the counsel representing CBSE would like to take necessary instructions, hearing is adjourned for tomorrow. Proposed schedule of the examination to be held, shall be submitted in the Court tomorrow.*

*The learned counsel shall also see that a responsible officer of the CBSE, who can take on the spot decision, remains present in the Court.*

*List the matter tomorrow, i.e., 28th April, 2016 at 12.00 p.m.”*

*The matter has been thereafter heard today. It has been submitted by the learned counsel appearing for all the respondents that it is proposed to hold the examination in pursuance of Notifications dated 21st December, 2010 issued by the Medical Council of India and the Dental Council of India ('DCI' for short).*

*As per the said Notifications, a common entrance test, i.e., National Eligibility cum Entrance Test (NEET) shall be held.*

*It was further submitted, inter alia, as follows:*

*“1. AIPMT 2016 to be held on 1st May, 2016 shall be phase I of NEET.*

*Phase II of NEET for the left out candidates shall be held on 24th July, 2016 by inviting applications with fee.*

*2. Combined result of both the Tests shall be declared on 17th August, 2016.*

*3. CBSE will provide All India Rank. Admitting Authorities will invite applications for Counselling and merit list shall be drawn based on All India Rank.*

*4. All associated with conduct of Exam including Central Govt., State Govt., institutions, Police etc. Will extend all necessary support to CBSE and permit security measures like use of electronic and communication devices Jammers etc. for timely and fair conduct of the NEET*

*6. Any difficulty with regard to implementation of orders of this Court the stake holders may approach this Hon'ble Court.”*

*The learned counsel have also given the details with regard to the time when the result would be declared and counselling would take place.*

*In view of the submissions made on behalf of the respondents, we record that NEET shall be held as stated by the respondents. We further clarify that notwithstanding any order passed by any Court earlier With regard to not holding NEET, this order shall operate. Therefore, no further order is required to be passed at this stage.*

*It may be mentioned here that some learned counsel representing those who are not parties to this petition have made submissions that in view of the judgment passed in Christian Medical College, Vellore & Ors. Vs. Union of India & Ors., reported in (2014) 2 SCC 305, it would not be proper to hold NEET and this order should not affect pending matters.*

*We do not agree with the first submission for the reason that the said judgment has already been recalled on 11th April, 2016 and therefore, the Notifications dated 21st December, 2010 are in operation as on today.*

*It may however be clarified that by this order hearing of the petitions which are pending before this Court will not be affected.*

*The petition be now listed in due course.”*

8. The Executive Committee noted that, thereafter, various colleges/institutes, State Governments, associations of private medical and dental colleges, students etc., approached the Hon'ble Supreme by way of interlocutory applications in W.P. 261/2016 as well as by way of writ petitions. During the hearing of the said I.As and writ petitions, the Ld. Advocate for the State of Tamil Nadu, urged that the State may be exempted from making admission through NEET, as, doing the same will result in hardship for the students, since, for a long time the admission in MBBS course in the State of Tamil Nadu is being done on the basis of the marks obtained by the candidate in 10+2 examination. However, the Hon'ble Supreme, after hearing the parties vide order dated 09.05.2016, directed that all the admissions in the medical and dental courses shall only be through NEET. The relevant portion of the said order is reproduced hereunder:

“ .....

Only other contention relates to perceived hardship to the students who have either applied for NEET-I but could not appear or who appeared but could not prepare fully thinking that the preparation was to be only for 15% All India seats and there will be further opportunity to appear in other examinations. To allay any such apprehension, we direct that all such eligible candidates who could not appear in NEET-I and those who had appeared but have apprehension that they had not prepared well, be permitted to appear in NEET-II, subject to seeking an option from the said candidates to give up their candidature for NEET-I. It would be open to the respondents to reschedule the date of holding NEET-II, if necessary. To this extent the earlier orders stand modified.

We may also add here that to ensure total credibility of the examination to be held by the CBSE, the Oversight Committee appointed by this Court vide the aforesaid judgment dated 2nd May, 2016 shall also oversee the NEET-II examination to be conducted by the CBSE.

In view of the above, it is also clarified that only NEET would enable students to get admission to MBBS or BDS studies.

In view of the above order, all the applications and writ petitions seeking modification of order passed on 11th April, 2016, stand disposed of.

.....”

9. The Executive Committee also recalled that NEET 2016 and NEET 2017 have been successfully conducted.

10. The Executive Committee further noted that the provision of uniform entrance examination for Undergraduate and Postgraduate courses was included in the Indian Medical Council Act, 1956 by an amendment made by way of Indian Medical Council (Amendment) Ordinance, 2016 that was notified in the Official Gazette on 24.05.2016. Subsequently, after approval by the Parliament and assent of the President, the Indian Medical Council (Amendment) Act, 2016 has been notified in the Official Gazette on 05.08.2016. Section 10D that provides for a uniform entrance examination for undergraduate and postgraduate level, the same is as under: -

*“10D. There shall be conducted a uniform entrance examination to all medical educational institutions at the undergraduate level and post-graduate level through such designated authority in Hindi, English and such other languages and in such manner as may be prescribed and the designated authority shall ensure the conduct of uniform entrance examination in the aforesaid manner:*

*Provided that notwithstanding any judgment or order of any court, the provisions of this section shall not apply in relation to the uniform entrance examination at the undergraduate level for the academic year 2016-2017 conducted in accordance with any regulations made under this Act in respect of State Government seats (whether in Government Medical College or in private medical college) where such State has not opted for such examination”.*

11. The Executive Committee noted that the NEET was based upon the principle of “One Nation, One Exam and One Merit”. It provides a level playing field to students from both urban and rural area, backward or forward state/area.

12. Therefore the Executive Committee keeping in view that the Regulations on National Eligibility Entrance Test has been upheld by the Hon'ble Supreme Court and the Parliament has also granted its approval, decides that the representation of Dr. P. Ramachandran dated 20.04.2017 for modification of Regulation V of NEET notification dated 27.12.2010, seeking consideration of marks obtained in 10+2 examination along with the marks obtained in NEET, is not acceptable and is rejected.

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

**54. Plan for shifting students studying in Gian Sagar Institutes, Village Ram Nagar, Banur, Distt. Patiala in Various streams viz. Medical, Dental, Nursing and Physiotherapy etc. to different Government/Private Colleges in the State of Punjab.**

Read: the matter with regard to Plan for shifting students studying in Gian Sagar Institutes, Village Ram Nagar, Banur, Distt. Patiala in Various streams viz. Medical, Dental, Nursing and Physiotherapy etc. to different Government/Private Colleges in the State of Punjab.

The Executive Committee of the Council approved the following proposal of the Under Secretary, Govt. of Punjab, Department of Medical Education and Research (Health-III Branch), Chandigarh vide letter dated 19.05.2017 as one time measure:-

**“Guidelines :**

- 1.1 After taking into account the vacant seats available across various Colleges, for a particular batch, if need arises there shall be an adjustment by having pro-rata number of supernumerary seats for that particular batch in all the available Colleges of that particular stream (Medical, Dental, Nursing, etc.)
  - 1.2 The students of Gian Sagar Institute shall be shifted strictly on the basis of Merit attained by him/ her in the qualifying Entrance Examination for that particular year for admission in various streams viz. Medical, Dental, Nursing and Physiotherapy..
  - 1.3 Shifting shall be done by way of a Counseling to be conducted by Baba Farid University of Health Sciences, Faridkot by forming a Committee. Vice Chancellor of the University shall be Chairman of the Committee. Director Research and Medical Education, Punjab shall be nominee on the behalf of the Government of Punjab. All the Principals of the respective Colleges shall be members of the Committee for the respective stream (Medical, Dental, Nursing, etc.).
  - 1.4 Reservation policy as mentioned in the notification of Government of Punjab for a particular batch of admission shall be complied with while shifting the students to other Colleges.
  - 1.5 That shifting of students shall be strictly quota-wise and category-wise i.e. a student admitted under Government quota shall be shifted only either to a Government College or against a Government quota seat in a Private College. Similarly, a student admitted under Management quota shall be shifted only to a Management quota seat in a Private College. Again, a student admitted under NRI quota shall be shifted against NRI seat in Private Colleges only.
  - 1.6 Further, a student admitted under un-reserved (General Category) shall be shifted against an un-reserved (General Category) seat. Similarly, a student admitted under any reserve category shall be shifted against the same reserve category seat only. For example a student admitted under Scheduled Caste category shall be shifted against Scheduled caste seat only.
  - 1.7 Wherever NRI students were admitted without any Entrance Examination there the shifting of NRI students shall be done by a draw of lots to Private Colleges only. However, in case NRI students have been admitted on the basis of an Entrance examination then shifting of such students shall be strictly on the basis of merit attained by him/ her in the qualifying Entrance Exam for that particular year.
- 2.0 Fee structure for the shifted students:**
- 2.1 That when a student admitted against Government quota seat in Gian Sagar College is shifted to either a Government College (including University College) or to a Government Quota seat in a Private College then the student shall continue to pay Government quota fee, as payable in a Private College, in the new institution also.

- 2.2 Similarly, when a student admitted against Management quota seat in Gian Sagar College is shifted to the Management quota seat of a Private College then the student shall continue to pay the same Management quota fee in the new institution also. It is pertinent to mention here that this clause shall be applicable to all Private Colleges including Private Universities viz. Adesh University, etc. These Private Universities may have their own fee structure but under these special circumstances they shall be directed to bring parity with Government notified fee structure for Private Institutes for these shifted students of Gian Sagar Institutes.
- 2.3 It is clarified that the students shall deposit fee as per the fee structure mentioned in the prospectus of Baba Farid University of Health Sciences for that particular course and that particular batch.
- 2.4 The students shall be required to produce original receipt of the fee paid to Gian Sagar Institutes (Medical, Dental, Nursing, etc.) so that they are not charged the same fee again for the current academic year by the new College to which they have been shifted. But if any student fails to produce receipt of the fee paid in Gian Sagar Institutes, *ibid*, then he/ she shall be charged fee on pro-rata basis by the new College for the current academic year also. It is clarified that the new Colleges, to which the students have been shifted, shall charge fee for the subsequent academic years whenever it becomes due.

### 3.0 General Principles

- 3.1 The students/ Interns shall be shifted as per the list of students/ Interns available with Baba Farid University of Health Sciences.
- 3.2 **Attendance of students:** The authorities of Gian Sagar Institute shall be directed to produce the Attendance record and all other documents/ testimonials of all the students across all batches and send the same to Baba Farid University of Health Sciences, Faridkot. Thereupon, the University shall send this Attendance record to the concerned College. However, if for any reason the Attendance record is not made available then a Self-undertaking in the form of an Affidavit shall be obtained from the student(s) clearly stating and verifying, on oath, that they have attended the requisite number of classes in the current academic year at Gian Sagar Institute (Medical, Dental, Nursing, etc.). It is pertinent to mention here that as per the norms fixed by the various Regulatory Councils viz. Medical Council of India, Dental Council of India, etc., it is mandatory for a students to fulfill the prescribed norms of attendance for each academic year.
- 3.3 **Migration of students:** The students of Gian Sagar Institute (Medical, Dental, Nursing, etc.) who are shifted to new Colleges under the aforesaid plan shall not be allowed to migrate to other Colleges in future under any circumstances.
- 3.4 **Performance Bank Guarantee :** As per Medical Council of India norms, two performance bank guarantees are obtained by MCI so that a College maintains its infrastructure facilities, etc. This amount is expected to be around Rs. 10 crore for Gian Sagar Medical College. In a similar fashion other regulatory councils also prescribe Bank Guarantees/ Performance Guarantees from Dental/ Nursing Colleges when they grant initial approval. The aforesaid Regulatory Councils are requested to invoke the said performance bank guarantees and transfer the money, through Baba Farid University of Health Sciences, to the respective Colleges to which the students are shifted. The money shall be transferred to these respective Colleges on a pro-rata basis.
- 3.5 Though the respective Colleges to which the students of Gian Sagar Institute (Medical, Dental, Nursing etc.) are shifted may make efforts to adjust the shifted students in hostels. However, these Colleges shall not be under any obligation to provide hostel facilities to the shifted students. In case the shifted students are not provided hostel facility then they shall make their own arrangements while continuing to attend the respective courses in the new College assigned to them during counseling.
- 3.6 Baba Farid University of Health Sciences shall issue a certificate, wherever required, about experience (training, posting, etc.) of these shifted students.
- 3.7 It is clarified that supernumerary seats shall be required mainly for students of Medical courses only and almost all other students of Dental, Nursing, Physiotherapy courses are likely to be adjusted against vacant seats since sufficient number of vacant seats are available already. However, where vacant seats are already available the process of shifting shall be by way of counseling only as enumerated in the foregoing paragraphs.

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

**55. Amendment in clauses relating to common counseling in GMER and PGMER in compliance of the directions of Hon'ble Supreme Court.**

Read: the matter with regard to amendment in clauses relating to common counseling in GMER and PGMER in compliance of the directions of Hon'ble Supreme Court.

The Executive Committee approved the following substitution to be made in Regulation 5A of the Graduate Medical Education Regulations, 1997:

Clause 5A (2) shall be substituted as under:-

The Designated Authority for counselling for the 15% All India Quota seats of the contributing States, Medical Educational Institutions of the Central Government, Universities established by an Act of Parliament and the Deemed Universities shall be the Directorate General of Health Services. Such counselling shall be under the over-all superintendence, direction and control of the Ministry of Health and Family Welfare, Government of India.

Clause 5A (3), shall be substituted as under:-

The counselling for admission to MBBS course in all Medical Educational Institutions in a State/Union Territory, including, Medical Educational Institutions established by the State Government, University established by an Act of State/Union Territory Legislature, Trust, Society, Minority Institutions, Municipal Bodies or a Company shall be conducted by the State/Union Territory Government. Such counselling shall be under the over-all superintendence, direction and control of the State/Union Territory Government.

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

**56. Increase of seats in MBBS course from 100 to 150 at MNR Medical College & Hospital Sangareddy, Medak District, Telangana u/s 10A of the IMC Act, 1956 for the Academic year 2017-18.**

Read: the matter with regard to increase of seats in MBBS course from 100 to 150 at MNR Medical College & Hospital Sangareddy, Medak District, Telangana u/s 10A of the IMC Act, 1956 for the Academic year 2017-18.

The Executive Committee of the Council considered the following legal opinion of the Council Advocate:-

“The Ministry has purportedly issued policy directives to the Council to consider the application of MNR Medical College & Hospital, Medak, Telangana, even after the expiry of the cut-off date i.e. 30.04.2017 for sending recommendations to the Central Government. In the above-mentioned letter, the Council has been requested to conduct inspection of the said medical college, even though the Consent of Affiliation submitted alongwith the scheme was defective in as much as the college had failed to obtain valid Consent of Affiliation from the appropriate University i.e. Kalaji Narayan Rao University of Health Sciences (KNRUHS), Warangal, before the last date for submission of complete scheme for the academic year 2017-18 in respect of MBBS course and had submitted Consent of Affiliation issued by Dr. NTR University of Health Sciences which has jurisdiction for granting affiliation within the State of Andhra Pradesh only. Further, the said medical college had also failed to submit a valid Essentiality Certificate issued by the State of Telangana and had submitted an invalid Essentiality Certificate issued by the State of Andhra Pradesh. It is also relevant to mention that, in view of the gross deficiencies observed during the last 3 physical assessments / compliance verification assessment the Council has also invoked Regulation 8(3)(1)(c) of the Establishment of Medical College Regulation, 1999, in case of the above-said applicant medical college. In this regard, following is stated:-

1. Medical Council of India is a body constituted under the provisions of the Indian Medical Council Act, 1956 and has been given the responsibility of discharging the duty of maintenance of the highest standards of medical education throughout the country. In discharge of its statutory obligations towards maintenance of highest standards in medical education in the country, by virtue of provisions of Section 33 of the Act the Council has been empowered with the prior approval of the Central Govt. to frame regulations for laying down minimum standards of infrastructure, teaching and other requirements for conduct of Medicine courses.
2. Section 10-A of the Act provides, inter alia, that every person is obliged to seek a prior permission from the Central Govt. for establishing any medical college or starting any higher course of study or for increase in its annual intake capacity. For the effective implementation of the provisions of Section 10-A, on 20.09.1993 the MCI with the approval of the Central Govt. notified the Regulations made under Section 10-A read with Sec. 33 of the Act providing for the detailed procedures to be followed and the criteria to be fulfilled for making application to the Central Govt. for grant of permission for establishing a Medical College and for starting new higher courses of study or training or increase of intake capacity in the existing medical college and / or existing PG / Super-specialty courses. These Regulations were further revised in the year 1999. It is further submitted that these Regulations are called Establishment of New Medical College Regulations, 1999. The relevant portion of the regulations called - The Establishment of Medical College Regulations, 1999 is reproduced hereunder

**"8. GRANT OF PERMISSION:**

(1) ... ..

(3)

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

*PROVIDED that in respect of*

*.....  
(c) Colleges which are already recognized for award of M.B;B.S. degree and/or running Postgraduate Courses:  
If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is < 70 %, such an institute will not be considered for processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses...."*

3. Regulation 8(3)(1)(c) of the Establishment of Medical College Regulations Act, 1999 is applicable on medical colleges which are already recognized for award of MBBS degree and / or is running postgraduate courses and provides that during any regular inspection, if such a medical college is found to have deficiency of teaching faculty and / or residents, being more than 10% and / or the deficiency of bed occupancy is found to be less than 70%, such an institute: (i) will not be considered for processing its application in respect of postgraduate courses for that academic year (ii) will be issued a show cause notice as to why the recommendation for withdrawal of recognition of the undergraduate and postgraduate courses run by the institutions be not made (iii) stoppage of admissions in permitted postgraduate courses.
4. However, it is relevant to mention that prior issuance of Gazette Notification dated 18.03.2016, the said Regulation could be invoked even if the deficiencies of bed occupancy, in an institute was found to be less than 80 %.
5. The Council would like to draw your kind attention to the directions passed by the Hon'ble Supreme Court in the case of Royal Medical Trust Vs. Union of India & Ors. - (2015) 10 SCC 19, wherein, the Hon'ble Supreme Court has laid down guidelines for processing application / scheme submitted by the college for grant of permission. As per the guidelines laid down by the Hon'ble Supreme Court in the above-mentioned judgment, the scheme submitted by every applicant-medical college is required to be scrutinized and only, if the scheme is accompanied by a valid Essentiality Certificate, Consent of Affiliation etc. as well as fulfils other threshold requirements then only the scheme / application shall be considered by the Council. If at the stage of initial scrutiny it is found that the Essentiality Certificate, Consent of Affiliation is not valid / defective then such application / scheme are liable to be rejected at the very threshold. Apart from the said directions, the Hon'ble Supreme Court has also approved the Time Schedule for processing the application / scheme submitted by the applicant - medical colleges. The said Time Schedule provides different stages of scrutiny as well as the cut-off dates of the said stages. The relevant portion of the said judgment passed by the Hon'ble Supreme Court in Royal Medical Trust Vs. Union of India & Ors. - (2015) 10 SCC 19, is reproduced hereunder:-

*“.....31. MCI and the Central Government have been vested with monitoring powers under Section 10-A and the Regulations. It is expected of these authorities to discharge their functions well within the statutory confines as well as in conformity with the Schedule to the Regulations. If there is inaction on their part or non-observance of the time schedule, it is bound to have adverse effect on all concerned. The affidavit filed on behalf of the Union of India shows that though the number of seats had risen, obviously because of permissions granted for establishment of new colleges, because of disapproval of renewal cases the resultant effect was net loss in terms of number of seats available for the academic year. It thus not only caused loss of opportunity to the students community but at the same time caused loss to the society in terms of less number of doctors being available. MCI and the Central Government must therefore show due diligence right from the day when the applications are received. The Schedule giving various stages and time-limits must accommodate every possible eventuality and at the same time must comply with the requirements of observance of natural justice at various levels. In our view the Schedule must ideally take care of:*

***(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.***



(B) Inspection should then be conducted by the Inspectors of the MCI. By very nature such inspection must have an element of surprise. Therefore sufficient time of about three to four months ought to be given to the MCI to cause inspection at any time and such inspection should normally be undertaken latest by January. Surprise Inspection would ensure that the required facilities and infrastructure are always in place and not borrowed or put in temporarily.

(C) Intimation of the result or outcome of the inspection would then be communicated. If the infrastructure and facilities are in order, the concerned Medical College should be given requisite permission/renewal. However if there are any deficiencies or shortcomings, the MCI must, after pointing out the deficiencies, grant to the college concerned sufficient time to report compliance.

(D) If compliance is reported and the applicant states that the deficiencies stand removed, the MCI must cause compliance verification. It is possible that such compliance could be accepted even without actual physical verification but that assessment be left entirely to the discretion of the MCI and the Central Government. In cases where actual physical verification is required, the MCI and the Central Government must cause such verification before the deadline.

(E) The result of such verification if positive in favour of the Medical College concerned, the applicant ought to be given requisite permission/renewal. But if the deficiencies still persist or had not been removed, the applicant will stand disentitled so far as that academic year is concerned.

.....”

6. The Hon'ble Supreme Court in a catena of cases has held that an incomplete / defective scheme u/s 10A of IMC Act, 1956, is not even fit for registration and is liable to be rejected at the threshold, itself. In the case of Govt. of A.P. Vs. Medwin Educational Society - (2004) 1 SCC 86, has been pleased to, inter-alia, hold as under: -

“...In accordance with the statutory time schedule for grant of permissions/renewals to MBBS and PG courses etc. reproduced in para-28 and pg.81-82, Mridul Dhar Vs. UOI & Ors. - (2005) 2 SCC 65, the strict adherence to each of the following stages is an absolute imperative: -

All new applications u/s 10A for starting postgraduate course are necessarily required to be submitted with the Central Govt. between 1st of April to 30th of April of any year. This Hon'ble Court has already held in the case of UOI Vs. All India Children Care and Educational Development Society- (2002) 3 SCC 649 (para-5 at pg.652, that it is only such applications which are complete in all respects as per the qualifying criteria laid down in the statutory regulations, deserve to be treated as applications u/s 10A of the Indian Medical Council Act, 1956 which then become eligible for consideration u/s 10A of the respective enactments.

The 2<sup>nd</sup> stage imperative is that the complete applications which are received by the Central Govt. between 1st of April to 30th of April are then required to be forwarded to the MCI positively before 31st of May of that year in which the fresh applications are submitted to the Central Govt. The Central Govt. is, therefore, obliged to forward the complete applications u/s 10A of the Act to the Council by 31st of May and not thereafter.

Upon receipt of the application from the Central Govt. on or before 31<sup>st</sup> of May, the Council is required to undertake the exercise of evaluate those applications and conducting inspections for sending recommendation to the Govt. of India, for grant of Letter of Permission (LOP). This exercise has to be completed by the Council on or before 31st of January and this time stage is also an absolute imperative.

*Statutory time schedule permits the Central Govt. to issue of Letter of Permission to a medical college for permission to establish a new medical college on or before 28th of February.*

.....”

7. The Hon'ble Supreme Court in the case of BOG, MCI Vs. Index Medical College and Hospital and Research Centre – SLP (C) No. 13465/2013 vide judgment dated 05.08.2013, was pleased to allow the SLP filed by the MCI and set-aside the directions passed by the Hon'ble High Court of Madhya Pradesh, whereby, the Hon'ble High Court had directed the Council to conduct the inspection of the medical college which had failed to submit the Consent of Affiliation alongwith their application / scheme before the cut-off date as provided in the Statutory Regulation of the Council.
8. It is pertinent to mention that the any scheme / application for establishment of new medical college has to be processed strictly in accordance with the Time Schedule as prescribed in the Establishment of Medical College Regulations, 1999. The Hon'ble Supreme Court in SLP (C) No. 22910 of 2013 -Educare Charitable Trust Vs. Union of India & Anr. while upholding the Time Schedule for submitting the application for increase in admission capacity in the BDS course vide judgement dated 17.09.2013 was pleased to held as under :-

*“.....9. Having regard to the above, it is not possible to accede to the request of the petitioner to change the time schedule when the last date for a meeting the students, which was July 15, 2013, expired long ago. If the Central Government forwards the application to the DCI at this juncture, DCI shall hardly have any time to look into the feasibility of the scheme as per the requirements contained in the regulation 21. We have to keep in mind that in the schedule annexed to the Regulation 2006, six to eight months time is given to the DCI for this purpose. We are, thus, of the view that the High Court did not committed any error in holding that in the given circumstances mandamus cannot be issued to the Central Government to exercise its discretionary powers in a particular manner to modify the time schedule. Sanctity to the time schedule has to be attached. It is too late in the day, insofar as the present academic session is concerned, to give any direction. This Court has highlighted the importance of cut-off date for starting professional courses, particularly medical courses, and repeatedly interest upon that such deadline should be tinkered with. (See: Priya Gupta Vs. state of Chhattisgarh (2012)7 SCC 433 and MaaVaishno Devi MahilaMahavidyalayaVs. State of U. P. (2013)2 SCC 617.*

*We, thus, do not find any error in the impugned judgement of the High Court. This petition is bereft of any merit and is accordingly dismissed....”*

9. The presently applicable Time Schedule has been accorded approval by the Hon'ble Supreme Court vide judgment dated 18.01.2016 passed in the case of Dr. Ashish Ranjan & Ors. Vs. Union of India & Ors.- (2016) 11 SCC 225. The Time Schedule for processing of application for grant of permission for establishment of medical college is reproduced herein-below:-

**The time schedule for receipt of applications for establishment of New Medical Colleges/renewal of permission and processing of the applications by the Central Government and the Medical Council of India.**

S. No.	Stage of Processing	Last Date
1.	Receipt of applications by the Central Government	Between 15 <sup>th</sup> June to 7 <sup>th</sup> July (both days inclusive of any year)
2.	Forwarding application by the Central Government to Medical Council of India.	By 15 <sup>th</sup> July
3.	Technical Scrutiny, assessment and	By 15 <sup>th</sup> December

	Recommendations for letter of Permission by the Medical Council of India.	
4.	Receipt of Reply/ compliance from the applicant by the Central Government and for personal hearing thereto, if any, and forwarding of compliance by the Central Government to the Medical Council of India.	Two months from receipt of recommendation from MCI but not beyond 31 <sup>st</sup> January.
5.	Final recommendations for the letter for Permission by the Medical Council of India.	By 30 <sup>th</sup> April.
6.	Issue of Letter for permission by the Central Government.	By 31 <sup>st</sup> May

Note 1. In case of renewal of permission, the applicants shall submit the application to the Medical Council of India by 15<sup>th</sup> July.

10. As stated herein-above, the Hon'ble Supreme Court vide judgment dated 20.08.2015 in the case of Royal Medical Trust & Anr. Vs. Union of India & Anr.- (2015) 10 SCC 19 has categorically held that any scheme / application, which is incomplete is liable to be rejected, at the threshold. Every scheme / application submitted by the medical college is to be processed strictly in accordance with the Statutory Time - Schedule as approved by the Hon'ble Supreme Court in the case of Ashish Ranjan (Supra). Further, the above-mentioned Time Schedule was prepared by the MCI in consultation with State Government as well as the Central Government and was thereafter approved by the Hon'ble Supreme Court, and therefore, the same has become the law declared by the Hon'ble Supreme Court. In view of the above, there cannot be any departure / violation of the Time Schedule by any authority including the Central Government. In any case, except the Hon'ble Supreme Court, no authority including the Central Government can relax the time schedule.
11. The Hon'ble Supreme Court in the case of Padmashree Dr. D. Y. Patil Medical College Vs. MCI & Anr., - (2015) 10 SCC 51, wherein, the applicant - medical college had failed to submit a complete application for establishment of new medical college from academic year 2015-16 as the said application was not accompanied with Essentiality Certificate as well as letter of Consent of Affiliation and had submitted the said documents only after the cut-off date for submitting complete scheme had passed. Therefore the Govt. of India disapproved the application of the medical college and returned the same. The Hon'ble Supreme Court after considering the catena of judgments and Statutory Time Schedule of Council vide judgment dated 31.08.2015 directed the Council to consider the scheme of the applicant - medical college, therein, for next / subsequent academic year.
12. In the case of Poonaiyah Ramajayam Institute of Science And Technology Trust Vs. MCI - (2015) 10 SCC 83, the applicant - medical college, therein, had submitted an incomplete application for establishment of medical college as neither the Essentiality Certificate nor the letter of Consent of Affiliation was enclosed alongwith the application. The Essentiality Certificate as well as letter of Consent of Affiliation, were subsequently submitted by the medical college, i.e. after the cut of date for submitting complete application u/s 10A of the Act. The Hon'ble Supreme Court after hearing the parties, while relying on the judgment dated 17.09.2015 passed in Padmashree Dr. D.Y. Patil Medical College Vs. MCI &Anr., - (2015) 10 SCC 51, directed the MCI to consider the case of the applicant - medical college, therein, for subsequent academic year.
13. Similarly, in MCI Vs. V.N. Public - (2016) 11 SCC 216, initially the Hon'ble High Court of Kerala had directed the Council to consider the application of the applicant - medical college, therein, for establishment of a medical college, and take into consideration the revised essentiality certificate submitted by the medical college after the last date, i.e. 30.09.2015 for submitting complete application / scheme u/s10A of the IMC Act, 1956 was over. The Council being aggrieved by the above said directions passed by the Hon'ble High Court, approached the Hon'ble Supreme Court and the Hon'ble Supreme Court was pleased to hold as follows:

“ .....

**16.** *The impugned order [Medical Council of India v. V.N. Public Health & Educational Trust, 2016 SCC OnLine Ker 431] passed by the High Court is to be tested and adjudged on the anvil of the aforesaid authorities. The application for grant of approval was filed with the essentiality certificate which was a conditional one and, therefore, a defective one. It was not an essentiality certificate in law. In such a situation, the High Court could not have directed for consideration of the application for the purpose of the inspection. Such a direction, we are disposed to think, runs counter to the law laid down in Educare Charitable Trust [Educare Charitable Trust v. Union of India, (2013) 16 SCC 474 : AIR 2014 SC 902] and Royal Medical Trust [Royal Medical Trust v. Union of India, (2015) 10 SCC 19] . We may further proceed to state that on the date of the application, the essentiality certificate was not in order. The schedule prescribed by MCI, which had been approved by this Court, is binding on all concerned. MCI cannot transgress it. The High Court could not have gone beyond the same and issued any direction for conducting an inspection for the academic year 2016-2017. Therefore, the directions issued by the learned Single Judge and the affirmation thereof by the Division Bench are wholly unsustainable.*

**17.** *Consequently, the appeal is allowed and the judgments and orders passed by the High Court are set aside. It will be open to the Trust to submit a fresh application for the next academic year in consonance with the provisions of the Regulations of MCI and as per the time schedule; and in that event, it will be considered appropriately. In the facts and circumstances of the case, there shall be no order as to costs*

.....”

14. Recently, the Hon'ble Supreme Court in W.P. (C) No. 178/2017 – KPC Medical College Vs. Union of India & Anr., the applicant - medical college, therein, had failed to submit the letter of Consent of Affiliation issued by the concerned affiliating University alongwith their scheme for starting of Postgraduate medical courses from the academic year 2017-18, before the last date for submission of the said schemes. However, the applicant - medical college had submitted the valid Consent of Affiliation, within, thirteen days, after the expiry of cutoff date. The Govt. of India had, after considering the recommendations of the Council, returned the schemes. The medical college being aggrieved by the decision of the Govt. of India, approached the Hon'ble Supreme Court by way of the above-said writ petition. The Hon'ble Supreme Court, after hearing the parties, vide order dated 21.04.2017, while disposing of the writ petition, directed the Council to treat the schemes submitted by the applicant - medical college to be valid for subsequent academic year i.e. 2018-19 and consider the case of the medical college, in accordance with the provision of IMC Act, 1956 and the Regulations made thereunder.
15. In the present case, MNR Medical college, Telangana, vide its letter dated 20.08.2015 submitted its scheme, to the Govt. of India, under Section 10A for grant of permission for increase in annual intake capacity from 100 to 150 seats in MBBS course, from the academic year 2016-17 and the same was forwarded to the Council vide Ministry's letter dated 14.09.2015.
16. The Scheme was considered and upon the initial scrutiny, was found to be complete in all respect, therefore, a physical assessment of the said medical college was carried out by the Council assessors on 16/17.02.2016. The Assessment report dated 16/17.02.2016 was considered by the Executive Committee of the Council in its meeting held on 27.02.2016 and the Committee noted the following deficiencies in the medical college:

- I. Deficiency of faculty is 5.5 % as detailed in the report.
  - II. Shortage of Residents is 10.2 % as detailed in the report.
  - III. OPD: Capacity of teaching areas is inadequate.
  - IV. Wards: Total number of Demonstration rooms is less. They are shared between minor branches. There is no Demonstration Rom in Ophthalmology. Distance between 2 beds is < 1.5 m in most of the wards. There is a common male ENT & General Surgery ward. There is a common female Orthopaedics, ENT & Ophthalmology ward.
  - V. Teaching beds are less by 1 bed each in Paediatrics, Orthopaedics & O.G.
  - VI. 90 % of admitted patients were not genuine and did not merit admission.
  - VII. Majority of the patients were admitted on 16.2.2016 in all the wards with complains varying from pain abdomen, backache, cold, bodyache, burning eyes, sneezing etc. In large number of case papers the indoor case paper showed admission date of 15.2.2016 while the OPD case showed a date of 16.2.2016.
  - VIII. There were no postoperative patients in Male and Female Orthopaedics ward, Male and Female Ophthalmology wards. No postoperative patients in Obst. & Gynaecology ward. Only one post operative-tracheostomy patient in ENT ward. 2 postoperative patients in surgical wards. Seven minor surgeries in postoperative ward. There were very few patients in Surgical wards with clinical signs.
  - IX. There was a mismatch between the admission register and the patients admitted to the wards. In a large proportion of patients admitted there was no diagnosis mentioned in the case papers. There was no record in the admission register after 4.2.2016 of OBGY Unit II and no record in register of Unit I after 12.2.2016.
  - X. OPD attendance figure given by the institute is grossly inflated.
  - XI. There were 11 patients in Casualty, all of whom were admitted on 13<sup>th</sup>, 14<sup>th</sup> & 15<sup>th</sup> February 2016 and did not require any emergency treatment on day of assessment.
  - XII. Data of Clinical Material, number of Major & Minor operations as given by the institute are grossly inflated.
  - XIII. There were only 4 Surgical procedures conducted till 12 noon on day of assessment.
  - XIV. There was NIL Normal Delivery & only 1 Caesarean Section till 1 p.m. on day of assessment.
  - XV. Examination Hall: Capacity of Examination hall is 200 against 250 required.
  - XVI. Central Library: It is not air-conditioned.
  - XVII. Students' Hostels: Visitors' room, A.C. Study room with Computer & Internet, Recreation room are not available. Hygiene is poor.
  - XVIII. Interns' Hostel: Available accommodation is for 18 Interns only against 100 required. Visitors' room, A.C. Study room with Computer & Internet, Recreation room are not available. Hygiene is poor.
  - XIX. Residents' Hostels: Available accommodation is for 125 Residents only against 195 required. Visitors' room, A.C. Study room with Computer & Internet, Recreation room are not available. Hygiene is poor. On verification it was observed that all rooms were 3 seaters which were congested. Quite a few rooms were vacant. A few rooms were found to be occupied by patients' relatives. On enquiry, it was told that a Senior Resident in General medicine Dr. Yogesh Chaudhary was staying in Rom 436 but there was no evidence to suggest that he is residing there.
  - XX. Central Research Laboratory: Facilities are inadequate.
  - XXI. Website: Information uploaded is sketchy.
  - XXII. Anatomy department: Mounted specimens available are 137.
  - XXIII. RHTC: Specialists' visits are irregular.
  - XXIV. UHC: Specialists' visits are not organized.
  - XXV. Other deficiencies as pointed out in the assessment report.
17. In view of the above-mentioned gross deficiencies, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for increase of seats from 100 to 150 u/s 10A of the IMC Act 1956 in respect of MNR Medical College, Sangareddy, Andhra Pradesh under NTR University of Health Sciences, Vijaywada for the academic year 2016-17 and

further decided to apply Regulation 8(3)(1)(c) of Establishment of Medical College Regulation, 1999.

18. Accordingly, the above decision of the Executive Committee was communicated to the Ministry vide Council letter dated 01.03.2016.
19. The Council vide letter dated 01.03.2016 also issued a Show Cause Notice to the applicant medical college, calling upon them to explain as to why the Council should not proceed to recommend to the Central Govt. for withdrawal of recognition of MBBS degree/Postgraduate course of the institute and stoppage of admissions in permitted postgraduate course.
20. In reply to the above show-cause notice, the Principal, MNR Medical College & Hospital, Sangareddy, vide its letter dated 28.03.2016, had submitted the detailed compliance, claiming to have rectified all the deficiencies.
21. The compliance dated 28.03.2016, submitted by the medical college was verified by the Council assessors by way of compliance verification assessment on 20.04.2016. The compliance verification assessment report dated 20.04.2016 alongwith previous assessment report dated 16<sup>th</sup> & 17<sup>th</sup> February, 2016 was considered by the Executive Committee in its meeting held on 13.05.2016, whereupon, the Committee noted following deficiencies persisting in the medical college:-
  - I. Deficiency of faculty is 63.20 % as detailed in the report.
  - II. Shortage of Residents is 47.05 % as detailed in the report.
  - III. Bed occupancy as observed by assessors is 35.34 % at 10 a.m. on day of assessment.
  - IV. Wards: Distance between 2 beds is < 1.5 m in several wards.
  - V. Patients admitted in Paediatrics, Skin & VD, Tb & Chest wards were not genuine.
  - VI. Admission records are not maintained properly. Deficiency of mismatch of data between admission register & patients admitted in wards remains as it is.
  - VII. Data of OPD attendance, Major & Minor operations given by the institute are highly inflated. Only 1 patient was operated & 1 was on table.
  - VIII. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
  - IX. Deficiency of inadequate capacity of Residents' hostel remains as it is.
  - X. Central Research Laboratory: Facilities are inadequate. Deficiency remains the same.
  - XI. Website: Information uploaded is sketchy. Deficiency remains the same.
  - XII. Other deficiencies as pointed out in the assessment report.
22. In view of above-mentioned deficiencies, the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of scheme for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 at applicant Medical College, for academic year 2016-17. The Committee further observed that the deficiencies of faculty, residents and bed occupancy are still continuing in excess permissible limits as per Regulation 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 for 100 MBBS admissions and accordingly decided to continue the application/invocation of Regulation 8(3)(1)(c) of Establishment of Medical College Regulation, 1999, in the case of applicant medical college.
23. Accordingly, the above decision of the Executive Committee was communicated to the Ministry vide Council letter dated 15.05.2016 and copy was also sent to the College authorities with the request to submit the detailed point wise compliance.
24. The applicant medical college vide its letter dated 06.07.2016 submitted its fresh application for increase of seats from 100 to 150 in the MBBS course from the academic year 2017-18, to the Ministry and the same was forwarded to the Council vide Ministry's letter dated 15.07.2016.

25. The Council duly considered the scheme submitted by the applicant medical college for increase of seats from 100 to 150 in the MBBS course from the academic year 2017-18. The Council, upon initial scrutiny, noted that the said applicant medical college had submitted Consent of Affiliation dated 21.08.2014 issued by the Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh which was valid for the Academic Year 2015-16 & 2016-17. Whereas, the State Government of Telangana, vide its letter dated 22.07.2015, had informed the Council office that Kaloji Narayan Rao University of Health Sciences (KNRUHS), Warangal, would be issuing the Consent of Affiliation in respect of medical courses in the State of Telangana and that the Consent of Affiliation issued by Dr. NTR University of Health Sciences on behalf of KNRUHS shall be valid upto 31<sup>st</sup> December, 2015. Further, it was also observed that the essentiality certificate furnished by the medical college was invalid as the same was issued by the State of Andhra Pradesh instead of the State of Telangana. The Council further noted that subsequently, the applicant medical college vide letter dated 22.07.2016 had submitted a fresh Consent of Affiliation dated 21.07.2016 issued by Kaloji Narayana Rao University of Health Sciences, Warangal which is valid for 2016-2017 and 2017-2018, but the same has been issued after the cut-off date, to submit the application to the Central Government i.e. 07.07.2016, and hence the same is not acceptable.
26. The Council also noted that for the academic year 2016-17, the applicant medical college had submitted its scheme for grant of permission for increase of seats in MBBS course from 100-150. Whereafter, in order to assess the physical as well as other facilities, the Council assessors, carried out the physical assessment of the applicant medical college on 16<sup>th</sup> & 17<sup>th</sup> February, 2016 and the Executive Committee of the Council after considering the assessment report, thereof, has invoked Clause 8(3)(1)(c) of Establishment of Medical College Regulations, 1999.
27. Therefore, in view of the above, the Council decided to return the scheme submitted by the above-named applicant medical colleges for increase of seats from 100 to 150 in the MBBS course from the academic year 2017-18. The scheme submitted by the above-mentioned applicant medical college for increase of seats from 100 to 150 in the MBBS course from the academic year 2017-18, was returned to Central Govt. vide letter dated 20.09.2016, alongwith the recommendation for disapproval of the same.
28. Subsequently, the Govt. of India granted hearing to the officials / representatives of the aforesaid applicant - medical college, and vide letter dated 08.12.2016, forwarded the representation submitted by the applicant medical college.
29. The Ministry's letter dated 08.12.2016 was considered by the Council, whereupon, the Council, in view of the directions passed by the Hon'ble Supreme Court in the case of Royal Medical Trust (supra) as well as the Statutory Time Schedule of the Council, as upheld by the Hon'ble Supreme Court, noted that the fresh/new Consent of Affiliation submitted by the applicant medical college has been issued by the KNRUHS, after the lapse of the cut-off date i.e. 7<sup>th</sup> July, 2016, for submission of complete schemes, to the Govt. of India. Therefore, the Council decided to reiterate its earlier decision to return the schemes, submitted by the aforesaid applicant medical college, to the Govt. of India, alongwith the recommendation to not grant permission for increase of MBBS seats from 100 to 150 from the academic year 2017-18. The above-mentioned decision of the Council was communicated to the Govt. of India vide MCI letter dated 05.01.2017.
30. In reply to Council's letter dated 15.05.2016, regarding the invocation of Regulation 8(3)(1)(c) and for continuation of Recognition with respect to MBBS course already being imparted in the applicant medical college, the Principal, MNR Medical College, Sangareddy submitted its compliance dated 13.06.2016 and the same was verified by the Council assessors by way of compliance verification assessment carried out on 07.02.2017.

31. The compliance verification assessment report dated 07.02.2017, alongwith previous assessment report (20.04.2016 and 16<sup>th</sup> & 17<sup>th</sup> February, 2016) was considered by the Executive Committee at its meeting held on 11.04.2017 and the Committee observed the following deficiencies:
- I. Deficiency of faculty is 24.61 %as detailed in the report .
  - II. Shortage of Residents is 21.63 %as detailed in the report .
  - III. Some patients in Paediatrics, Skin & VD and Tb & Chest wards were found to be non-genuine who can be treated outside .
  - IV. Other deficiencies as pointed out in the inspection report.
32. In view of abovementioned deficiencies, still persisting in the medical college, the Executive Committee decided to reiterate its earlier decision regarding invocation of Regulation 8(3)(1)(c) of Establishment of Medical College Regulation, 1999 and to give an opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.
33. Accordingly, the above-said decision of the Executive Committee was communicated to the College authorities vide Council letter dated 20.04.2017 with the request to submit the detailed point wise compliance with in one month and copy marked to Central Govt. and Oversight Committee. Whereupon, the applicant medical college has submitted the compliance and the same shall be placed before the Sub-Committee of the Council, in due course.
34. Now, the Ministry vide letter dated 11.05.2017, has issued policy directives under Section 3C of the IMC Act, 1956 to the Council, that in cases, wherein, a new State has been created, the application of medical college should not be rejected, solely on the ground that the documents submitted by the applicant medical college(s) are issued from the State, wherein, the applicant college(s) were located, prior to the reorganization of the State / creation of new State. The Ministry has also extended the last date for the Council to make recommendations to the Ministry up to 24.05.2017. Further, the Ministry requested the Council to inspect/verify the compliance in the deserving cases of new medical colleges/increase of seats/renewal of permission, wherein, the college(s) which could not be inspected up to 30<sup>th</sup> April, 2017.
35. In continuation to the above-said letter of the Ministry, the Ministry vide its letter dated 18.05.2017(received in Council office on 22.05.2017), requested the Council to consider the case of MNR Medical College, Telangana, for increase of seats from 100 to 150 from the academic year 2017-18. In this regard, it is relevant to consider that under Section 3C of the IMC Act, 1956, the Council is bound by the policy decision of the Central Government, however, the said provision itself carves out an exception in respect of technical and administrative matters. The Central Government under the IMC Act, 1956 is empowered to take policy decision and the Council will be bound by such decision but technical and administrative matters fall within the exclusive domain of the Council. In other words, matters relating to scrutiny of application / scheme submitted by applicant - medical colleges, inspection, recommendation etc. is beyond the purview of policy decision of the Central Government and the Council is the expert Statutory Body constituted for carrying out such technical and administrative jobs. It is relevant to note that the policy directive issued by the Ministry vide letter under reply, if implemented will also be contrary to the binding judicial precedents referred hereinabove, as also contrary to the scheme of the IMC Act, 1956 and the Regulations framed, thereunder. It is the responsibility of the Council as well as the Ministry to strictly adhere to the direction passed by the Hon'ble Apex Court. Since the Hon'ble Supreme Court in the cases of Mridul Dhar Vs. UOI & Ors. - (2005) 2 SCC 65, Priya Gupta Vs. State of Chhattisgarh - (2012) 7 SCC 433, and Ashish Ranjan (Supra) has categorically held that any person or authority who deviates or fails to follow the time schedule will be individually prosecuted under the Contempt of Courts Act, 1971.
36. As stated hereinabove, the Time Schedule fixed by the Hon'ble Supreme Court regarding the processing of application has prescribed a year on stages of consideration and processing of applications under Section 10A of the IMC Act,



1956 and the same cannot be completed within a period of two days. The inspection of the applicant college cannot be conducted in such a short span of time as it will take away the surprise element which is extremely crucial to determine the exact status of the infrastructure, teaching faculty, clinical material and other physical facilities available in the applicant college.

In light of the above, it is impermissible for the Council to consider or process the schemes for increase of intake from 100 to 150 seats in the MBBS course, from the academic year 2017-18, submitted by the above-named medical college, at this stage. Accordingly, the Ministry of Health and Family Welfare, Government of India may be requested to kindly reconsider the matter appropriately in accordance with the statutory law position of various Hon'ble Supreme Court directions."

In view of above, the Executive Committee of the Council decided to accept the above opinion and convey the same to the Central Government, MOHFW, Govt. of India, New Delhi.

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

***Dr. Reena Nayyar recused herself from the meeting.***

**57. Departmental enquiry against Dr. P. Prasannaraj, Additional Secretary (U/S) – USA visit.**

Read: the matter with regard to Departmental enquiry against Dr. P. Prasannaraj, Additional Secretary (U/S) – USA visit.

The Executive Committee of the Council after detailed deliberations in the matter decided that the request made by Dr. P. Prasannaraj cannot be considered and 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.***

**58. Departmental Enquiry against Dr. P. Prasannaraj, Additional Secretary (U/S) in the case of illegal promotion to the post of Additional Secretary in the Council.**

Read: the matter with regard to Departmental Enquiry against Dr. P. Prasannaraj, Additional Secretary (U/S) in the case of illegal promotion to the post of Additional Secretary in the Council.

The Executive Committee of the Council perused the matter in detail and observed that as per Rule 15 (2) of the CCS (CCA) Rules, sufficient time has already been accorded to Dr. P. Prasannaraj, Additional Secretary (U/S) for making his representation. The Committee further observed that after expiry of the 15 days time for making representation, extension was given upto 22<sup>nd</sup> May, 2017. Therefore, no further extension is granted.

Further, the Executive Committee carefully perused the Enquiry Report dated 25.04.2017 submitted by the Inquiring Authority and other relevant record of the case. The Committee observed that there is a very serious omission on the part of the Charged Officer (Dr. P. Prasannaraj) which cannot be condoned by any amount of explanation. The gravity of the charge is such as to warrant the imposition of a major penalty.

After taking all the facts and circumstances of the case into account, the Executive Committee decided to impose the penalty of dismissal from the services of the Council upon Dr. P. Prasannaraj, Additional Secretary (U/S).

Thereafter, the Executive Committee deliberated on the issue and carefully drafted the dismissal order. The said order has been perused and is approved by the Executive Committee. The Executive Committee further directed that the order may be issued under the signature of the President, MCI to Dr. P. Prasannaraj, Additional Secretary (U/S).

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

**59. Disciplinary proceedings against Shri P. Prasannaraj, Additional Secretary, Medical Council of India - visited USA without prior approval.**

Read: the matter with regard to Disciplinary proceedings against Shri P. Prasannaraj, Additional Secretary, Medical Council of India - visited USA without prior approval.

The Executive Committee of the Council noted and approved the charge sheet against Shri P. Prasannaraj, Additional Secretary, Medical Council of India.

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

**60. Review of suspension of Dr. Davinder Kumar, Joint Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.45 a.m.**

Read: the matter with regard to review of suspension of Dr. Davinder Kumar, Joint Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.45 a.m.

The Executive Committee of the Council approved the minutes of the Review Committee meeting dated 23.05.2017 to continue the suspension of Dr. Davinder Kumar, Joint Secretary (U/s.) for a further period of 90 days w.e.f. 21.06.2017.

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

**61. Review of suspension of Dr. Anshu Sethi Bajaj, Deputy Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.15 a.m.**

Read: the matter with regard to review of suspension of Dr. Anshu Sethi Bajaj, Deputy Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.15 a.m.

The Executive Committee of the Council approved the minutes of the Review Committee meeting dated 23.05.2017 to continue the suspension of Dr. Anshu Sethi Bajaj, Deputy Secretary (U/s.) for a further period of 90 days w.e.f.17.06.2017.

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

62. **Review of suspension of Dr. P. Prasannaraj, Additional Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.30 a.m.**

Read: the matter with regard to review of suspension of Dr. P. Prasannaraj, Additional Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.30 a.m.

The Executive Committee of the Council approved the minutes of the Review Committee meeting dated 23.05.2017 to continue the suspension of Dr. P. Prasannaraj, Additional Secretary (U/s.) for a further period of 90 days w.e.f.14.06.2017.

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

63. **Review of suspension of Dr. P. Prasannaraj, Additional Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.00 a.m.**

Read: the matter with regard to review of suspension of Dr. P. Prasannaraj, Additional Secretary (U/s.) by Review Committee held on 23.05.2017 at 10.00 a.m.

The Executive Committee of the Council approved the minutes of the Review Committee meeting dated 23.05.2017 to continue the suspension of Dr. P. Prasannaraj, Additional Secretary (U/s.) for a further period of 90 days w.e.f. 07.07.2017.

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

**Dr. Reena Nayyar rejoined the meeting**

64. **Consideration of DO letter dated 23.5.2017 received from Shri Arun Singhal, Joint Secretary, MOHFW, Govt. of India with regard to reducing the percentile for PG courses by 7½ for all categories**

Read: the matter with regard to consideration of DO letter dated 23.5.2017 received from Shri Arun Singhal, Joint Secretary, MOHFW, Govt. of India with regard to reducing the percentile for PG courses by 7½ for all categories

The Executive Committee noted that the Ministry vide its letter bearing No. V.11025/18/2017-MEP dated 10.02.2017 has sought the comments of the Council for lowering of qualifying in NEET-PG 2017 for the State of Andhra Pradesh. The Postgraduate Committee of the Council had considered this matter and decided that in case the seats remain vacant in the State Government colleges, the matter will be considered on receipt of request/proposal.

Based upon the proceedings in the Hon'ble High Court of Delhi in Dr. Ravi Kumar Meena V/S GGSIP University & Ors. - Writ Petition (Civil) No 2613 of Year 2017 and connected matters, it is noted that the Ministry has vide its letter bearing no. V.11025/18/2017-MEP dated 05.04.2017, had informed the Oversight Committee as under:-

*"3. Reference was made by Government of Andhra Pradesh requesting to lower the cut-off marks for NEET-PG, 2016. MCI was requested to look at the state-wise availability of seats and the number of qualified candidates in order to analyse the adequacy of qualified candidates. It was observed from the information furnished by MCI that the total number of qualified students obtained by adding up the state-wise numbers amounts to 76,399, which is more than the actual number of students qualifying NEET-PG 2016, which stands at 64,139. The reason for this is that students appear against more than one State on account of having passed MBBS from a state different from their home state.*

*4. Many of the students selected NEET-PG would not join PG courses. This can happen due to variety of reasons such as not getting the*

*institute/discipline of their choice, financial reasons and other personal reasons. PG seats are precious for the country and they should not be left vacant at any cost. Selecting an adequate number of students becomes necessary in order to ensure this.*

*5. An adequacy ratio of 2:1 in terms of number of qualified candidates versus total seats available seems to be desirable. Since the total number of seats available in the country during this session and the ensuing DNB session after 6 months stands at over 36,000 already and we expect to add around 1,000 more seats during March, 2017, the total number of selected candidates needs to be between 72,000 and 74,000. With a percentile cut off of 50 and 40, total number of students selected stands today 64,139. As per the data available, lowering both these cut offs by 7.5 percentile would lead to the selection of approximately 14,700 more candidates, taking the total number of selected students to 73,000. This change would help to ensure that all PG seats are filled up."*

In response the Oversight Committee vide letter bearing no. OC/NEET PG 2016/182 dated 17.04.2017 had disagreed with the proposal of the Ministry.

The Executive Committee noted that the proviso to Regulation 9 (III) of the Postgraduate Medical Education Regulations, 2000 provides as under:

*"Provided when sufficient number of candidates in respective categories fail to secure minimum marks as prescribed in National Eligibility-cum Entrance Test held for any academic year for admission to Post Graduate Courses, the Central Government in consultation with Medical Council of India may at its discretion lower the minimum marks required for admission to Post Graduate Course for candidates belonging to respective categories and marks so lowered by the Central Government shall be applicable for the said academic year only."*

The Executive Committee noted that the two round of counseling as mandated by the time schedule for completion of admission process for PG (Broad Speciality) Medical Courses for All India Quota and State Quota has already been over on 20<sup>th</sup> May and the last date for joining the course is 27<sup>th</sup> May. Therefore, keeping in view the fact that the seats in Postgraduate courses in modern medicine are precious and should not be allowed to go vacant, the Executive Committee agrees to the proposal of the Ministry of Health and Family Welfare to reduce the percentile by 7 ½ percentile in all categories so that sufficient number of students as per their merit are available for counseling. However, such relaxation should not disturb the counseling and admissions that have already taken place and be restricted for filling up the vacant seats only for the academic session 2017-18.

The Central Government may pass appropriate orders relaxing the qualifying marks in the NEET-PG – 2017 only by 7 ½ percentile in all categories, in exercise of the power conferred by the proviso of Regulation 9 (III) of the Postgraduate Medical Education Regulations, 2000.

***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 :23.05.2017.**

**APPROVED**

**(Dr. Jayshree Mehta)  
President**