

No. MCI-5(3)/2016-Med.Misc./  
**MEDICAL COUNCIL OF INDIA**  
**NEW DELHI**

**EXECUTIVE COMMITTEE**

Minutes of the meeting of the Executive Committee held on 25<sup>th</sup> January, 2017 at 11:00 a.m. in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.

**Present:**

Dr. Jayshree Mehta	President Medical Council of India, Former Professor of Surgery, Govt. Medical College, <b>Vadodara (Gujarat)</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. Anil Chauhan	Principal, Dr. R.P. Govt. Medical College, <b>Tanda (Himachal Pradesh)</b>
Dr. Alok Ahuja	Lab Director, Dr. Ahujas Pathology & Imaging Centre, 7-B, Astley Hall, <b>Dehradun (Uttarakhand)</b>
Dr. Narain Venkatesh Bhandare	Consulting Surgeon, Bhandare Hospital, Fontainhas, <b>Panaji</b> <b>(Goa-403001)</b>
Dr. Sinam Rajendra Singh	Professor of Urology, Rajendra Instt. of Medical Sciences, <b>Imphal (Manipur)</b> & Director, Manipur Medical Council <b>Imphal, Manipur</b>

Dr. Reena Nayyar, Secretary I/c.

Apologies for absence were received from Dr. C.V. Bhirmanandham, Dr. Mhaske Chandrakant Bhaskar and Dr. Vijay Prakash Singh.

1. **Minutes of the Executive Committee Meeting held on 13<sup>th</sup> January, 2017 – Confirmation of.**

The Executive Committee of the Council noted that the minutes of its meeting held on 13<sup>th</sup> January, 2017 have been sent to Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi for their comments.

The Executive Committee of the Council also noted that at its meeting held on 13.01.2017, the following be read as under:

- (i) the minutes under item nos. **05 &105** be read as “*read and confirmed in the meeting itself*”.
- (ii) the minutes under item no.90, in the 2<sup>nd</sup> line .... “*reallocation of 96 students to Govt. colleges in the State of Bihar*”... be read as ..... “*reallocation of 100 students to Govt. colleges in the State of Bihar*”.....

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

The Executive Committee of the Council noted that the minutes of its meeting held on 13<sup>th</sup> January, 2017 have been sent to Central Govt. for approval. Therefore, there is no action taken report.

Further, the Executive Committee noted the action taken report of the minutes of its meetings dated 04.11.2016 & 22.11.2016 for which observations of Ministry of Health & FW/Oversight Committee have been received.

**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. Approval of the proceedings of the Ethics Committee meetings held on 7th & 8th September, 2016 and 29th & 30th November, 2016.**

Read: the matter with regard to approval of the proceedings of the Ethics Committee meetings held on 7th & 8th September, 2016 and 29th & 30th November, 2016.

The Executive Committee of the Council perused the minutes of the Ethics Committee meetings held on 7th & 8th September, 2016 and 29th & 30th November, 2016 and observed as under:-

The Executive Committee of the Council perused the minutes of the Ethics Committee meeting held on 7 & 8 September 2016 and 29 & 30 November 2016 and approved the recommendations of Ethics Committee with regard to item nos.2, 3, 6, 7, 8, 11, 13, 14 & 15 and for the rest of the items, it was decided as under:

**A: MEETING DT. 07 & 08/09/2016:**

1.	Suggestion to President of India, Corruption & Unethical Practice in Medical Profession	7 <sup>th</sup> & 8 <sup>th</sup> September, 2016
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The Executive Committee perused the suggestions and observed that many suggestions deal with provisions of Income Tax and are beyond the purview of the Council.

It was further observed that with regard to unethical behaviour in connection with Yellow fever vaccination at RML Hospital, it is an administrative matter to be dealt with by authorities of RML Hospital, New Delhi. This be forwarded to RML Hospital for further necessary action in the matter. Even otherwise, Hospital is beyond the purview of the Ethics Code.

With regard to development of software for the entire medical history of all the patients in India, this is beyond the scope of functions of MCI.

With regard to Biometric system of attendance, the same is already under implementation under DMPP Project.

In view of above, the Executive Committee decided that the suggestions of Shri Kishore K. Bhatia be placed before DMPP project with a clear direction that modalities should be recommended only for implementing such suggestions which are found feasible and which are within the domain of MCI as per provisions of IMC Act & Ethics Code.

**B: MEETING DT. 29 & 30 NOVEMBER 2016:**

4.	Demand for taking concrete measures to eliminate corruption from private health care sector in the country	29 <sup>th</sup> & 30 <sup>th</sup> November, 2016
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Members of the Executive Committee observed that Ethics Committee has recommended as under:

- (1) To suggest to the Ministry of Health & FW that to streamline the procedure for charging the fees by Medical colleges & to make the system regular, transparent, uniform and through a single window.
- (2) To send a letter to all State Medical councils to obtain the current status of proceedings at their end in respect of registered medical practitioners.

The Executive Committee of the Council approved the recommendations of the Ethics Committee with regard to (2) .

The Executive Committee further directed the Ethics Section to prepare a draft advisory and place before Ethics Committee for its approval and then before Executive Committee for final approval.

5.	Appeal filed by Sh. Surendra Prasad Singh against Dr. Ashok Kumar Gupta, Dr. B.K. Pushkar, Dr. S.B. Singh and Dr. Sri Bhagwan Singh of Sadar Hospital, Sasaram, Bihar	29 <sup>th</sup> & 30 <sup>th</sup> November, 2016
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The Executive Committee of the Council approved the recommendations of the Ethics Committee as no further action is required in the matter at this stage as the case is already decided by Bihar Medical Council and the instant appeal is not against the decision of BMC and no further appeal is received against the decision of BMC.

9.	Appeal dated 07.03.2015 filed by Sh. Rakesh Kumar Shrivastava, UP against Order dated 30.12.2014 passed by Uttar Pradesh Medical Council	29 <sup>th</sup> & 30 <sup>th</sup> November, 2016
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The Executive Committee of the Council did not approve the recommendations of the Ethics Committee. The Ethics Committee has failed to decide the crucial question of whether Dr. Singh was guilty of negligence. Failure to detect a cause cannot be called negligence, particularly when the child was under intermittent care for only 36 hours with Dr. A.K. Singh as OPD patient & the child was taken to another center – i.e. Srijan Hospital on 08/10/2012 and then to SGPGI, Lucknow on 22/10/2012 from where he was discharged on 03/11/2012 in a stable condition and when it was a case of already existing Chronic Renal Failure being superimposed by Acute renal failure. Even the

treating Doctors Srijan Hospital & SGPGI, Lucknow have not stated specifically in their depositions that Dr. Singh was negligent. Further Hon'ble Supreme Court has also held that every Doctor cannot be expected to be expert. In this view of the matter, it was decided to set aside the decision of Ethics Committee and uphold the decision of UPMC that there was no medical negligence.

10.	Investigation of case - RC-0072010A0012, Shri Guru Ram Rai Institute of Medical and Health Sciences, Dehradun	29 <sup>th</sup> & 30 <sup>th</sup> November, 2016
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The Executive Committee of the Council referred back the recommendations to Ethics Committee to mention specifically in the Minutes about the action taken against Dr. P.K. Arya who is 28<sup>th</sup> faculty and whose name was specifically mentioned in the earlier decision.

12.	Report of the Sub-Committee regarding fake faculty declaration forms for the academic year 2015-16 in respect of Dr. Shailendra Singh, Assistant Professor of Orthopaedics appeared in more than one medical college – reg.	29 <sup>th</sup> & 30 <sup>th</sup> November, 2016
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The Executive Committee of the Council did not approve the recommendations of the Ethics Committee. The moot question to be answered is not whether Dr. Shailendra Singh had joined K.G. Medical University after submitting his resignation or not or whether he had informed MCI about his resignation or not. It is whether he had appeared in more than 1 Medical College during the same Academic Year or not and whether he had disclosed the fact of his appearance at 1<sup>st</sup> Medical College in his Declaration Form for 2<sup>nd</sup> Medical College or not. On both counts he fails; he has appeared at more than 1 Medical College – i.e. Dr. M.C. Saxena Medical College & K.G. Medical university – during the same Academic Year and also he has concealed the fact of his appearance at 1<sup>st</sup> Medical College – i.e. Dr. M.C. Saxena Medical College in the D.F. for 2<sup>nd</sup> Medical College – i.e. K.G. Medical University. Further whether he had resigned or informed MCI about his resignation is irrelevant as this would not absolve him from the offence of concealing this information in D.F. Further if this plea is accepted, all such candidates in future may resign from a Medical College after assessment, inform MCI about their resignation and then join another Medical College to appear during its assessment. This would defeat the very purpose of introducing such a provision which has been brought in with a view to maintain faculty at a particular Medical College even after assessment and no undue advantage is taken by erring medical colleges.

In above view of matter, the Executive Committee set aside the decision of Ethics Committee and the earlier decision of removing his name for a period of 6 months is reiterated.

5. **Memo of bill of Sh. Mukul Rohatgi, Ld. Attorney General of India, before the Hon'ble Supreme Court of India in matter of People for Better Treatment through its President V/S Union of India & ors. - Writ Petition (Civil) No 890 of Year 2014.**

Read: the matter with regard to Memo of bill of Sh. Mukul Rohatgi, Ld. Attorney General of India, before the Hon'ble Supreme Court of India in matter of People for Better Treatment through its President V/S Union of India & ors. - Writ Petition (Civil) No 890 of Year 2014.

The Executive Committee of the Council considered and approved the bill of Sh. Mukul Rohatgi, Ld. Attorney General of India for appearance in the matter on behalf of the Council in the Supreme Court.

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

**6. Change of name of Chhattisgarh Ayush and Health Sciences University, Raipur to Pandit Deendayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, Raipur.**

Read: the matter with regard to change of name of Chhattisgarh Ayush and Health Sciences University, Raipur to Pandit Deendayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, Raipur.

The Executive Committee of the Council noted the letter dated 28/12/16 received from the Registrar, Pandit Deen Dayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh stating therein that as per Chhattisgarh Ayush and Health Sciences University (Amendment) Act 2016 Section 3(1) the name of Chhattisgarh Ayush and Health Sciences University, Raipur has been changed to "Pandit Deen Dayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, Raipur".

The Executive Committee of the Council further observed that at its meeting held in June, 1988 considered the matter with regard to change of name and change of affiliation of the University or the medical colleges whose medical qualifications are already recognized in the 1st schedule of the IMC Act, 1956 and decided as under:-

*"No inspection is required where there is change of name and change of affiliation of the University or the college whose medical qualification are already recognized and included in the 1st Schedule to the IMC Act, 1956 unless the Executive Committee decided otherwise."*

In view of above, the Executive Committee of the Council decided to direct the Institute to apply to the Central Government for recognition u/s 11(2) of the Indian Medical Council Act, 1956 through Pandit Deen Dayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, Raipur when the first batch permitted appears for final examinations in respect of UG/PG courses permitted u/s 10A under Chhattisgarh Ayush and Health Sciences University, Raipur.

**7. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Rohilkhand Medical College & Hospital, Bareilly under M J P Rohilkhand University, Bareilly.**

Read: the matter with regard to Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Rohilkhand Medical College & Hospital, Bareilly under M J P Rohilkhand University, Bareilly.

The Executive Committee of the Council noted that the compliance verification assessment report (17.01.2017) along with the previous assessment reports (30.03.2016 & 28<sup>th</sup> & 29<sup>th</sup> October, 2015) and decided to revoke the Notice issued under clause 8(3)(1)(c) of Establishment of Medical College Regulations, 1999.

**8. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats and for Recognition/approval of Era's Medical College & Hospital, Lucknow for the award of MBBS degree granted by Dr. R.M.L. Avath University, Faizabad against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.**

Read: the matter with regard to Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats and for Recognition/approval of Era's Medical College & Hospital, Lucknow for the award of MBBS degree granted by Dr. R.M.L. Avath University, Faizabad against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council noted that assessments to assess the standard of examination held by Dr. R.M.L. Avath University, Faizabad and to assess the physical and the other teaching facilities available for recognition/approval of Era's Medical College & Hospital, Lucknow for the award of MBBS degree granted by Dr. R.M.L. Avath University, Faizabad against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 were carried out by the Council assessors on 03.03.2016 and 29.04.2016 & 30.04.2016. The assessment reports were considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

*"The Executive Committee of the Council considered the assessment reports (03.03.2016) and (29.04.2016 & 30.04.2016) and noted the following:-*

1. *Deficiency of teaching faculty is 7.05 % as detailed in the report.*
2. *Shortage of Residents is 20.68 % as detailed in the report.*
3. *Wards: Psychiatry ward does not have Demonstration room or Pantry. Skin & VD ward does not have pantry.*
4. *Labour Room: There was no woman in labour room at 12 noon at time of visit.*
5. *O.T.: Facilities are inadequate in Septic, Emergency & Ophthalmic O.T. as detailed in the report.*
6. *ICUs: There are no separate beds for SICU.*
7. *MEU: No programme was conducted last year in the institute on MET.*
8. *Common Room for Girls does not have attached toilet.*
9. *Nursing Hostel: There is no hostel as such. In 2<sup>nd</sup>, 3<sup>d</sup> & 4<sup>th</sup> floor, there are 2 big halls on each floor; each such hall is divided into 8 cubicles with cloth curtain & in each such cubicle 4 Nursing students are staying which is not permissible.*
10. *RHTC: Vaccines are not available.*
11. *Other deficiencies as pointed out in the assessment report.*

*In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to recognize/approve Era's Medical College & Hospital, Lucknow for the award of MBBS degree granted by Dr. R.M.L. Avath University, Faizabad against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.*

*Further the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of fresh batch of 100 to 150 MBBS students at Era's Medical College & Hospital, Lucknow, under Dr. R.M.L. Avath University, Faizabad, u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.*

*The Executive Committee of the Council 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<sup>th</sup> March, 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 (2017-18) 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 alongwith direction of stoppage of admissions in permitted postgraduate courses.....”*

The above decision of the Executive Committee was communicated to the Central Government vide this office letter dated 15.05.2016.

The Council vide another letter dated 15.05.2016 issued the Show Cause Notice to the college authorities 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.

In reference to above, the Dean/Principal, Era's Medical College & Hospital, Lucknow had submitted the compliance vide letter dated 11.06.2016.

The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students against increased intake from 100-150 in MBBS course for the academic year 2016-17.

The Executive Committee further noted that the Central Govt. vide its letter dated 12.09.2016 had granted approval to the said college for renewal of permission for admission of fresh batch of MBBS students against the increased intake i.e. from 100-150 for the academic year 2016-17, in the light of the directive of the Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 12.09.2016, the Central Govt. vide its letter dated 06.10.2016 had forwarded the following documents as submitted by the college to the Ministry on 21.09.2016:-

- i. An affidavit dated 20.09.2016 from the Secretary of the Trust concerned.
- ii. An affidavit dated 20.09.2016 from the Principal of the college concerned.
- iii. A bank guarantee bearing No. 0294ILG0001316 dated 19.09.2016 Rs 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 1 year.

The Executive Committee further noted that in reference to conditional approval granted by the Central Govt. in light of directives/approval of the Oversight Committee, an assessment to verify the compliance submitted by the college authorities on the deficiencies pointed out in the assessment report (29.04.2016 and 30.04.2016) for 100 MBBS seats and 150 MBBS seats at Era's Medical College & Hospital, Lucknow under Dr. R.M.L. Avasth University, Faizabad was carried out by the Council assessors on 17.01.2017. The Executive Committee considered the compliance verification assessment report (17.01.2017) along with the previous assessment report (29.04.2016 and 30.04.2016) and noted the following:-

1. Bed Occupancy was 71.50 % at 10 a.m. on day of assessment.
2. No sisters' order book for giving treatment was available but was not in order for giving treatment. When sister was asked to show the particular patient for treatment in her order book she could not recognise in Pediatric ward. The patients name and case sheet did not match in Medicine ward. The complaint and patient also did not match. In TB Chest all patients name and case sheet did not match. The treatment and the investigations were not appropriate. In Surgery Male Ward III all patients were not genuine. IP Numbers 1796/17, 1810/17, 1797/17, 1726/17, 1790/17, 1794/17, 2662/17, 2668/17, 2365/17, 2372/17, 2375/17, 1808/17 are no case notes were written. Case sheets totally empty. In Male Surgery II ward no notes in patients charts. Patient's complaints and case sheet notes not matching for few patients.
3. There was no woman in Labour room at the time of visit.
4. RHTC: Ice lined refrigerator is not available.
5. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per the directions passed by the Supreme Court mandated Oversight Committee and communicated vide Ministry of Health & F.W. letter dated 12/09/2016 [para 1 (i)] which reads as .....*"An affidavit from the Dean/Principal and Chairman of the Trust/Society/University/Company etc. concerned, affirming fulfilment of all deficiencies and statements made in the respective compliance report submitted to MHFW by 22<sup>nd</sup> June, 2016"*.....The Executive Committee, after due deliberation and discussion, has decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee and communicated vide Ministry of Health & F.W. letter dated 12/09/2016 [in para 2(b)] which reads as .....*"In default of the conditions (i) and (ii) in para 2 above and if the compliances are found incomplete in the inspection to be conducted after 30 Sept.2016, such college will be debarred from fresh intake of students for 2 years commencing 2017-18"*....., the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for fresh Batch of MBBS students against the increased intake i.e. from 100-150 at Era's Medical College & Hospital, Lucknow granted by Dr. R.M.L. Avasth University, Faizabad u/s 10A of the IMC Act, 1956, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 12/09/2016 is liable to be encashed.

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



**9. Continuance of recognition of MBBS degree granted by Ch. Charan Singh University, Meerut in respect of students being trained at Muzaffarnagar Medical College, Muzaffarnagar.**

Read: the matter with regard to continuance of recognition of MBBS degree granted by Ch. Charan Singh University, Meerut in respect of students being trained at Muzaffarnagar Medical College, Muzaffarnagar.

The Executive Committee of the Council considered the compliance verification assessment report (17<sup>th</sup> January, 2017) along with previous assessment report (9<sup>th</sup> & 10<sup>th</sup> June, 2016) and noted the following:-

1. Bed Occupancy of 85 % as submitted by the institute is highly inflated.
2. During verification in Paediatrics ward it was found that 2 sisters of the same parents were admitted with different addresses. Most of the patients in Paediatrics ward looked healthy children and case sheets of many cases were incomplete. A patient named Sapna age 14/F was admitted vide CR # 66752, Regn. No. 1048726, for history of cough & cold. Clinical signs of bilateral crept present were noted. However no antibiotic was prescribed nor any X-ray Chest was advised.
3. Patients with Minor ailments who did not merit admission were admitted and kept in General Medicine, General Surgery, Paediatrics, Skin & VD and Orthopaedics wards for long time.
4. Although 5 deliveries have been entered in labour room register, their birth records have not been sent to local birth registration office.
5. Histopathology workload is NIL. Old specimens were shown again in Histopathology.
6. There is only 1 patient in PICU on day of assessment. No Monitors are available in PICU.
7. Data of clinical material like OPD attendance provided by the Institute appear to be inflated. Deficiency remains as such. Attendants of patients were standing in queue for OPD cases. Children of staff were also found in the queue.
8. One remark pertained to female Skin & VD patients being kept in male Skin & VD ward. Although the male/female wards are separated, it is only partially rectified as the entry to both the wards as well as the Nursing Station is common.
9. Wards: Regular pantry as such is not available. What is provided is tea stalls outside the ward in the corridor which is not same as pantry.
10. Central Library: Capacity of Staff Reading room is very minimal. Capacity of Students' reading room (Outside) is 72 against requirement of 100. Deficiency remains as it is.
11. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to reiterate its earlier decision not to recommend continuance of recognition of MBBS degree granted by Ch. Charan Singh University, Meerut in respect of students being trained at Muzaffarnagar Medical College, Muzaffarnagar and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month and further decided to revoke clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part-II), dated 16.04.2010.

The Executive Committee directed that the above decision be conveyed to the Postgraduate Section for taking appropriate action.

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

**10. Sarawathi Institute of Medical Sciences, Hapur – Renewal of Permission for admission of 2<sup>nd</sup> Batch of MBBS students against the increased intake i.e. from 100-150 u/s 10 A of the IMC Act, 1956 for the academic session 2017-18 and Compliance Verification Assessment for 100 MBBS seats.**

Read: the matter with regard to Sarawathi Institute of Medical Sciences, Hapur - Renewal of Permission for admission of 2<sup>nd</sup> Batch of MBBS students against the increased intake i.e. from 100-150 u/s 10 A of the IMC Act, 1956 for the academic session 2017-18 and Compliance Verification Assessment for 100 MBBS seats.

The Executive Committee of the Council noted that the compliance verification assessment report (18.03.2016 and 12.05.2016) alongwith previous assessment report (9<sup>th</sup>& 10<sup>th</sup> December, 2015) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

*“The Executive Committee of the Council considered the compliance verification assessment report (18.03.2016 and 12.05.2016) along with assessment report (9<sup>th</sup>& 10<sup>th</sup> December, 2015) and noted the following:-*

1. *Deficiency of faculty is 24.06 % as detailed in the report.*
2. *Shortage of Residents is 62.85 % as detailed in the report.*
3. *There is deficit of 19 teaching beds as 541 beds are available against 560 required.*
4. *Bed occupancy is 16.25 % on day of assessment.*
5. *In Orthopaedics ward, out of 20 admitted patients, case files of only 09 patients were available. Rest of the patients did not have any record in the ward. 3 Female patients were accommodated in Male ward.*
6. *Statistics of Clinical Material provided by institute are highly exaggerated.*
7. *Details of patients admitted in ICUs on day of assessment are not provided.*
8. *Other deficiencies as pointed out in the assessment report.*

*In view of above, 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 Saraswathi Institute of Medical Sciences, Hapur under Chaudhary Charan Singh University, Meerut for academic year 2016-17 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 Executive Committee of the Council 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<sup>th</sup> March, 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 (2017-18) 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.....”*

The above decision of the Executive Committee was communicated to the Central Government vide this office letter dated 15.05.2016.

The Council vide another letter dated 15.05.2016 issued the Show Cause Notice to the college authorities 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.

The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (100 to 150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive of the Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016, the Central Govt. vide its letter dated 05.09.2016 had forwarded the following documents as submitted by the college to the Ministry on 02.09.2016:-

- i. An affidavit dated 01.09.2016 from the Chairman of the Society of the College concerned.*
- ii. An affidavit dated 01.09.2016 from the Principal/Dean of the College concerned.*
- iii. A Bank Guarantee bearing No. 60258718758/2016-17 dated 01.09.2016 of Rs. 2 Cr issued by Bank of Maharashtra, Noida in favour of MCI, with a validity of 1 year.*
- iv. Extended Bank Guarantee bearing No. 60147919383/2013-14 dated 01.09.2016 upto 29.08.2021 and original Bank Guarantee No. 60147919383/2013-14 dated 30.09.2013 of Rs. 1 Cr. issued by Bank of Maharashtra, Noida in favour of MCI, with a validity of 5 years.*

The Executive Committee further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment to assess the physical and other teaching facilities available for renewal of permission for admission of 2<sup>nd</sup> Batch of MBBS students against the increased intake i.e. from 100-150 at Saraswathi Institute of Medical Sciences, Hapur under Ch. Charan Singh University, Meerut u/s 10 A of the IMC Act, 1956 for the academic session 2017-18 and Compliance Verification Assessment for 100 MBBS seats has been carried out by the Council assessors on 17<sup>th</sup> & 18<sup>th</sup> January, 2017. The Executive Committee considered compliance verification assessment report (17<sup>th</sup> & 18<sup>th</sup> January, 2017) along with

the previous assessment reports (18.03.2016 and 12.05.2016 & 9<sup>th</sup> & 10<sup>th</sup> December, 2015) and noted the following:-

1. Dean has refused to sign the report.
2. Teaching beds are deficient by 6 beds as 66 beds are available against requirement of 72 beds in Paediatrics for proportionate increase for increase from 100 to 150 seats MBBS intake.
3. On a random check of OT Register for the full preceding month (Dec. 2016) it was observed that the following Surgeons have never operated even once, thus casting doubts on their being regular:-
  - (a) Deptt. of General Surgery (Dr. Sanjeev Kumar, Prof., Dr. Akhil Prakash, Professor; Dr. Yanshul Rathee, Asstt. Prof.)
  - (b) Deptt. Of Orthopaedics (Dr. S.K. Jaipuria, Prof. & Head, Dr. Tushar Anand, Asstt. Prof.)
  - (c) Deptt. Of Obst. & Gynae (Dr. Raashi Goel, Assoc. Prof., Dr. Neera Singh, Asstt. Prof. & Dr. Indira Prasad, Asstt. Prof.)
4. Attendance registers of faculty of clinical departments were given to assessors only at 3 p.m. instead of at 10 a.m. as per directive of Oversight Committee.
5. In the hospital, several clinical departments have shown their beds in multiple small rooms which do not have Nursing Stations at all places as under:
  - (a) General Medicine: 22+16+16+32+8+16+11+5;
  - (b) Paediatrics: 58 + 8;
  - (c) O.G.: 40+8+4+20;
  - (d) General Surgery: 28+8+44+8+4+6+10+24.
6. OPD attendance on day of assessment as inferred by assessors was 702. The attendance claimed by college at 1,402 which is highly inflated.
7. Bed Occupancy of genuine patients admitted is 33.60 % as under:

#	Department	Beds	
		Required	Occupied
1	General Medicine	132	40
2	Paediatrics	72	08
3	Skin & VD	30	06
4	Chest & Tb	22	16
5	Psychiatry	30	07
6	General Surgery	132	30
7	Orthopaedics	72	28
8	Eye	30	22
9	ENT	30	10
10	O.G.	72	42
	TOTAL	622	209

8. Majority of these false patients were pretending to be sleeping with eyes closed, face covered with shawl/blanket/any cloth in uniform posture. They did not have any personal belongings, medicine, glass, water bottle etc. Several of admitted patients did not have the complaint which was recorded in their case file. Some examples of fake patients/fabricated records are:-
  - (a) Ms. Nitesh (IP No. 88501) admitted in Medical Ward with pyrexia of unknown origin but had a recording of 98.4°F normal temperature in her TPR chart.
  - (b) Mrs. Kalawati, 57 years female was said to have been operated for 3\* Uterovaginal prolapse on 11.1.2017. There was cutting and overwriting of dates. On perusal of OT register it was found that she was operated on 27.12.2016 and not 11.1.2017. It seems this patient might have been operated long back, pt. already discharged but now shown admitted and dates changed in operative case sheet to make it look recent surgery.

- (c) Average daily OPD drug dispensation number of around 250 from the hospital pharmacy also reflects less OPD attendance.
  - (d) Average daily IPD drug dispensation number of around 150 from the hospital pharmacy also suggests near similar number of admitted patients.
8. Orthopaedics O.T. had not yet started at 10 a.m. as observed during the visit.
  9. Three healthy newborn babies not requiring admission in NICU were unnecessarily shown admitted-
    - (a) Baby Tarana (IP No. 88133) said to be having, neonatal jaundice and kept under phototherapy. But on physical examination, there was no jaundice and the case file did not record any blood test (Bilirubin levels) done for so-called jaundice.
    - (b) Another baby was an healthy full term baby delivered yesterday.
    - (c) Another healthy one and half month old infant, did not qualify for admission in NICU being more than one month old.
  10. Psychologist is not available in the hospital.
  11. There is only 1 Demonstration room available in Pathology, Microbiology, Pharmacology departments against requirement of 2 each.
  12. Stipend given to Residents is less than that paid by State Govt. to Residents.
  13. Other deficiencies pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016 which reads as .....*"an affidavit from the Dean/Principal and Chairman of the Trust concerned, affirming fulfillment of all deficiencies and statements made in the respective compliance report submitted to MHFW by 22<sup>nd</sup> June, 2016"*..... The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 which reads as .....*"in default of the conditions (i) and (ii) in para 3.2 above and if the compliances are found incomplete in the inspection to be conducted after 30 Sept.2016, such college will be debarred from fresh intake of students for 2 years commencing 2017-18"*..... the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for admission of 2<sup>nd</sup> batch of MBBS students against the increased intake i.e. from 100-150 in respect of Saraswathi Institute of Medical Sciences, Hapur under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The Executive Committee further decided to reiterate the application 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<sup>th</sup> March, 2016.

The Executive Committee directed that the above decision be conveyed to the Postgraduate Section for taking appropriate action.

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

**11. Live Streaming of both classroom teaching and the teaching hospital under Digital Mission Mode Project (DMMP) of MCI - Appointment of Expert Agency as Consultant for Project requirements and preparation of RFP etc.**

Read: the matter with regard to Appointment of Expert Agency as Consultant for Project requirements and preparation of RFP etc in the matter of Live Streaming of both classroom teaching and the teaching hospital under Digital Mission Mode Project (DMMP) of MCI.

The Executive Committee of the Council decided to defer the consideration of the matter for the next meeting.

**12. Approval of the minutes of the Monitoring Sub-Committee meeting held on 20/01/2017.**

Read: the matter with regard to approval of the minutes of the Monitoring Sub-Committee meeting held on 20/01/2017.

The Executive Committee of the Council approved the minutes of the Monitoring Sub-Committee meeting held on 20/01/2017 with regard to item nos.1,2,4,5,6 &7 with a direction to office that in all cases where the Discharge Notices are issued, the Institute be directed 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.

In rest of the items, the Executive Committee observed as under:-

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

*The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee to the extent of asking for explanation for discrepancy in 2 lists – submitted online & hard copy.*

*With regard to other issues, the Executive Committee decided that Discharge Notice be issued in respect of the following students:*

- (1) 27 students admitted after cut-off date;
- (2) Those students whose names do not figure in the list supplied by DME;
- (3) 26 students whose names do not figure in hard copy list but are shown as admitted in Online list;
- (4) Shri Shantanu Goyal who has obtained 46.33 % marks in PCB;
- (5) Shri HarendraGared who has obtained 49.46 % in NEET & is shown as a General category candidate.

*The Executive Committee decided that the Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & Nominee of the State on MCI.*

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

**8. Admission of 1st year MBBS student at G.C.R.G. Institute of Medical Sciences, Lucknow, Uttar Pradesh for the Academic Year 2016-17 – Regarding.**

*The Executive Committee did not approve the recommendations of the Monitoring Sub-Committee and directed that Discharge Notice be issued in respect of Vinthiyaa P. The Committee further decided that the Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & Nominee of the State on MCI.*

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

**9. Admission of 1st year MBBS student at Santosh Medical College, Ghaziabad, Uttar Pradesh for the Academic Year 2016-17 – Regarding.**

The Executive Committee of the Council observed that as the admissions have been made pursuant to the Order of Hon'ble High Court, no further action is required to be taken on that issue. However whether they are in order or not and whether they meet eligibility criteria and whether they have passed NEET with 50/40% or not to be verified and submitted before Monitoring Sub-committee. If there is any violation, the students should be issued Discharge Notice without further reference to Executive Committee and a copy thereof be sent to Secretary (ME), DME, affiliating University, State Medical Council & Nominee of the State on MCI.

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

**10. Any other Items with the permission of the Chair.**

**(a) Admission of the 1st Year MBBS at Amaltes Institute of Medical Sciences, Dewas, Madhya Pradesh for the A. Y. 2016-17.**

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee with modification that Mr. Amlesh Kumar Mehta, NEET Roll No. 61602719, whose name is not present in the DME, MP list should be issued Discharge Notice and a copy thereof be sent to Secretary (ME), DME, affiliating University, State Medical Council & Nominee of the State on MCI.

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

**(b) Admission of the 1st Year MBBS at People College of Medical Sciences, Madhya Pradesh for the A. Y. 2016-17.**

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..

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

**(c) Admission of the 1st Year MBBS at Index Medical College Hospital & Research Centre, Indore, Madhya Pradesh for the A. Y. 2016-17.**

The Executive Committee of the Council did not approve the recommendations of the Monitoring Sub-Committee and directed that Discharge Notice be issued in respect of all the students who are admitted but who are not in DME list. Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be sent to Secretary (ME), DME, affiliating University, State Medical Council & Nominee of the State on MCI.

The Executive Committee of the Council approved the recommendation of the Monitoring Sub-Committee that in view of the vacant seats in the various Medical Colleges after the last date of admission, the college authority should be directed to place the complete list of admitted students on the college website. This list should stay on the website, till the time all the students have passed final MBBS and obtained registration with State medical council. This is suggested because there is strong likelihood that the colleges may admit students after the cutoff date without informing the MCI. Since there is no cross checking of admitted students between MCI, DME and the State medical Councils, the colleges may continue with this illegal practice, which is in violation of GMER.

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

**13. Approval of minutes of the Departmental Promotion Committee for promotion to the post of Accounts Officer.**

Read: the matter with regard to approval of minutes of the Departmental Promotion Committee for promotion to the post of Accounts Officer.

The Executive Committee of the Council perused the recommendations of the Departmental Promotion Committee which reads as under:

*Minutes of the meeting of the Departmental Promotion Committee held on 13/01/2017 at 10:00 a.m.*

*The following members were present:*

<i>Dr. Jayshree Mehta, President</i>	-	<i>Chairperson</i>
<i>Dr. Vijay Prakash Singh, E.C. Member</i>	-	<i>Member</i>
<i>Dr. G.B. Gupta, E.C. Member</i>	-	<i>Member</i>
<i>Dr. Reena Nayyar, Secretary (I/c.)</i>	-	<i>Member-Secretary</i>

*The Committee noted that as per the Recruitment Rules of the Council the method of recruitment to the post of Accounts Officer is "Promotion/Transfer on deputation (including short term contract), failing which by direct recruitment".*

*The promotion from the grade from which recruitment by promotion is to be made is as under: -*

*"3 years regular service as Accountant in the grade of Rs. 5500-175-900".*

*Only one post of Accounts Officer is there as per Recruitment Rules and the same is lying vacant for General Category Candidate.*

*The Committee noted that Sh. Vinit Kumar Aggarwal is Asstt. Accounts Officer (earlier Accountant) w.e.f. 24/04/2005 thus completed the regular service of more than 10 years in the grade of Accountant.*

*The Committee also noted that the Annual Confidential Report have been rated as "Good" & "Very Good" and he is clear from Vigilance angle.*

*As such, Sh. Vinit Kumar Aggarwal, Asstt. Accounts Officer is the only eligible candidate available for the departmental promotion to the post of Accounts Officer.*

*In view of above, the Committee recommends that Sh. Vinit Kumar Aggarwal, Assistant Accounts Officer be promoted to the post of Accounts Officer in accordance with the recruitment rules of the Council."*

In view of above, the Executive Committee of the Council approved the above recommendations of the Departmental Promotion Committee meeting held on 13.01.2017 recommending that Shri Vinit Kumar Aggarwal be promoted to the post of Accounts Officer in accordance with the Recruitment Rules of the Council.

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

**14. Approval of the minutes of the Finance Committee meeting held on 23<sup>rd</sup> January, 2017.**

Read: the matter with regard to approval of the minutes of the Finance Committee meeting held on 23<sup>rd</sup> January, 2017.



The Executive Committee of the Council approved the minutes of the Finance Committee meeting held on 23<sup>rd</sup> January, 2017 except item no.5 where the Committee has recommended as under:

5. **Grant of sitting fees for members of expert group and reconciliation board constituted by Academic Committee (Academic cell note dated 17/11/2016).**

*The Executive Committee observed that the decision is not clear and is not in consonance with title of the Item. While the title refers to grant of sitting fees for members of Expert groups and Reconciliation Boards, the decision refers to payment of sitting fees @ Rs. 3,000/- to Members of the Council. This needs to be clarified. The Committee referred back the item to Finance Committee to resubmit with clarification as above.*

15. **Minutes of meeting of the TEQ Sub-Committee at its meetings held on 23.01.2017.**

Read: the matter with regard to Minutes of meeting of the TEQ Sub-Committee at its meetings held on 23.01.2017.

The Executive Committee of the Council perused the minutes of the TEQ Sub-Committee meeting held on 23.01.2017 and approved the decision of TEQ Sub-Committee with regard to Item # 1,2,3,6 & 10.

It was further decided not to approve the decision of TEQ Sub-Committee with regard to the following items due to reasons mentioned thereat:

4. **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 referred back to TEQ Sub-Committee to resubmit the matter with full particulars of qualifications & teaching experience to be incorporated in the Minutes*

5. **Confirmation of eligibility for the post of Professor in the department of Nephrology in respect of Dr. Manjunath S. Shetty in a medical college.**

*The Executive Committee of the Council observed that the facts are not clear from minutes. It is recorded that the candidates Asst. Professorship for 2 years is inadequate as per TEQ Regulations. As TEQ Regulations prescribe 2 year experience as Asst. Prof. for promotion to Asso. Prof. of Nephrology, it is not clear as to how it has been considered inadequate. Referred back to TEQ Sub-committee to re-examine & resubmit. Meanwhile, communication be sent to Dr. Manjunath Shetty to submit his publications.*

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

*The Executive Committee of the Council referred back to TEQ Sub-Committee to resubmit the matter with full particulars of qualifications & teaching experience to be incorporated in the Minutes.*

8. Confirmation of eligibility of Dr. Pratap Kumar Rath for the post of Medical Superintendent in a medical college in India.

The Executive Committee of the Council observed that it is not clear from minutes whether as Professor of Surgery for 7 years he was Unit Head or not. This be re-examined. If not, that experience cannot be considered as administrative experience. Further it is also not clear whether two periods of 5 years & 7 years are separate or the period of 5 year as Unit Head is incorporated within larger period of 7 years as Professor. Matter to be resubmitted after re-examination as indicated.

9. Confirmation of eligibility of Dr. Manjit Singh Chahal for the post of Professor in General Medicine in a medical college in India.

The Executive Committee of the Council observed that the facts are not clear from the minutes. If the candidate was eligible as Asst. Prof. on 10/12/2011, he could not have become Professor on 09/12/2015. This be re-examined and experience be clearly recorded in the Minutes. Matter to be resubmitted after re-examination as indicated. Meanwhile communication be sent to him to submit details of publications.

11. 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 considered the matter regarding proposed amendments in the Medical Council of India Regulations namely Minimum Qualifications for Teachers in Medical Institution Regulations 1998 alongwith the letter received from Govt. of India, Ministry of Health & F.W. and directed the section to examine why special training for 3 years in Paediatric Neurology for M.D. (Paediatrics) degree holders is required as in all other subjects, special training requirement is of 2 years only.

The Executive Committee further requested the TEQ Sub-committee -

- (1) To place only those items on which a final decision has been taken for consideration by Executive Committee. If any details are required from the individual/institute, such items need not be placed before Executive Committee;
- (2) If any details of teaching experience, publications, etc. are required to be obtained, such a communication be sent to the concerned faculty/Institute without waiting for approval from the Executive Committee; &
- (3) While recording Minutes, full details of academic qualifications, teaching experience & research publications should be incorporated in the minutes.

16. **Approval of the minutes of the Migration Sub-Committee meeting held on 24<sup>th</sup> January, 2017.**

Read: the matter with regard to approval of the minutes of the Migration Sub-Committee meeting held on 24<sup>th</sup> January, 2017.

The Executive Committee of the Council approved the minutes of the Migration Sub-Committee meeting held on 24<sup>th</sup> January, 2017.

17. **Amendment in existing UG and Postgraduate Regulations of the Council to make a provision of Uniform Entrance Examination for Undergraduate and Postgraduate level.**

Read: the matter with regard to amendment in existing UG and Postgraduate Regulations of the Council to make a provision of Uniform Entrance Examination for Undergraduate and Postgraduate level.

The Executive Committee of the Council approved the legal opinion of the Council Advocate and directed the office to prepare amendment in the Graduate Medical Education Regulations, 1997 and Postgraduate Medical Education Regulations, 2000 in respect of the Uniform Entrance Examinations for admissions to all medical colleges, since, the Indian Medical Council Act, 1956 had been amended by insertion of Section 10D & Section 33 (mb), whereby the Council has been empowered to frame Regulation.

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

**18. To frame suitable Regulations to incorporate the provisions of combined counseling for admission to both UG and PG courses**

Read: the letter dated 23.01.2017 received from the Joint Secretary, Ministry of Health & F.W., Govt. of India with regard to framing suitable Regulations to incorporate the provisions of combined counseling for admission to both UG and PG courses.

The Executive Committee noted that the Indian Medical Council (Amendment) Act, 2016 provided for insertion of Section 10D that provides for "Uniform Entrance Examination for Undergraduate and Post Graduate Level" and also for insertion of Section 33 (mb) providing for "Designated Authority" for conducting such Uniform Entrance Examination.

The Executive Committee took note of the Letter dated 23.01.17 of the Joint Secretary (Medical Education) addressed to the President of the Council wherein it has been suggested that:

"With the enactment of IMC Amendment Act, 2016 to introduce NEET, the need for a transparent and full-proof admission procedure has been felt more acutely to strengthen medical education in the country. One such reform is to conduct combined counseling at the State Level for UG and PG Courses to avoid instances of unfair practices at the time of admissions especially in private medical institutions.

[...]

5. The Council is therefore, requested to take necessary action to frame suitable Regulations to incorporate the provisions of combined counselling for admission to both UG and PG Courses an send to this Ministry for approval at the earliest."

3. The Committee also noted that the Government of India has prepared a draft of the Indian Medical Council (Amendment) Bill, 2016 to introduce among others Exit Examination for MBBS Level, Combined Counselling for admission in UG Level and PG level and reservation of upto 50% of the seats of Post Graduate Courses for Medical Officers. This has been put in public domain by the Ministry and suggestions/feed-back had been invited by the Government which was required to be furnished by 6.01.2017. Thus, the matter relating to amending the Indian Medical Council Act, 1956 to provide for common Counseling in the parent Act is presently under consideration of the Central Government.

4. Taking in view the above, the Executive Committee decided that the provision relating to common counseling is required to be incorporated in the Graduate Medical Education Regulations, 1997 and Postgraduate Medical Education Regulations, 2000, and the following amendment be incorporated :

**Addition of clause 5A in the Graduate Medical Education Regulations, 1997**

**5A Common Counseling**

- (1) There shall be a common counselling for admission to MBBS course in all Medical Educational Institutions on the basis of merit list of the National Eligibility Entrance Test.
- (2) The Designated Authority for counselling for the 15% All India Quota seats of the contributing States shall be conducted by the Directorate General of Health Services.
- (3) The counselling for all Medical Educational Institutions in a State, including Medical Educational Institutions established by the Central Government, State Government, University, Deemed University, Trust, Society/Minority Institutions/ Corporations or a Company shall be conducted by the State Government. Such common counselling shall be under the over-all superintendence, direction and control of the State Government.

**Addition of clause 9A in the Post-Graduate Medical Education Regulations, 2000**

**9A Common Counseling**

- (1) There shall be a common counseling for admission to all Postgraduate Courses in all Medical Educational Institutions on the basis of merit list of the National Eligibility Entrance Test.
- (2) The designated authority for counselling for the 50% All India Quota seats of the contributing States shall be conducted by the Directorate General of Health Services. Such counselling as per the existing scheme shall be only for Diploma and MD/MS courses.
- (3) The counseling for all Medical Educational Institutions in a State, including Medical Educational Institutions established by the Central Government, State Government, University, Deemed University, Trust, Society or a Company/ Minority Institutions/ Corporations shall be conducted by the State Government. Such common counselling shall be under the over-all superintendence, direction and control of the State Government.

In view of above, the Executive Committee of the Council decided that the above be placed before the General Body of the Council for approval

***The minutes of this 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 :25.01.2017**

**APPROVED**

**(Dr. Jayshree Mehta)  
President**