

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 28th March, 2017 at 4.30 p.m. in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.

:Present:

Dr. Jayshree Mehta	President Medical Council of India, Former Professor of Surgery, Govt. Medical College, Vadodara (Gujarat)
Dr. C.V. Bhirmanandham	Vice-President, Medical Council of India, Former Vice-Chancellor of Dr. M.G.R. Health University, Chennai (Tamil Nadu)
Dr. G.B. Gupta	Vice-Chancellor, Ayush & Health Sciences University, G.E. Road, Raipur (Chhatisgarh)
Dr. Anil Chauhan	Principal, Dr. R.P. Govt. Medical College, Tanda (Himachal Pradesh)
Dr. Vijay Prakash Singh	Professor & Head, Department of Gastroenterology, Patna Medical College, Patna (Bihar)
Dr. Alok Ahuja	Lab Director, Dr. Ahujas Pathology & Imaging Centre, 7-B, Astley Hall, Dehradun (Uttarakhand)
Dr. Narain Venkatesh Bhandare	Consulting Surgeon, Bhandare Hospital, Fontainhas, Panaji (Goa-403001)
Dr. Sinam Rajendra Singh	Professor of Urology, Rajendra Instt. of Medical Sciences, Imphal (Manipur) & Director, Manipur Medical Council Imphal, Manipur

Dr. Reena Nayyar, Secretary I/c.

Apology for absence were received from Prof.(Dr.) Ashwani Kumar & Dr. Mhaske Chandrakant Bhaskar.

1. Minutes of the Executive Committee Meeting held on 16th March, 2017 & 21st March, 2017 – Confirmation of.

The Executive Committee of the Council noted that the minutes of its meeting held on 16th March, 2017 have been sent to Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi and minutes of 21st March, 2017 are being

sent to Ministry of Health & Family Welfare. Therefore, there are no minutes for confirmation.

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

The Executive Committee of the Council noted that the action has been taken on minutes of the its meeting held on 21st March, 2017 that were read & confirmed and on items that were not “read and confirmed” action would be taken on receipt of comments from Central Govt./Oversight Committee.

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. Recognition/approval of Katihar Medical College, Katihar for the award of MBBS degree granted by Bhupendra Narayan Mandal University, Madhepura against the increased intake i.e. from 60 to 100 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Katihar Medical College, Katihar for the award of MBBS degree granted by Bhupendra Narayan Mandal University, Madhepura against the increased intake i.e. from 60 to 100 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment reports (16.03.2017 and 17th & 18th March, 2017) and decided to recommend to the Central Government for recognition/approval of Katihar Medical College, Katihar for the award of MBBS degree granted by Bhupendra Narayan Mandal University, Madhepura against the increased intake i.e. from 60 to 100 seats u/s 11(2) of the IMC Act, 1956.

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 MBBS 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.

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

5. **Recognition/approval of Muzaffarnagar Medical College, Muzaffarnagar for the award of MBBS degree granted by Ch. Charan Singh University, Meerut against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and continuance of recognition for the award of MBBS degree in respect of Muzaffarnagar Medical College, Muzaffarnagar for 100 MBBS seats.**

Read: the matter with regard to recognition/approval of Muzaffarnagar Medical College, Muzaffarnagar for the award of MBBS degree granted by Ch. Charan Singh University, Meerut against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and continuance of recognition for the award of MBBS degree in respect of Muzaffarnagar Medical College, Muzaffarnagar for 100 MBBS seats.

The Executive Committee of the Council considered the assessment reports (15.03.2017 and 17th & 18th March, 2017) and decided to recommend to the Central Government for recognition/approval of Muzaffarnagar Medical College, Muzaffarnagar for the award of MBBS degree granted by Ch. Charan Singh University, Meerut against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Committee further decided to recommend that recognition of MBBS degree granted by Ch. Charan Singh University, Meerut in respect of students being trained at Muzaffarnagar Medical College, Muzaffarnagar 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 MBBS 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.

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

6. **Recognition/approval of Govt. Siddhartha Medical College, Vijayawada for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956- req.**

Read: the matter with regard to recognition/approval of Govt. Siddhartha Medical College, Vijayawada for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada 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 considered the assessment reports (15.02.2017 and 16th & 17th March, 2017) and noted the following:-

- Teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	Paediatrics	90	67	23
	TOTAL			23

- Blood Component Separation Facility is not available.
- OPD attendance at 2 p.m. on day of assessment is 1,157 against requirement of 1,200.
- There were only 04 Minor Operations on day of assessment.
- OPD: Registration counters are partly computerized. Staff at Registration Counters is inadequate. Dark room is not available in Ophthalmology OPD. Specialty clinics are not available in Paediatrics & O.G. OPD.
- Soundproof & Air-conditioned Audiometry room is not available.
- Casualty: 20 beds are available against requirement of 25. Disaster Trolley is not available.
- ICUs: PICU is not available.
- Radiodiagnosis department: 4 Mobile X-ray machines are available against requirement of 6. 5 Static X-ray machines are available against requirement of 6.
- CT Scan is outsourced to a private operator.
- Wards: 2 wards in O.G. do not have Nursing Stations. Pantry is not available in any ward.
- MRD: It is partly computerized. ICD X classification of diseases is not used for indexing. Staff & Space are inadequate.
- Examination Halls: One examination Hall of capacity 250 & another of capacity 100 are available against requirement of 2 of 250 each.
- Lecture Theaters: Capacity of 4 Lecture Theaters is 150 each against requirement of 180 each.
- Central Library: Available area is 1,800 sq.m. against requirement of 2,400 sq.m. Capacity of Students' Reading room (Inside) is 100 against requirement of 150.
- Students' Hostels: Available accommodation is for 480 against requirement of 565.
- Residential Quarters: NIL quarters for the faculty & Non-teaching staff are available within the campus.
- RHTC: There are no records of Specialists' visits. Mess is not functional.
- UHC: There are no records of Specialists' visits.
- Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve Govt. Siddhartha Medical College, Vijayawada for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 15 days for further consideration of the matter.

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

7. **Recognition/approval of Maharajah's Institute of Medical Sciences, Nellimarla for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch of MBBS students against the increased intake i.e. from 100 to 150 seats u/s 10 A of the IMC Act, 1956 for the academic year 2016-17 with reference to the conditional approval by Oversight Committee- req.**

Read: the matter with regard to recognition/approval of Maharajah's Institute of Medical Sciences, Nellimarla for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch of MBBS students against the increased intake i.e. from 100 to 150 seats u/s 10 A of the IMC Act, 1956 for the academic year 2016-17 with reference to the conditional approval by Oversight Committee.

The Executive Committee of the Council noted that the compliance verification assessment report (20.01.2016) alongwith previous assessment report (20.08.2015, 20th May, 2015 & 5th & 6th December, 2014) was considered by the Executive Committee at its meeting held on 30.01.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (20.01.2016) along with assessment report (20.08.2015, 20th May, 2015 & 5th & 6th December, 2014) conducted for verification of available facilities of faculty, Residents, infrastructure and other requirements for recognized intake of 100 students and noted the following:-

1. Deficiency of faculty is 16.03 % as detailed in the report.
2. Shortage of Residents is 13.43 % as detailed in the report.
3. Bed occupancy is 33 % on day of assessment.
4. There were NIL patient in SICU & only 2 patients in ICCU on day of assessment.
5. 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 with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment),2010(Part II), dated 16th April, 2010 .

The Executive Committee of the Council further decided that since the gross deficiencies of teaching faculty, residents, & infrastructure are still persisting inspite of repeated opportunities being given to the institute to rectify the same over a period of time, why the recognition for the award of MBBS degree granted by under NTR University of Health Sciences, Vijayawada in respect of students being trained at Maharajah's Institute of Medical Sciences, Vizianagaram be not withdrawn u/s 19 of the IMC Act, 1956. It was further decided that the institute be directed not to make further admissions from the academic year 2016-17 onwards.

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

The above recommendation of the Executive Committee was considered by the General Body of the Council at its meeting held on 30.03.2016 and it was decided as under:-

“.....The Council also noted that in spite of repeated opportunities being given to Maharajah’s Institute of Medical Sciences, Vizianagaram under NTR University of Health Sciences, Vijayawada, it has not rectified the gross deficiencies of teaching faculty, residents, & infrastructure facilities for removal of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16.04.2010. The Council further noted that in the latest compliance verification assessment report (20.01.2016), the deficiencies are still persisting.

In view of above, the General Body of the Council decided to recommend to the Central Govt. for withdrawal of recognition for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada in respect of students being trained at Maharajah’s Institute of Medical Sciences, Vizianagaram u/s 19 of the IMC Act, 1956 and further to request the Central Govt. to ask the institution to stop admissions with immediate effect for the academic year 2016-17.”

The above decision of the General Body of the Council was communicated to the Central Govt. vide Council letter dated 06.05.2016 with copy to other concerned authorities.

The Executive Committee of the Council further noted that the matter with regard to renewal of permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 at Maharajah’s Institute of Medical Sciences, Nellimarla under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic session 2016-17 was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided that as the decision of the General Body shown above had already been communicated to the Central Government, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for fresh batch against the increased intake i.e. from 100 to 150 for the Academic Year 2016-2017.

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The Central Government vide its letter dated 15.06.2016 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 and also against recognized intake of 100 seats for the academic session 2016-17.

The Executive Committee further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 5th batch (100 to 150 seats) and stoppage of de-recognition of recognized 100 MBBS seats 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 31.08.2016 had forwarded the following documents as submitted by the college to the Ministry on 26.08.2016:-

- i. An affidavit dated 24.08.2016 from the Chairman of the Trust/Society and the Dean/ Principal of the College concerned.
- ii. A bank guarantee bearing No. 00415161PG000016 dated 23.08.2016 Rs 2 Cr issued by Allahabad Bank in favour of MCI, with a validity of 1 year.

The Executive Committee further noted that upon receipt of the request through the Central Govt. u/s 11(2) of the IMC Act, 1956, the assessments to assess the standard of examination held by Dr. NTR University of Health Sciences, Vijayawada and to assess the physical and the other teaching facilities available for recognition/approval of Maharajah's Institute of Medical Sciences, Nellimarla for the award of MBBS degree granted by Dr. NTR University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch of MBBS students against the increased intake i.e. from 100 to 150 seats u/s 10A of the IMC Act, 1956 for the academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee have been carried out by the Council assessors on (21.02.2017) and (17th & 18th March, 2017). The Executive Committee of the Council considered the assessment reports (21.02.2017) and (17th & 18th March, 2017) alongwith a letter/representation dated 20/03/2017 received through an e-mail dated 21.03.2017 from the Principal, Maharajah's Institute of Medical Sciences, Vizianagaram and noted the following:-

1. Deficiency of faculty is 59.75 % as detailed in the report.
2. Shortage of Residents is 31.70 % as detailed in the report.
3. Most of the faculty are actually staying in Vishakhapattanam, however the address mentioned on the declaration form was of campus quarters without any quarter number. Telephone bills were produced as proof of residence. Nobody showed any proof of payment of these bills except two faculty. Random telephone were dialed which were either unanswered or answered by unknown persons not related to the faculty. During verification faculty confessed that they are not staying on campus. Allotment list of quarters was asked in writing on first day of assessment which was not provided by the Dean on repeated requests. No allotment letter was given to the faculty. Most of the clinical faculty confessed of doing private practice which was not mentioned in declaration forms. Most of them are part time. All such faculty were not accepted. In the clinical departments, the faculty/residents rooms were not in use.
4. Bed Occupancy was 72.5 % as detailed in the report.
5. Many patients were admitted for trivial reasons.
6. ICUs: There was only 1 patient in SICU on day of assessment.
7. Data of OPD attendance given by the Institute are inflated. Many healthy patients were brought in buses to increase OPD attendance.
8. Data of clinical material and Radiological investigations given by Institute are inflated.
9. 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 clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. 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 in para 3.2(b) vide communication dated 13/08/2016 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 recognition/approval of Maharajah's Institute of Medical Sciences, Nellimarla for the award of MBBS degree granted by Dr. NTR University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch of MBBS students against the increased intake i.e. from 100 to 150 seats u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17.,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 of the Council further decided to reiterate its earlier decision of applying clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16th April, 2010 and amended on 18th March, 2016.

The Committee also decided to issue a show cause notice as to why the recommendations for invoking clause 8(3)(1)(d) of *Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010* be not made in view of the fake information provided by the college authorities to the Council Assessors. The said clause reads as under:-

8(3)(1)(d):

(d) Colleges which are found to have employed teachers with faked / forged documents:

If it is observed that any institute is found to have employed a teacher with faked / forged documents and have submitted the Declaration Form of such a teacher, such an institute will not be considered for renewal of permission / recognition for award of M.B.B.S. degree / processing the applications for postgraduate courses for two Academic Years – i.e. that Academic Year and the next Academic Year also.....”

In view of above, the Committee further decided that the Institute be directed not to admit fresh batch of students for the academic year 2017-18 and 2018-19 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 15 days for further consideration of the matter.

The Executive Committee of the Council further decided to refer the matter to the Ethics Committee of the Council and inform the Postgraduate Section of the Council.

The decision be conveyed to the Oversight Committee and Central Govt.

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

8. Recognition/Approval of Murshidabad Medical College & Hospital, Murshidabad, West Bengal for the award of MBBS degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Murshidabad Medical College & Hospital, Murshidabad, West Bengal for the award of MBBS

degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment reports (03.02.2017 and 16th & 17th March, 2017) and decided to recommend to the Central Government for recognition/approval of Murshidabad Medical College & Hospital, Murshidabad, West Bengal for the award of MBBS degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956.

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 MBBS 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.

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

9. Recognition/Approval of ICARE Institute of Medical Sciences & Research, Haldia, West Bengal for the award of MBBS degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 6th batch(100 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee- Regarding.

Read: the matter with regard to recognition/approval of ICARE Institute of Medical Sciences & Research, Haldia, West Bengal for the award of MBBS degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 6th batch(100 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee.

The Executive Committee of the Council noted that the compliance verification assessment report (19th February 2016) alongwith previous assessment report (5th & 6th November, 2015) as well as letter dated 19/02/2016 and 14.03.2016 received from the Principal, ICARE Institute of Medical Sciences & Research, Haldia with regard to renewal of permission for MBBS course for 6th batch (100 seats) of ICARE Institute of Medical Sciences & Research, Haldia, West Bengal under West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council 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 (19th February 2016) alongwith previous assessment report (5th & 6th November, 2015) as well as letter dated 19/02/2016 and 14.03.2016 received from the Principal of the college and noted the following:-

1. *Deficiency of faculty is 67 % as detailed in the report.*
2. *Shortage of Residents is 85 % as detailed in the report.*
3. *Bed occupancy was only 08 % on day of assessment which is grossly inadequate. Many wards were closed.*
4. *OPD attendance was only 250 on day of assessment which is grossly inadequate.*
5. *Casualty attendance was only 09 on day of assessment. No Casualty Medical Officer was present on day of assessment.*
6. *There was NIL Major & NIL Minor operation on day of assessment.*
7. *There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.*
8. *Radiological & Laboratory investigation workload is inadequate. Separate register for Laboratory investigation is not available.*
9. *Histopathology & Cytopathology workload is NIL on day of assessment.*
10. *ICUs: ICCU beds are not available. MICU & ICCU are common.*
11. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 6th batch of 100 MBBS students at ICARE Institute of Medical Sciences & Research, Haldia, West Bengal under West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.”

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016.

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 for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 6th batch (100 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, 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 letter dated 20.08.2016, the Central Govt. vide its letter dated 31.08.2016 had forwarded the following documents as submitted by the college to the Ministry on 29.08.2016:-

- i. An affidavit dated 25.08.2016 from the Chairman of the Trust/Society concerned.
- ii. An affidavit dated 25.08.2016 from the Dean/Principal of the college concerned.
- iii. A bank guarantee bearing No. 0091ILG005916 dated 26.08.2016 Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that upon receipt of request through the Central Government u/s 11(2) of the IMC Act, 1956, the assessments to assess the standard of examination held by The West Bengal University of Health Sciences, Kolkata and to assess the physical and the other

teaching facilities available for Recognition/Approval of ICARE Institute of Medical Sciences & Research, Haldia, West Bengal for the award of MBBS degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 6th batch(100 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee have been carried out by the Council assessors on 3rd February, 2017 and 17th & 18th March, 2017 and noted the following:-

1. There were only 08 Major Operations for the whole hospital on day of assessment.
2. ICUs: There were only 2 patients each in SICU, NICU, PICU on day of assessment.
3. Radiodiagnosis department: 4 Static X-ray machines are available against requirement of 5. 2 USG machines are available against requirement of 3.
4. Students' Hostels: Available accommodation is less than required as detailed in the report. Study room does not have Computer with Internet & is not air-conditioned.
5. Interns' Hostel: Available accommodation is less than required. Hostels are not furnished. Toilet facilities are inadequate. Visitors' room, A.C. Study room with Computer & Internet and Recreation room are not available.
6. Nurses' Hostel: Available accommodation is for 44 against requirement of 48.
7. MEU: Infrastructure facility in MEU is not adequate. There is no computer internet facility.
8. 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 clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. 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 in para 3.2(b) vide communication dated 12/08/2016 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 recognition/approval of ICARE Institute of Medical Sciences & Research, Haldia, West Bengal for the award of MBBS degree (100 seats) granted by The West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 6th batch(100 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee, 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 EC further decided to give 15 days time for submission of compliance for consideration of recognition/approval of the college.

The decision be conveyed to the Oversight Committee and Central Govt.

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

10. Recognition/Approval of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch(150 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee.

Read: the matter with regard to recognition/approval of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch(150 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee.

The Executive Committee of the Council noted that the compliance verification assessment report (6th April, 2016) alongwith previous assessment report (20th& 21st January, 2016) as well as letters dated 06.04.2016 and 10.04.2016 received from Dr. Karabi Baral, Bankura (Co-ordinator) and letters dated 9th April, 2016 and 15.04.2016 received from the college authorities with regard to renewal of permission for MBBS course for 5th batch (150 seats) of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh University, Faizabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council 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 (6th April, 2016) alongwith previous assessment report (20th& 21st January, 2016) as well as letters dated 06.04.2016 and 10.04.2016 received from Dr. Karabi Baral, Bankura (Co-ordinator) and letters dated 9th April, 2016 and 15.04.2016 received from the college authorities and noted the following:-

1. *Deficiency of faculty is 6.06 % as detailed in the report.*
2. *Shortage of Residents is 8.23 % as detailed in the report.*
3. *Bed occupancy is 42.46 % on day of assessment.*
4. *Many Residents are not staying in the campus.*
5. *Most of the patients were admitted on day of assessment without any genuine health problems. Most of Bed Tickets were incomplete.*
6. *In Obstetrics ward, 15 patients were present; but bed tickets of none of these did not show gravida, para, BP measurement, expected Date of Delivery. In General Surgery & allied specialties, many patients had appeared in socks, jeans & T shirts and neither did they appear as patients nor did they have any acute problem meriting admission.*
7. *OPD: At 10 a.m. when assessors entered the college, very few patients were seen in OPD. In General Surgery, many kids were found playing in front of OPD; however authorities claimed 85 patients in General Surgery OPD.*
8. *NIL Major operation was posted in General Surgery, Orthopaedics & O.G. on day of assessment as verified during morning visit and again in the afternoon. During morning visit 1 patient of Cholecystectomy was kept but operation was not performed till 3 p.m. There was only 1 Major operation each in Ophthalmology & ENT. There was only 1 Minor operation on day of assessment.*
9. *ICUs: There were only 2 patients in SICU on day of assessment.*
10. *MRD: It is manual & computerized. Deficiency remains as it is.*

11. *Data of OPD attendance, Casualty attendance, Bed Occupancy, Number of Major & Minor operations, number of Deliveries, Radiological & Laboratory investigations appear to be inflated.*
12. *Workload of CT scan was NIL on day of assessment.*
13. *In Histopathology, specimen of Vaginal Hysterectomy purportedly done on 05/04/2016 was not available. Technician could not produce 11 specimens of previous day in front of assessors. Specimen & Block of a patient operated on 12/02/2016 also could not be produced.*
14. *PNDT certificate is issued in the names of Dr. D.P. Agrawal & Dr. Sishir Gupta, both of whom have left the institute. Hence there is no valid PNDT certificate on date.*
15. *RHTC: Residential accommodation is not available. Deficiency remains as it is.*
16. *The members of the Executive Committee also perused the observation of assessors & findings of the office in respect of the following faculty:*
 - (a) *Dr. Shyam Sunder Keshary, Professor of Pharmacology;*
 - (b) *Dr. Priyanka Kesharwani, Asso. Prof. of Community Medicine;*
 - (c) *Dr. A.K. Srivastava, Professor of Community Medicine.*
17. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th batch of 150 MBBS students at Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh Univeristy, Faizabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council also decided to refer the matter to the Ethics Committee for necessary action in the matter."

The Committee noted that the above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The matter was referred to the Ethics Section for further necessary action in the matter.

The Executive Committee further noted that 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 for the academic year 2016-2017.

The Executive Committee further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 5th batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, 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 09.09.2016 had forwarded the following documents as submitted by the college to the Ministry on 31.08.2016:-

- i. An affidavit dated 29.08.2016 from the Chairman of the Trust concerned.
- ii. An affidavit dated 29.08.2016 from the Dean/Principal of the college concerned.
- iii. A bank guarantee bearing No. 3926ILG000416 dated 29.08.2016 Rs. 2 Cr issued by Indian Bank in favour of MCI, with a validity of 1 year.

The Committee further noted that upon receipt of request through the Central Government u/s 11(2) of the IMC Act, 1956, the assessments to assess the standard of examination held by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P and to assess the physical and other teaching facilities available for recognition/approval of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956 as well as Compliance Verification Assessment for renewal of permission for admission of 5th batch(150 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17 with reference to the conditional approval accorded by Oversight Committee was carried out by the Council assessors on 22nd March, 2017 and 6th & 7th March, 2017 and noted the following:-

A: RECOGNITION ASSESSMENT:

1. Deficiency of faculty is 16.67 % as detailed in the report.
2. Shortage of Residents is 37.6 % as detailed in the report.
3. OPD attendance is less than 100 on day of assessment. Data provided by Institute are grossly inflated. There were no patients seen in OPD when the assessors entered in the institute.
4. Bed Occupancy was 27 % at 10 a.m. on day of assessment. Even in these, not all were genuine patients.
5. There were only 02 Major & NIL Minor Operations on day of assessment.
6. No record of Births & Deaths as provided to Govt. authorities and acknowledged by the authorities were provided.
7. In a day five women – Anamika, Indu, Rubina, Simran, RehanaBano were shown as having delivered on 06/03/2017 but RehanaBano was seen in the hospital.
8. Patient Mr. Ali in Surgery were shown in Orthopedics was given injection on paper, x-ray 7 Blood test were mentioned on paper on 2nd of March were not found in labs or in Radiology. Patient Paramhans was admitted for a Nail infection. Obstetrics Wards had no babies MRD showed five deliveries in the hospital but only one baby (Rehana Bano) from that list was found in the NICU. None were found in the wards.
9. The Assessors reached the college at 10.10 am there was no patient in the OPD 2 of the Assessors met the Dean and proceeded for attendance and bed occupancy verification the Coordinator was directed by the liftmen to the fifth floor as the Principal's office however that was not the Principal office on that floor and the Coordinator came down the stairs checking bed occupancy alongwith the way. At 10.58 am Dr. Mishra, Assoc.Prof., Biochemistry announced the time in the hall where the attendance was taken and stated in front of the Assessors that the doors would close in the next 5 minutes, the lecture hall had two doors and a bunch of people pushed to open the rear door from the outside and mingled with the people already there the one's who were at the door were told to leave and the door was closed. Again the another door was pushed open and more people rushed in thus an attempt appears to have been made to bamboozle Assessors regarding the Surpeme Court and MCI mandated attendance cut off of 11 am. At 11 am when the door was first closed nobody was waiting outside. Faculty (Dr. Swati Agrawal, Prof. & HOD, Ophthalmology) appearing as examiner in Govt. University was accepted however Professor & HOD forensic Medicine Professor Dr. Vishal had an invitation letter from Dean of a private medical college and no letter from the university and therefore was not accepted.
10. ICUs: There was NIL patient in SICU and only 2 patients each in NICU & PICU. Most of the patients did not warrant admission in ICU. E.g. in NICU normally delivered babies were kept.
11. AERB approval for 2 static X-ray machines is not available.

12. Blood Bank: Records are not properly maintained. Blood was issued to one Mr. Bishan Kumar on 6.3.2017 at Mayo LKO assessors were told that this is UHTC but on visit to UHTC HOD Community Medicine stated no patients admitted overnight and no Mr. Bishan Kumar is on their records.
13. Radiological investigations are grossly inadequate.
14. Data of Laboratory investigations as provided by Institute are inflated.
15. Patients of Histopathology samples were not found in wards.
16. Wards: Most wards did not have Demonstration room; one demonstration room was shared across many wards and departments. Duty room & Store room were present in some wards & not in others. Bio Medical waste management was not as per legal norms. In Biohazard Waste container, cement was kept and none of the wards have puncture proof containers.
17. MRD: ICD X classification of diseases is followed partially.
18. Students' Hostels: Visitors' room, A.C. Study room with Computer & Internet are not available. Only Girls' hostel has indoor games facility.
19. Interns' Hostel: It is under construction.
20. Residents' Hostel: On visit to Residents, most Residents did not appear in the hostel. In Room 105, an Assistant Professor of Pharmacology staying there. In the list provided, tutors & Residents appear to be sharing rooms.
21. Nurses' Hostel: Accommodation available is for 36 Nurses against requirement of 75.
22. Residential Quarters: Only 08 quarters are available for Non-teaching staff against requirement of 36. Contention of the Institute that 16 flats are available on sharing basis cannot be considered as sharing quarters are not permissible.
23. Intercom: Most wards do not have Intercom. Nurse i/c said it has broken down a few days ago. However he did not know Intercom number of his own ward. List of Intercom numbers was not provided.
24. RHTC: Residential accommodation is under construction.

B: COMPLIANCE VERIFICATION FOR V BATCH:

1. Deficiency of faculty is 15.90 % as detailed in the report.
2. Shortage of Residents is 37.60 % as detailed in the report.
3. OPD attendance was less than 100. Data provided by Institute are highly inflated. There were no patients seen in OPD when the assessors entered in the institute.
4. Bed Occupancy is 27 % at 10 a.m. on day of assessment.
5. Patient Mr. Ali in Surgery were shown in Orthopedics was given injection on paper, x-ray 7 Blood test were mentioned on paper on 2nd of March were not found in labs or in Radiology. Patient Paramhans was admitted for a Nail infection. Patient Kamlesh Kumar in casualty was admitted with complaint of pain of abdomen for one year. Most certainly this patient did not warred admission in casualty. Histopathology specimens of Surgery of 4th of March of 5 patients Sharda, Nida, Bindu, Mubashi and Zaid found in Histopathology department but these patients were not found any of the clinical wards. MRD is manual and computerized but patients shown on the single computer on the MRD Department do not in any way match the patients in the wards at the same time. MRD data appears to be fabricated. Only one CT scan was done till 4 pm.
6. Two patients of Hysterectomy were not found in the wards.
7. Obstetrics wards had no babies MRD showed five deliveries in the hospital but only one baby (Rehana Bano) from that list was found in the NICU. None were found in the wards. Birth and death records which are to be submitted to the local Govt. authorities with acknowledgement of the Govt. authorities were not provided by the Instt. As per MRD there is

- no death in the month of February. Print out of MRD record has not been provided by the institute.
8. There was NIL patient in SICU on day of assessment. Most of the patients in other ICUs were admitted with causes not requiring intensive care.
 9. Workload of CT Scan was only 01 till 4 p.m. on day of assessment.
 10. MRD: Data appear to be fabricated. Patients shown on the single computer in MRD do not match in any way with patients in wards.
 11. Dr. Harshita has performed antenatal USGs beyond the time permitted to her by PNDT Certificate.
 12. Residents' Hostel: On visit to Residents, most Residents did not appear in the hostel. In Room 105, an Assistant Professor of Pharmacology staying there. In the list provided, tutors & Residents appear to be sharing rooms. Deficiency remains as it is. Room on the Ground floor had wooden debris stacked against the doors making it rather obvious that nobody stayed there.
 13. RHTC: Residential accommodation is under construction.
 14. 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 clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. 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 in para 3.2(b) vide communication dated 13/08/2016 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 recognition/approval of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956 and Compliance Verification Assessment for renewal of permission for admission of 5th batch (150 MBBS seats) u/s 10(A) of the IMC Act, 1956 for the Academic year 2016-17, 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 Committee further decided to apply clause 8(3)(1)(b) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 as amended on 18th March, 2016 which reads as under:-

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

(b) Colleges in the stage from III & IV renewal (i.e. Admission of fourth & fifth batch)

If it is observed during any inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 20% and/or bed occupancy is <65%, compliance of rectification of deficiencies from such an institute will not be considered for renewal of permission in that Academic year.

The EC further decided to give 15 days time for submission of compliance for consideration of recognition/approval of the college.

The decision be conveyed to the Oversight Committee and Central Govt.

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

11. Recognition/Approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council noted that the letter dated 22/04/2016 received from the appointed team of the Council's assessors alongwith previous assessment report (18th & 19th March 2016) with regard to recognition/approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 was considered by the Executive Committee of the Council at its meeting held on 13/05/2016 and it was decided as under:-

“The Executive Committee of the Council considered the letter dated 22/04/2016 received from the appointed team of the Council's assessors alongwith previous assessment report (18th & 19th March 2016) and noted the following :-

“With reference to above, we had gone to the Madha Medical College, Chennai for carrying out the Compliance Verification Assessment of Madha Medical College & Hospital, Thandalam for the purpose of Recognition/Approval for the award of MBBS degree (150 seats) u/s 11(2) of the IMC Act, 1956, 22nd April 2016.

We reached the institute at 9.45 A.M. Dean after consulting with their management conveyed to us that they don't want the Assessment to be conducted today as most of the faculty & Residents were on leave after the holiday on Mahaveer Jayanti on Wednesday -20 April 2016 (Letter signed by Dean attached). Coordinator informed on mobile telephone to Dr. Bark in this regard.

One of the Assessor visited the hospital –There were very few patients in the OPD area, and before he could go to the wards, Dean followed him and requested him to come to the office, as they do not want assessment to happen. Few Photographs taken from Mobile camera are enclosed in Pen-Drive.”

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

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 150 MBBS students at Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu, under Dr. MGR Medical University, Chennai, u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.”

The Executive Committee noted that the above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016 and copy to the college authorities with the request to submit the compliance report. 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 for the academic year 2016-2017.

The Executive Committee further noted that the Central Govt., Ministry of Health and Family Welfare, New Delhi vide notification No. U.12012/33/2016-ME.I dated 08/09/2016 has notified the conditional recognition of this Institute for award of M.B;B.S. degree for 150 intake in light of directives of the Supreme Court Mandated Oversight Committee on MCI as communicated vide letter No. OC/Recognition(UG)/Proposals/ 2016-17/42 dated 12.08.2016.

The Executive Committee further noted that the matter with regard to recognition/approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 alongwith notification issued by the Central Govt. in the light of the directive/approval of the Oversight Committee was placed before the General Body of the Council at its meeting held on 22.11.2016 for consideration.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter/Notification dated 08.09.2016 for recognition/approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 has been carried out by the Council Assessors on 22nd March, 2017 & 21st February, 2017. The Executive Committee considered the assessment report (22nd March, 2017 & 21st February, 2017) and noted the following:-

1. Deficiency of faculty is 33.33 % as detailed in the report.
2. Shortage of Residents is 64.28 % as detailed in the report.
3. Attendance registers of faculty and Residents of all departments were not provided by the college in the requisite time as per OC guidelines.
4. Data of OPD attendance, Laboratory & Radiological investigations as given by Institute are inflated.
5. Bed Occupancy was 6.76 % in the earlier round and 9.53 % in later round. Paediatric wards which were empty during earlier round had 50 children from nearby school playing & sitting in the ward in their school uniform in the later round.
6. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
7. There were only 06 Major Operations on day of assessment.
8. Most of the wards were locked and non-functional. There were no Intercoms. Deficiency remains as it is.
9. Students' Hostels: Visitors' room, A/c Study room with Computer & Internet are not available.
10. Interns' Hostel: It is not available.
11. Deficiency regarding Recreational facilities remains as it is.
12. Wards: Most of the Demonstration Rooms in General Medicine, Paediatrics, Tb & Chest, Psychiatry, Skin & VD, General Surgery, Orthopaedics, Ophthalmology, ENT and O.G. are non-functional, too small and inadequately furnished.
13. Microbiology department: Service laboratories are not equipped and non-functional.
14. 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 clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion 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 12/08/2016 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 recognition/approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) 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 08/09/2016 is liable to be encashed.

The Committee further decided to apply of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment),2010(Part II), dated 16th 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 (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 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 decision be conveyed to the Oversight Committee and Central Govt.

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

12. Recognition/ approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/ approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council noted that the compliance verification assessment report (2nd August, 2016) alongwith previous assessment report(12th April, 2016) with regard to recognition/approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 was considered by the Executive Committee at its meeting held on 23.08.2016 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (2nd August, 2016) alongwith previous assessment report (12th April, 2016) and noted the following:-

1. *Deficiency of faculty is 77.5 % as detailed in the report.*
2. *No faculty was available in the department of Radiodiagnosis on day of assessment.*
3. *Shortage of Residents is 78.6 % as detailed in the report.*
4. *Bed occupancy was 30.61 % on day of assessment at 12 noon.*
5. *Radiological & Laboratory investigation workload were grossly inadequate on day of assessment.*
6. *Although institute provided a list of 372 Nursing staff, only about 60 were observed to be working in the wards on day of assessment.*
7. *There was NIL Normal Delivery & NIL LSCS on day of assessment.*
8. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

The Committee further decided that the decision with regard to applying clause 8(3)(1)(d) of Establishment of Medical College Regulation (Amendment), 2010 (Part II) dated 16th April, 2010 against Melmaruvathur Adhiprasakthi Institute of Medical Sciences and Research, Tamilnadu for two academic years i.e. 2016-2017 and 2017-2018 be continued.

The Committee noted the email dated 22.08.2016 received from the Director of Medical Education, Chennai informing that the local holidays are declared by the Collector of the District for religious functions for administrative reasons. These holidays will be compensated by a State or Central declared holiday which will thence be declared as a working day. The DME has enclosed Order of the District Collector, Kancheepuram District which states that due to mela at Sri Vedagivishwavar temple at Kancheepuram, all the Govt. Offices and Educational Institutions will remain close on 2.8.2016 and for compensating the same, the offices and educational institutions will remain open on 13.8.2016.”

In view of above, the Committee decided to conduct the compliance verification inspection of the institute.”

Thereafter, the Central Govt., Ministry of Health and Family Welfare, New Delhi vide notification No. U.12012/54/2016-ME.I dated 15.09.2016 has notified the conditional recognition of this Institute for award of M.B;B.S. degree for 150 intake in light of directives of the Supreme Court Mandated Oversight Committee on MCI as communicated vide letter No. OC/Approvals for 2016-17/72 dated 06.09.2016.

The Executive Committee further noted that the matter with with regard to recognition/approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 alongwith notification issued by the Central Govt. in the light of the directive/approval of the Oversight Committee was placed before the General Body of the Council at its meeting held on 22.11.2016.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter/Notification dated 15.09.2016 for recognition/approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai has been carried out by the Council Assessors on 22nd March, 2017 and 7th March, 2017. The Executive Committee considered the assessment report(22nd March, 2017 and 7th March, 2017) and noted the following:-

1. Deficiency of faculty is 21.96 % as detailed in the report.
2. In respect of Dr. Nagendran, Asso. Prof. of ENT, signature and spelling of name were not matching in morning attendance sheet and afternoon physical verification.
3. In respect of the following Senior Residents, signature was not matching in morning attendance sheet and afternoon physical verification:
 - (i) Dr. Suka, Orthopaedics;
 - (ii) Dr. SathishPrabhu, Radiodiagnosis.
4. Shortage of Residents is 24.70 % as detailed in the report.
5. Bed Occupancy is 36.31 % on day of assessment.
6. O.T. were closed and no operations other than 2 Gynaec Operations were performed on day of assessment.
7. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
8. Data of OPD attendance and Laboratory & X-ray investigations provided by the Institute appear to be inflated.
9. There were only 05 patients in Casualty at time of taking round.
10. Workload of Antenatal USG was NIL on day of assessment.
11. 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 clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 06/09/2016. The Executive Committee, after due deliberation and discussion 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 06/09/2016 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 recognition/approval of Melmaruvathur Adhiprasakthi Institute of Medical

Sciences & Research, Melmaruvathur for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) 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 15/09/2016 is liable to be encashed.

The Committee further decided to apply of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th 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 (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 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 Committee further decided to issue a show cause notice as to why the recommendations for invoking clause 8(3)(1)(d) of *Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010* be not made in view of the fake information provided by the college authorities to the Council Assessors. The said clause reads as under:-

8(3)(1)(d):

(d) Colleges which are found to have employed teachers with faked / forged documents:

If it is observed that any institute is found to have employed a teacher with faked / forged documents and have submitted the Declaration Form of such a teacher, such an institute will not be considered for renewal of permission / recognition for award of M.B.B.S. degree / processing the applications for postgraduate courses for two Academic Years – i.e. that Academic Year and the next Academic Year also.....”

The Executive Committee of the Council further decided to refer the matter to the Ethics Committee of the Council.

The decision be conveyed to the Oversight Committee and Central Govt.

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

13. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Basaveswara Medical College & Hospital, Chitradurga under Rajiv Gandhi University of Health Sciences, Bangalore.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 100 MBBS seats at Basaveswara Medical College & Hospital, Chitradurga under Rajiv Gandhi University of Health Sciences, Bangalore.

The Executive Committee of the Council considered the compliance verification assessment report (23.03.2017) along with previous assessment report (5th & 6th October, 2016) and noted the following:

1. Deficiency of faculty is 6.36 % as detailed in the report.
2. Shortage of Residents is 6.06 % as detailed in the report.
3. Bed Occupancy is 44.08 % at 10 a.m. on day of assessment.
4. 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 recommending to the Central Govt. not to grant Letter of Permission for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 in respect of Basaveswara Medical College & Hospital, Chitradurga under Rajiv Gandhi University of Health Sciences, Bangalore for the academic year 2017-2018 and further decided to reiterate the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 and amended on 18.03.2016.

14. Compliance Verification Assessment of the physical and the other teaching facilities available for recognition/approval of D.Y. Patil Medical College, Kolhapur, Maharashtra under D.Y. Patil Education Society (Deemed University), Kolhapur u/s 11(2) of the IMC Act, 1956 for the award of M.B.B.S. degree against the increased intake i.e. from 100 to 150 seats with reference to the conditional approval by Oversight Committee.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for recognition/approval of D.Y. Patil Medical College, Kolhapur, Maharashtra under D.Y. Patil Education Society (Deemed University), Kolhapur u/s 11(2) of the IMC Act, 1956 for the award of M.B.B.S. degree against the increased intake i.e. from 100 to 150 seats with reference to the conditional approval by Oversight Committee.

The Executive Committee of the Council noted that the compliance verification assessment report 20.04.2016 alongwith previous assessment report (16.02.2016 & 17.02.2016) 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 (20.04.2016) along with previous assessment report (16.02.2016 & 17.02.2016) and noted the following:-

1. *In the last assessment, one remark was “Record of Obstetrics & Gynaecology OPD does not match with Central registry...” In the present assessment, at 11:30 a.m. the OPD figures registered in the Central registry was New 56 & Old 2 = Total 77. On verification in the O.G. department, the record of O.G. department showed only 49. Deficiency of mismatch of data remains as it is.*
2. *There was discrepancy in the record of Central registry & Departmental OPD figures in several other departments as well as observed during 11:40 a.m. -12:15 p.m. in the present assessment as under:*

#	Department	OPD figures in Register	
		Central	Departmental
1	General Medicine	191	61
2	General Surgery	162	124
3	Orthopaedics	88	61
4	Paediatrics	81	38
5	Ophthalmology	79	123
6	DVL	62	42
7	Psychiatry	57	48

3. *Bed occupancy was 71.69 % on day of assessment.*
4. *There was only 1 Minor operation on day of assessment.*
5. *There were only 2 patients under observation in the Casualty at the time of taking round.*
6. *The following fake patients were found in present assessment:*
 - (a) *In Surgical ward, one admitted patient did not have case paper;*
 - (b) *In Dermatology ward, one patient of Vestibulitis was admitted but he had no Skin problem at all;*
 - (c) *In Ophthalmology ward, 2 patients did not have case files.*
7. *A large proportion of patients in Paediatrics ward did not merit admission and appeared to be admitted for minor complaints.*
8. *Occupancy of Residents' Hostels is only 20 %. Deficiency still persists.*
9. *Shortage of Residents is 18.39 % as detailed in the report.*
10. *Demonstration rooms of General Surgery, ENT & Ophthalmology departments had capacity less than required.*
11. *Lecture Theater in Hospital is not of Gallery type.*
12. *Nursing Hostels: They are of Dormitory types where the Nurses are living in cramped style.*
13. *Wards are not as per MSR Regulations. They are contiguous, communicating with one another. Beds are placed head on.*
14. *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 D.Y. Patil Medical College, Kolhapur for the award of MBBS degree granted by D. Y. Patil Education Society (Deemed University) Kolhapur against

the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

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 from 100 to 150 MBBS students at D.Y. Patil Medical College, Kolhapur under D. Y. Patil Education Society (Deemed University) Kolhapur, u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Committee further decided to continue the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II) dated 16th April, 2010 and amended on 18.03.2016."

The Committee further noted that the above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016 and copy marked to the College authorities with the request to submit the detailed point wise compliance. 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 Committee further noted that the Central Govt. vide its letter dated 20.08.2016 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 20.08.2016 the Central Govt. vide its letter dated 09.09.2016 had forwarded the following documents as submitted by the college to the Ministry on 31.08.2016:-

- i. An affidavit dated 29.08.2016 from the President of the Trust concerned and from the Dean/Principal of the College concerned*
- ii. A bank guarantee bearing No. 477101GL0000416 dated 29.08.2016 Rs 2 Cr issued by State Bank of India in favour of MCI, with a validity of 1 year.*

The Executive Committee of the Council further noted that the Compliance Verification Assessment of the physical and the other teaching facilities available for recognition/approval of the college against the increased intake i.e. from 100 to 150 seats with reference to the conditional approval for admission of fresh batch of MBBS students against the increased intake i.e. from 100-150 for the academic year 2016-17 by Oversight Committee has been carried out by the Council assessors on 20.03.2017. The Executive Committee considered the compliance verification assessment report (20.03.2017) and previous assessment reports (20.04.2016 and 16.02.2016 & 17.02.2016) alongwith a letter/representation dated 24/03/2017 from the Dean, D.Y. Patil Medical College, Kolhapur and noted the following:-

1. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
2. In male Medicine ward, 2 patients were found with blank case sheets.
3. In female Medicine ward, 16 patients were found lying on beds without bed sheets. Bedside shelf of patients were empty without drugs.
4. Some patients in wards were admitted due to trivial complaints like low backache, dizziness, etc.

5. In Casualty, 15 patients were admitted on day of assessment for trivial reasons.
6. In O.G. ward, many women having Normal Delivery were kept for longer period than required.
7. In Paediatrics ward, a few of children are in the ward without merit of admission.
8. Several wards like Male Medical, Female Medical, Male Surgical wards are not as per MSR Regulations as detailed in the report.
9. 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 clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion 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 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 recognition/approval of D.Y. Patil Medical College, Kolhapur, Maharashtra under D.Y. Patil Education Society (Deemed University), Kolhapur u/s 11(2) of the IMC Act, 1956 for the award of M.B.B.S. degree against the increased intake i.e. from 100 to 150 seats, 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 EC further decided to give 15 days time for submission of compliance for consideration of recognition/approval of the college.

The decision be conveyed to the Oversight Committee and Central Govt.

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

15. **Compliance Verification Assessment of the physical and the other teaching facilities available for recognition/approval of Sri Aurobindo Institute of Medical Sciences, Indore under Devi Ahilya Vishwavidyalaya, Indore u/s 11(2) of the IMC Act, 1956 for the award of M.B.B.S. degree against the increased intake i.e. from 100 to 150 seats with reference to the conditional approval by Oversight Committee.**

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for recognition/approval of Sri Aurobindo Institute of Medical Sciences, Indore under Devi Ahilya Vishwavidyalaya, Indore u/s 11(2) of the IMC Act, 1956 for the award of M.B.B.S. degree against the increased intake i.e. from 100 to 150 seats with reference to the conditional approval by Oversight Committee.

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

16. Recognition/approval of Ruxmaniben Deepchand Gardi Medical College, Ujjain for the award of MBBS degree granted by Vikram University, Ujjain 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 recognition/approval of Ruxmaniben Deepchand Gardi Medical College, Ujjain for the award of MBBS degree granted by Vikram University, Ujjain 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 considered the assessment reports ((22.03.2017) and (24th & 25th March, 2017) and decided to recommend to the Central Government for recognition/approval of Ruxmaniben Deepchand Gardi Medical College, Ujjain for the award of MBBS degree granted by Vikram University, Ujjain against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

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 MBBS 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.

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

17. Establishment of new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar with an annual intake of 100 MBBS students under B.N. Mandal University, Bihar 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 Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar with an annual intake of 100 MBBS students under B.N. Mandal University, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council observed that at its meeting dt. **13/01/2017**, it was decided as under:

"...

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar under B.N. Mandal University, Bihar 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 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010”.

The Executive Committee of the Council considered the letter dated 22.03.2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding therewith the representation/compliance dated 15.03.2017 submitted by the Secretary, Shree Narayan Foundation, Gangjala, Saharsha, Bihar.

The Executive Committee noted that the Ministry under its Committee had given personal hearing to the authorized representatives of the medical colleges/applicants on 15.03.2017 and forwarded observations/recommendations of the Committee constituted by the Ministry in the matter, which is as under:-

“Recommended for review by MCI.”

The Executive Committee noted that the said compliance dated 15.03.2017 as submitted by the college authorities of Shree Narayan Foundation Gangjala, Saharsha, Bihar was considered by the Sub-Committee at its meeting held on 28.03.2017. The recommendations/observations of the Sub-Committee is as under:-

“Reiterate earlier decision to recommend disapproval of scheme.”

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

“.....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of 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....”

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:

“(A) Initial assesment 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.

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.

In view of above, the Executive Committee of the Council decided to reiterate the earlier decision of returning the application for establishment of a new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar under B.N. Mandal University, Bihar 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 2017-18 and further decided to reiterate applying clause 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010(Part II), dated 16th April, 2010.

18. Establishment of new medical college at Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal with an annual intake of 150 MBBS students under West Bengal University of Health Sciences, Kolkata 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 Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal with an annual intake of 150 MBBS students under West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council observed that at its meeting dt. **13/01/2017**, it was decided as under:

“... ”

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal under West Bengal University of Health Sciences, Kolkata under The West Bengal

University of Health Sciences, Kolkata 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 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010”.

The Executive Committee of the Council considered the letter dated 22.03.2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding therewith the representation/compliance dated 15.03.2017 submitted by the Secretary & Correspondent, Urmila Devi Jagannath Gupta Charitable Trust.

The Executive Committee noted that the Ministry under its Committee had given personal hearing to the authorized representatives of the medical colleges/applicants on 15.03.2017 and forwarded observations/recommendations of the Committee constituted by the Ministry in the matter, which is as under:-

“In view of the compliance submitted by the college, recommended for review by MCI.”

The Executive Committee noted that the said compliance dated 15.03.2017 as submitted by the college authorities of Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal was considered by the Sub-Committee at its meeting held on 28.03.2017. The recommendations/observations of the Sub-Committee is as under:-

“Reiterate earlier decision to recommend disapproval of scheme.”

The Committee further noted the following relevant portion of the Hon’ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

“.....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of 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....”

The Committee further noted the following relevant portion of the Hon’ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. *In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:*

“(A) Initial assesment 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.

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.

In view of above, the Executive Committee of the Council decided to reiterate the earlier decision of returning the application for establishment of a new medical college at Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal under West Bengal University of Health Sciences, Kolkata under The West Bengal University of Health Sciences, Kolkata 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 2017-18 and further decided to reiterate applying clause 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010.

19. Establishment of new medical college at Chamba (Pt. Jawahar Lal Nehru Govt. Medical College, Chamba), Himachal Pradesh by Govt. of Himachal 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 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 observed that at its meeting dt. **22/12/2016**, it was decided as under:

“... ”

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) (of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not

less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Chamba)Pt .Jawahar Lal Nehru Govt .Medical College, Chamba(, Himachal Pradesh by Govt .of Himachal Pradesh under Himachal Pradesh University 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 Executive Committee of the Council considered the letter dated 22.03.2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding therewith the representation/compliance dated 14.03.2017 submitted by the Principal, Pt. Jawahar Lal Nehru Govt. Medical College, Chamba, Himachal Pradesh.

The Executive Committee noted that the Ministry under its Committee had given personal hearing to the authorized representatives of the medical colleges/applicants on 15.03.2017 and forwarded observations/recommendations of the Committee constituted by the Ministry in the matter, which is as under:-

“The college is coming up under the Centrally Sponsored Scheme. Appointments seem to have been made. Construction is near completion and equipments are procured. It would be appropriate if MCI could verify the compliance offering some extra time to the college”.

The Committee further noted the following relevant portion of the Hon’ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

“.....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of 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....”

The Committee further noted the following relevant portion of the Hon’ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. *In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:*

“(A) Initial assesment 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.”

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.”

In view of above, the Executive Committee of the Council decided to reiterate the earlier decision of returning the application for establishment of a new medical college at Chamba)Pt .Jawahar Lal Nehru Govt .Medical College, Chamba(, Himachal Pradesh by Govt .of Himachal Pradesh under Himachal Pradesh University 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.

20. **Establishment of new medical college at Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada), Odisha by Govt. of Odisha with an annual intake of 100 MBBS students under North Odisha University, Baripada 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 Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada), Odisha by Govt. of Odisha with an annual intake of 100 MBBS students under North Odisha University, Baripada u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council observed that at its meeting dt. **13/01/2017**, it was decided as under:

“... ”

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada),

Odisha by Govt. of Odisha under North Odisha University, Baripada 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 Executive Committee of the Council considered the letter dated 22.03.2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding therewith the representation/compliance dated 12.03.2017 submitted by the Dean & Principal, Pt. Raghunath Murmu Medical College & Hospital, Baripada, Odisha.

The Executive Committee noted that the Ministry under its Committee had given personal hearing to the authorized representatives of the medical colleges/applicants on 15.03.2017 and forwarded observations/recommendations of the Committee constituted by the Ministry in the matter, which is as under:-

“The college is coming up under the Centrally Sponsored Scheme. It would be appropriate if MCI could verify the compliance offering some time to the college”.

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

“.....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of 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....”

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. *In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:*

“(A) Initial assesment 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.”

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.”

In view of above, the Executive Committee of the Council decided to reiterate the earlier decision of returning the application for establishment of a new medical college at Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada), Odisha by Govt. of Odisha under North Odisha University, Baripada 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.

21. Recognition/approval of S.N. Medical College, Agra for the award of MBBS degree granted by Dr. B.R. Ambedkar University, Agra against the increased intake i.e. from 128 to 150 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of S.N. Medical College, Agra for the award of MBBS degree granted by Dr. B.R. Ambedkar University, Agra against the increased intake i.e. from 128 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (27.03.2017) along with previous assessment reports (02.12.2016 and 11.04.2016 & 12.04.2016) 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. Deficiency remains as it is.
3. CSSD: There is no separate CSSD. ETO Sterilizer is not available. Deficiency remains as it is.
4. Central Library: Available area is 360 Sq.m. against requirement of 2,400 sq.m. It is not air-conditioned. Students' reading Room (Outside) & Staff reading room are not available. Capacity of Students' Reading room (Inside) is 100 against requirement of 150. Available Internet Nodes are only 10 against 40 required. Deficiency remains as it is.

5. Residential Quarters: Quarters for faculty are not available in the campus.
6. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve S.N. Medical College, Agra for the award of MBBS degree granted by Dr. B.R. Ambedkar University, Agra against the increased intake i.e. from 128 to 150 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 15 days for further consideration of the matter.

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

22. Increase of seats in MBBS course from 150-250 at Meenakshi Medical College Hospital & Research Institute, Chennai u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

Read: the matter with regard to increase of seats in MBBS course from 150-250 at Meenakshi Medical College Hospital & Research Institute, Chennai u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

The Executive Committee of the Council observed that at its meeting dt. **13/01/2017**, it was decided as under:

“ ...

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(b)(i) & 6(b)(iii) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) as number of teaching beds and Bed occupancy are less than the required for eligibility, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 250 at Meenakshi Medical College Hospital and Research Institute, Chennai under Meenakshi Academy of Higher Education & Research (Meenakshi University) for the academic year 2017-2018 recommending disapproval of the scheme to the Central Govt. 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 Committee further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010

The Executive Committee of the Council considered the letter dated 02.03.2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding therewith the representation/compliance dated 20.02.2017 submitted by the Dean, Meenakshi Medical College Hospital & Research Institute, Chennai and noted that the Ministry under its Committee had given personal hearing to the authorized representatives of the medical colleges/applicants on 21.02.2017 and 22.02.2017 and forwarded observations/recommendations of the Committee constituted by the Ministry in the matter, which is as under:-

“The deficiency of faculty and residents was very marginal which has now been rectified. The college has submitted rectification compliance on most others.

Recommended for review by MCI.”

The Executive Committee also considered the reply to the show cause notice letter dated 25.02.2017 received from the Dean, Meenakshi Medical College Hospital & Research Institute, Chennai.

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

“.....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of 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....”

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:

“(A) Initial assesment 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 MedicalCollege 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 MedicalCollege 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 fare as that academic year is concerned.”

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.”

In view of above, the Executive Committee of the Council decided to reiterate the earlier decision of returning the application for increase in MBBS seats from 150 to 250 at Meenakshi Medical College Hospital and Research Institute, Chennai under Meenakshi Academy of Higher Education & Research (Meenakshi University) for the academic year 2017-2018 recommending disapproval of the scheme to the Central Govt. 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 verify the compliance received from the institute in reply to the show cause notice issued u/s 8(3)(1)(c) by way of assessment in respect of Meenakshi Medical College Hospital and Research Institute, Chennai under Meenakshi Academy of Higher Education & Research (Meenakshi University).

23. Increase of seats in MBBS course from 150-250 at Chettinad Hospital & Research Institute, Kanchipuram u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

Read: the matter with regard to increase of seats in MBBS course from 150-250 at Chettinad Hospital & Research Institute, Kanchipuram u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

The Executive Committee of the Council observed that at its meeting dt. **04/11/2016**, it was decided as under:

“... ”

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(b)(i) & 6(b)(iii) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) as number of teaching beds and Bed occupancy are less than the required for eligibility, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 250 at Chettinad Hospital & Research Institute, Kanchipuram under Chettinad Academy of Research & Education, Kanchipuram for the academic year 2017-2018 recommending disapproval of the scheme to the Central Govt. 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 Committee further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010

The Executive Committee of the Council considered the letter dated 08.02.2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding therewith the representation/compliance dated 02.02.2017 submitted by the Dean, Chettinad Hospital & Research Institute, Kanchipuram and noted that the Ministry under its Committee had given personal hearing to the authorized representatives of the medical colleges/applicants on 31.01.2017, 02.02.2017 and 03.02.2017 and forwarded observations/recommendations of the Committee constituted by the Ministry in the matter, which is as under:-

“The college has contended that the requirement of faculty is only 192, against which 193 were present. However, the assessors have calculated the deficiency by including the requirement of faculty for PG seats also.

Recommended for review by MCI.”

The Executive Committee also considered the reply to the show cause notice letter dated 09.02.2017 received from the Dean, Chettinad Hospital & Research Institute, Kanchipuram.

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

“.....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of 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....”

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. *In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:*

“(A) Initial assesment 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 MedicalCollege 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.”

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.”

In view of above, the Executive Committee of the Council decided to reiterate the earlier decision of returning the application for increase in MBBS seats from 150 to 250 at Chettinad Hospital & Research Institute, Kanchipuram under Chettinad Academy of Research & Education, Kanchipuram for the academic year 2017-2018 recommending disapproval of the scheme to the Central Govt. 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 verify the compliance received from the institute in reply to the show cause notice issued u/s 8(3)(1)(c) by way of assessment in respect of Chettinad Hospital & Research Institute, Kanchipuram under Chettinad Academy of Research & Education, Kanchipuram.

24. Approval of the minutes of the Finance Committee meeting held on 28.03.2017.

Read: the minutes of the Finance Committee meeting held on 28.03.2017.

The Executive Committee of the Council approved the minutes of the Finance Committee meeting held on 28.03.2017.

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

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

**Place: New Delhi
Dated.28.03.2017**

APPROVED

**(Dr. Jayshree Mehta)
President**