

NO.MCI-6(1)/2004-Med./**MEDICAL COUNCIL OF INDIA****GENERAL BODY****128 SESSION****Minutes of the meeting held on 26th March, 2005**

The Council met in the Council Office, Aiwan-E-Galib Marg, Kotla Road, New Delhi on 26th March, 2005 at 11.00 A.M. with Dr. P. C. Kesavankutty Nayar, President (Acting), Medical Council of India, in the Chair.

Present

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| 1. | Dr. P. C. Kesavankutty Nayar | President (Acting) & Former Dean, Medical College, Trivandrum |
| 2. | Prof. P.N. Tandon | Former Prof. & Head of Neuro-Surgery, AIIMS, New Delhi & Member, Adhoc Committee appointed by the Hon'ble Supreme Court. |
| 3. | Prof. Sneha Bhargava | A-103, New Friends Colony, New Delhi-110065. |
| 4. | Dr. K.P. Mathur | 77, Chitra Vihar, Delhi-110092. |
| 5. | Dr. A.C. Borah | Former Director, Medical Education, Govt. of Assam, Guwahati |
| 6. | Dr. Tamilarasan | 404, HIG, TNEB, Valluvar Nagar, Oddapatty, Dharmapuri-636705 (TN) |
| 7. | Dr. B.S. Kothari | Consultant Surgeon, Kothari Hospital, Mill Para Main Road, Rajkot |
| 8. | Dr. B.A. Rudrawadi | Professor of Medicine, M.R. Medical College, Gulbarga |
| 9. | Dr. Bijoy Mukherjee | Principal, Burdwan Medical College, Burdwan |
| 10. | Dr. K.H. Kenchappa | Consultant Orthopaedic Surgeon, 14, Shanti Nilaya, Basappa Layout, Nagashetty Hall, Bangalore-560094. |
| 11. | Dr. C.V. Bhirmanandham | Vice-Chancellor, Dr. M.G.R. Medical University, Chennai. |
| 12. | Dr. D.G. Benakappa | Consultant Paediatrician, Bangalore Hospital, R.V. Road, Bangalore |
| 13. | Dr. D.J. Borah | Professor of Medicine & Joint Director, Medical Education, Govt. of Assam, Guwahati |
| 14. | Dr. D.K. Sharma | Former Professor & Head, Department of Paediatrics, LLRM Medical College, Meerut. |

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| 15. | Dr. V.N. Jindal | Professor of Neuro-Surgery, Deptt. of Neuro-Surgery, Goa Medical College, Bombolim, Goa-403202. |
| 16. | Dr. G.K. Thakur | Head of the department of Radiology, S.K.Medical College, Muzaffarpur |
| 17. | Dr. H.P.Bhalodiya | Professor of Orthopaedics, B.J.Medical College,Ahmedabad |
| 18. | Dr. Indrajit Ray | Principal, Bankura Medical College, Bankura (WB) |
| 19. | Dr.Muzaffar Ahmad | Nagin, Hazratbal Road, Srinagar-190 008. |
| 20. | Dr. J.N. Sony | Professor of Forensic Medicine, G.R.Medical College, Gwalior |
| 21. | Dr. (Mrs.) Rani Bhaskaran | Prof. & Head, Deptt. of Neurology, Medical College Hospital, Trivandrum. |
| 22. | Dr. M.M. Deka | Principal, Gauhati Medical College, Guwahati |
| 23. | Dr. Mukesh Kr. Sharma | Department of Surgery, S.M.S. Medical College, Jaipur |
| 24. | Dr. Amrith Lal | Prof. & Head, Deptt. of ENT, Kamineni Instt. of Medical Sciences, Narketpalli, Nalgunda Distt., Andhra Pradesh |
| 25. | Dr. Naveen Nahar | Consulting Surgeon, Nahar Hospital, Indore |
| 26. | Dr. P.K.Sur | Director, Institute of Postgraduate Medical Education & Research, Kolkatta |
| 27. | Dr. Prakash M. Shah | Chandan Hospital, Baroda |
| 28. | Dr. A.K.Patel | Vijapur (NG), Distt. Mehsana, Gujarat. |
| 29. | Dr. R. Chandrashekara | Vice-Chancellor, Rajiv Gandhi University of Health Sciences, Bangalore |
| 30. | Dr. P.K. Mukherjee | Principal, MGM Medical College, Kishanganj, Bihar. |
| 31. | Dr. S.H. Srivastava | B-5, Sri Krishna Hospital Campus, Karamsad |
| 32. | Dr. S.B. Siwach | Professor & Head, Department of Medicine, Pt.B.D.Sharma PGIMS, Rohtak |
| 33. | Dr. S.K. Sinha | Former Professor of Medicine, Patna Medical College, Patna |

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| 34. | Dr. Asim Kumar Bardhan | 452/C, FD Block, Sector-III, Salt Lake City, Kolkata-700 091. |
| 35. | Dr. Sahajanand Pd. Singh | Consultant Surgeon, Kankarbagh, Patna |
| 36. | Prof.(Mrs.) Shameem Jahan Rizvi | J.N. Medical College, Aligarh (UP) |
| 37. | Dr. U.S. Dhariwal | Principal, Sri Guru Ram Das Institute of Medical Sciences & Research, Amritsar |
| 38. | Dr. V. Kanagaraj | Former Professor & HOD, Department of Anaesthesia, Madras Medical College, Chennai |
| 39. | Dr. Ved Prakash Mishra | Dean, Faculty of Medicine, Nagpur University, Nagpur |
| 40. | Dr. Suresh C. Mohapatra | Principal, V.S.S. Medical College, <u>Burla (Orissa).</u> |
| 41. | Prof. Dr. Dharendra K. Roy | H.O.D. Surgery, S.C.B. Medical College, <u>Cuttack (Orissa).</u> |
| 42. | Prof. B.C. Das | Director, State Institute of Health & Family Welfare, Govt. of Orissa, Nayapalli, <u>Bhubaneswar.</u> |
| 43. | Dr. T. Rajasekhar Reddy | Opp: Municipal Office, Cuddapah-516 001 (Andhra Pradesh) |
| 44. | Dr.S.Imkong Tushi AO | Retd. Director of Medical Services, Nagaland. |
| 45. | Dr. Vasant N. Pawar | Sushrut Hospital, New Pandit Colony Nasik-422222, Maharashtra |
| 46. | Dr. S.K. Agarwal | Prof. & Head of Medicine, Maulana Azad Medical College, New Delhi. |
| 47. | Dr. S.R. Maralihalli | JJM Medical College, Davangere. |
| 48. | Dr. Nitin S. Vora | Director, Health Services(ESIS), Govt. of Gujarat. |
| 49. | Dr. Samar Deb | Professor, North Bengal Medical College Siliguri, West Bengal. |
| 50. | Dr. Anil Kumar Reddy | Diabetes Research Centre, 16/2/184, Kasturi Devi Nagar, Pogathota, Nellore-524001 (Andhra Pradesh) |
| 51. | Dr. Usha Sharma | C-9, Shastri Nagar, Meerut-250004. |

Apologies for absence were received from the following members of the Adhoc Committee:-

1. Prof. N. Rangabashyam
2. Dr. S. Kantha

Apologies for absence were also received from the following members of the Council:-

1. Prof. A. Rajasekaran
2. Dr. Ashok Pangariya
3. Dr. Ramesh Chandra Babu
4. Dr. L.S. Pal
5. Dr. N.B. Singh
6. Dr. G.B. Gupta
7. Dr. J.H. Soren
8. Dr. U.G. Nachinolkar
9. Dr. C. Das

1. **Notification of New Members**

The Secretary read the notification of following new members elected/nominated as members of the Council since the last meeting of the Council held on 12-10-2004:-

| <u>Sl.No.</u> | <u>Name</u> | <u>U/s.</u> | <u>Constituency</u> |
|----------------------|---------------------------------|--------------------|----------------------------|
| 1. | Dr. L.S. Pal | u/s.3(1)(a) | Govt. of Himachal Pradesh |
| 2. | Prof.(Mrs.) Shameem Jahan Rizvi | u/s.3(1)(b) | Aligarh Muslim University |
| 3. | Dr. Asim Kumar Bardhan | u/s.3(1)(e) | Central Government |
| 4. | Dr. K.P. Mathur | u/s.3(1)(e) | Central Government |
| 5. | Dr. K.H. Kenchappa | u/s.3(1)(e) | Central Government |
| 6. | Prof. A. Rajasekharan | u/s.3(1)(e) | Central Government |
| 7. | Prof. Sneh Bhargava | u/s.3(1)(e) | Central Government |
| 8. | Dr. V. Kanagaraj | u/s.3(1)(e) | Central Government |
| 9. | Dr. Anil Kumar Reddy | u/s.3(1)(e) | Central Government |
| 10. | Dr. S. Tamilarasan | u/s.3(1)(e) | Central Government |
| 11. | Dr. M.M. Deka | u/s.3(1)(b) | Gauhati University |
| 12. | Dr. D. Baruah | u/s.3(1)(a) | Govt. of Mizoram |
| 13. | Dr. C.V. Bhirmanandam | u/s.3(1)(a) | Govt. of Tamil Nadu |

2. **Minutes of the last meeting of the Council – confirmation of.**

The minutes of the last meeting of the Council held on 12-10-2004 were confirmed.

3. **Minutes of the last meeting of the Council – Action taken thereon.**

The Council noted the action taken by the office on various items included in the minutes of the meeting of the Council held on 12-10-2004.

3 (a) **Pending items arising out of the decision of the General Body.**

The Council noted the pending items arising out of the decision of the General Body.

4. **Address by the Acting President.**

Dr. P.C. Kesavankutty Nayar delivered the presidential address and copy of the same was circulated to the august body. Salient features of the presidential address are as under:-

- The Acting President, in his welcome speech informed the members that this session of the Council would be held in the new premises and the building, which got translated, into reality as a "dream project" of all of us. It has been an ardent desire to get the new premises inaugurated at the auspicious hands of the Hon'ble President of India. However, due to on going parliamentary session and pre-occupied commitments, we have not yet been able to get consent and time from His Excellency for inauguration of the new building.
- He informed the House that all of us will be visiting together the new premises today (26th March,2005) and shall have our lunch there, as part of an auspicious beginning. The Council would be housing itself in its own premises, is not only a matter of great pride for us, but also a mile-stone out of which we can derive a great deal of satisfaction. It could be translated into reality exclusively because of your commitment to this cause, consistent and persistent help and unstinted support.
- During the impending period, the Acting President shared with the House that the selections for Dr. B.C. Roy Memorial Awards for the year 2003-2004 have been made.
- He further shared with the members that in his earlier presidential address, Medical Council of India was accorded the official member and a voting right status with International Association of Medical Regulatory Authorities. He pleased to inform the members that Dr. Ved Prakash Mishra, Chairman of the Postgraduate Committee has been nominated as a member of the Finance and Development Committee and Lt.Col.(Retd.) Dr.ARN Setalvad, Secretary of the Council has been nominated as a member of the ByeLaws Committee of this Global organisation of medical regulatory authorities.
- He further shared with the members that the Hon'ble Supreme Court had sought the opinion of the Medical Council of India pertaining to "neutralization policy" governing the admissions and the opinion so furnished has been upheld by it through its ruling that "the admissions made in excess of the sanctioned intake by a college would result in the neutralization of the annual intake for the next year to the extent by which the earlier year admissions had exceeded. As a matter of fact, Council over a period of time, had taken decisions to this effect and he is happy that by virtue of the verdict by the Hon'ble Supreme Court, the stand of the Council stands vindicated.
- The Hon'ble Supreme Court also upheld the suggestions of the Council alongwith the Govt. of India pertaining to the modalities of the Screening Test for the Indian graduates procuring their graduate medical qualifications from institutions located outside India.
- The Acting President further shared with the members that Medical Council of India brought out before the Hon'ble Supreme Court in Dr. Jacob Mathew Vs. State of Punjab & Anr. Case, pertaining to coverage of doctors within the ambit of Section 304A of the Indian Penal Code, categorically brought out that "provisions of Section 80,88 and 92 of the Indian Penal Code provide for a separate consideration for the category of medical professionals/surgeons and therefore in that context it becomes imperative to

consider that it is not each and every error of judgment on the part of the medical professionals/surgeons or accident or misfortune, which would fall within the concept of 'culpability' or 'criminality' so as to invite the applicability of the provisions of Section 304A."

- It was further submitted before the Hon'ble Supreme Court that "unless an error of judgment by a medical professional/surgeon which results in homicide is gross or reckless, it would not fall within the purview of Section 304A of the IPC and would get covered and protected by the provisions of section 80 and 88 of the same."
- This contention of the Council is bound to uphold of the dignity and safety of the 'profession and professionals' alike.
- He was happy to share with the members that the Council has dispensed of in a smooth manner various applications pending before it for starting of new medical colleges, postgraduate medical courses, increase in undergraduate and postgraduate intake and also for approval and recognition and the appropriate recommendations in timely manner have been made and forwarded to the concerned authorities.
- Apart from processing the applications received in a time bound manner, an effort has been made to ensure that the admissions to various undergraduate and postgraduate courses are not made not only before the cut out date but also in strict adherence to the sanctioned intake capacity. This is all the more necessary in view of the fact that in case of violation of the same, the Council has been vested with the authority of imposing the disciplinary jurisdiction on the erring institutions.
- He further stated that it has been his consistent approach with the members of the Council and support that the "objectives" entrusted to the Council are fulfilled in a "transparent" manner with a committed sense of "accountability". The fair name and credibility of the Council is and has been paramount to all of us. It's growth has been our endeavor jointly and severally.
- It is by virtue of the committed support and the learned advise and counsel from the Adhoc Committee members that he has been able to make "positive stride" in the "desired direction".
- He wish and hope that he shall be able to carry the mantle further in the larger interests of the medical education and public health care delivery system in this country. He also take the pleasure of recording his sense of gratitude to all the respected members of the Council and thankfulness to the members of the Adhoc Committee for steering him through, but for which his task would not have been accomplished.

Motion of thanks was moved by Dr. Vasant N. Pawar and was seconded unanimously by the whole House.

5. **Representation of the Council on other bodies – Election of –**

(i) **Hari Om Ashram Alembic Research Award Fund**

To elect a member of the Council as its representative on Hari Om Ashram Alembic Research Award Fund for the remaining period upto 23.3.2008 in place of Dr. Silvano CA Sapeco whose term as Council member has been expired.

Proposed by Dr. Mukesh Kumar Sharma and seconded by Dr.D.G. Benakappa and Dr. R. Chandrashekara, Dr. K.H. Kenchappa was declared elected unopposed as representative of the Council on Hari Om Ashram Alembic Research Award Fund.

6. **The Tamilnadu Dr. M.G.R. Medical University, Chennai – recognition of MD (Physiology) qualification in respect of students being trained at P.S.G. Institute of Medical Sciences & Research, Coimbatore.**

Read: The Council Inspector's report (August, 2004) on the standard of examination and other teaching facilities available at P.S.G. Institute of Medical Sciences & Research, Coimbatore for purpose of recognition of MD (Physiology) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (August, 2004) and decided to recommend that MD (Physiology) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at P.S.G. Institute of Medical Sciences & Research, Coimbatore be recognized and included in the first schedule to the Indian Medical Council Act, 1956 restricting the number of admission to 1 (one) student per year”.

7. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Recognition of MD (Physiology) qualification in respect of students being trained at Stanley Medical College, Chennai.**

Read: The Council Inspector's report (September, 2004) on the standard of examination and other teaching facilities available at Stanley Medical College, Chennai for purpose of recognition of MD (Physiology) qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (September, 2004) and decided to recommend that MD (Physiology) qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Stanley Medical College, Chennai be recognized and

included in the first schedule to the Indian Medical Council Act, 1956 restricting the number of admissions to 2 (two) students per year”.

8. Tamilnadu Dr. M.G.R. Medical University, Chennai – Recognition of M.D.(Physical Medicine & Rehabilitation) qualification in respect of students being trained at Christian Medical College, Vellore

Read: The Council Inspector’s report (April, 2004) along with the compliance on the standard of examination and other teaching facilities available at Christian Medical College, Vellore for purpose of recognition of M.D.(Physical Medicine & Rehabilitation) qualification earlier granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (April,2004) along with the compliance and decided to recommend that M.D.(Physical Medicine & Rehabilitation) qualification granted by The Tamilnadu Dr. M.G.R. Medical University in respect of students being trained at Christian Medical College, Vellore be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admission to 1(one) student per year”.

9. H.N.B. Garhwal University – Recognition of MS (General Surgery) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (November, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MS(General Surgery) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (November,2004) and decided to recommend that M.S.(General Surgery) qualification granted by H.N.B. Garhwal University in respect of Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 5 (five) students per year”.

10. H.N.B. Garhwal University – Recognition of MD(Anatomy) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (November, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Anatomy) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (November,2004) and decided to recommend that M.D.(Anatomy) qualification granted by H.N.B. Garhwal University in respect of Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

11. H.N.B. Garhwal University – Recognition of MD(community Medicine) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (Dec., 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Community Medicine) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec., 2004) and decided to recommend that M.D.(Community Medicine) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

12. H.N.B. Garhwal University – Recognition of MD(Microbiology) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (Nov., 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD (Microbiology) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Nov.,2004) and decided to recommend that M.D.(Microbiology) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

13. H.N.B. Garhwal University – Recognition of MD(Paediatics) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector's report (Nov., 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Paediatics) qualification granted by H.N.B. Garhwal University.

“The Postgraduate Committee considered the Council Inspector's report (Nov., 2004) and decided to recommend that M.D.(Paediatics) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

14. H.N.B. Garhwal University – Recognition of MD(Pharmacology) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector's report (December, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Pharmacology) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Pharmacology) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

15. H.N.B. Garhwal University – Recognition of MS(Ortho.) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector's report (November, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MS(Ortho.) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (November,2004) and decided to recommend that M.S.(Orthopaedics) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

16. H.N.B. Garhwal University – Recognition of MD(General Medicine) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector's report (December, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(General Medicine) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (December,2004) and decided to recommend that M.D.(General Medicine) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 5 (five) students per year”.

17. H.N.B. Garhwal University – Recognition of MD(Physiology) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector's report (Dec., 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Physiology) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Physiology) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 4 (four) students per year”.

18. H.N.B. Garhwal University – Recognition of MD(Radio-Diagnosis) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector's report (Dec., 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Radio-Diagnosis) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Radio-Diagnosis) qualification granted by H.N.B. Garhwal University in respect of students

being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

19. H.N.B. Garhwal University – Recognition of MD(Anaesthesia) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (Dec., 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Anaesthesia) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Anaesthesia) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

20. H.N.B. Garhwal University – Recognition of MD(Obst. & Gyanae.) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (November, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Obst. & Gynae.) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Obst. & Gynae.) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admission to 1 (one) student per year”.

21. H.N.B. Garhwal University – Recognition of MS(Ophthalmology) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (December, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MS(Ophthalmology) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.S.(Ophthalmology) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

22. H.N.B. Garhwal University – Recognition of MD(Pathology) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read: The Council Inspector’s report (December, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MD(Pathology) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Pathology) qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 3 (three) students per year”.

23. Saurashtra University – Recognition of MD(Psychiatry) qualification in respect of students being trained at M.P.Shah Medical College, Jamnagar.

Read: The Council Inspector’s report (Dec., 2004) on the standard of examination and other teaching facilities available at M.P.Shah Medical College, Jamnagar for purpose of recognition of MD(Psychiatry) qualification granted by Saurashtra University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(Psychiatry) qualification granted by Saurashtra University in respect of students being trained at M.P. Shah Medical College, Jamnagar be recognised and included in the First Schedule to the Indian Medical Council Act,1956 restricting the number of admission to 1 (one) student per year”.

24. Saurashtra University – Recognition of MD(T.B. & Chest Disease) & D.T.C.D. qualification in respect of students being trained at M.P.Shah Medical College, Jamnagar.

Read: The Council Inspector’s report (Dec., 2004) on the standard of examination and other teaching facilities available at M.P.Shah Medical College, Jamnagar for purpose of recognition of MD(T.B. & Chest Disease) & D.T.C.D. qualifications granted by Saurashtra University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (Dec.,2004) and decided to recommend that M.D.(T.B. & Chest Disease) & D.T.C.D. qualifications granted by Saurashtra University in respect of students being trained at M.P. Shah Medical College, Jamnagar be recognised and included in the First Schedule to the I.M.C. Act,1956 restricting the number of admissions to 2(two) students for M.D.(T.B. & Chest Disease) and 1 (one) student for D.T.C.D. courses per year”.

25. Gujarat University – Recognition of M.Ch. (Paediatrics Surgery) qualification in respect of students being trained at Smt. NHL Municipal Medical College, Ahmedabad.

Read: The Council Inspector’s report (October, 2004) on the standard of examination and other teaching facilities available at Smt. NHL Municipal Medical College, Ahmedabad for purpose of recognition of M.Ch.(Paediatric Surgery) qualification granted by Gujarat University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (October,2004) and decided to recommend that M.Ch.(Paediatric Surgery) qualification granted by Gujarat University in respect of students being trained at Smt. NHL Municipal Medical College, Ahmedabad be recognised and included in the 1st Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

26. Sardar Patel University – Recognition of M.D.(Obst. & Gynae.) qualification in respect of students being trained at Pramukhswami Medical College, Karamsad.

Read: The Council Inspector’s report (October, 2004) on the standard of examination and other teaching facilities available at Pramukhswami Medical College, Karamsad for purpose of recognition of M.D.(Obst. & Gynae.) qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (October,2004) and decided to recommend that M.D.(Obst. & Gynae.) qualification granted by Sardar Patel University in respect of students being trained at Pramukhswami Medical College, Karamsad be recognised and included in the 1st Schedule to the Indian Medical Council Act,1956 restricting the number of admissions to 2 (two) students per year”.

27. South Gujarat University/Veer Narmad South Gujarat University – Recognition of MD(Skin & VD/Dermatoloy/Derma. Vene. And Leprosy) & DVD/DDVL qualifications in respect of students being trained at Govt. Medical College, Surat.

Read: The Council Inspector report (December, 2004) of standard of examination and other teaching facilities available at Govt. Medical College, Surat for purpose of recognition of MD(Skin & VD/Dermatoloy/Derma. Vene. And Leprosy) & DVD/DDVL qualifications granted by South Gujarat University/Veer Narmad South Gujarat University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's (December, 2004) and decided to recommend that MD (Skin & VD/Dermatology/Derma. Vene. And Leprosy) & DVD/DDVL qualifications granted by South Gujarat University/Veer Narmad South Gujarat University in respect of students being trained at Govt. Medical College, Surat be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students for degree & 1 (one) student for diploma course per year”.

28. Saurashtra University – Recognition of MD(TB & Resp./Chest Dises.) qualification in respect of students being trained at Pt. Deen Dayal Upadhyay Medical College, Rajkot.

Read : The Council Inspector report (December, 2004) of standard of examination and other teaching facilities available at Pt. Deen Dayal Upadhyay Medical College, Rajkot for purpose of recognition of MD (TB & Resp./Chest Dises.) qualification granted by Saurashtra University :-

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (December,2004) and decided to recommend that MD(TB & Resp./Chest Dises.) qualification granted by Saurashtra University in respect of students being trained at Pt. Deen Dayal Upadhyay Medical College, Rajkot be recognized and included in the 1st schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year”.

29. The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of P.S.G. Institute of Medical Sciences & Research, Coimbatore for the award of MD (General Medicine) qualification.

Read: The Council Inspector's report (August, 2004) on the standard of examination and other teaching facilities available at P.S.G. Institute of Medical Sciences & Research, Coimbatore for purpose of approval of the college for the award of MD (General Medicine) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (August, 2004) and decided to recommend that P.S.G. Institute of Medical Sciences & Research, Coimbatore be approved for the award of MD(General Medicine) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 2 (two) students per year”.

30. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of St. John’s Medical College, Bangalore for the award of M.D.(General Medicine) qualification in respect of increased intake capacity.

Read: The Council Inspector’s report (Oct., 2004) on the standard of examination and other teaching facilities available at St. John’s Medical College, Bangalore for purpose of approval of the college for the award of M.D.(General Medicine) qualification in respect of increased intake granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (Oct.2004) and decided to recommend that St. John’s Medical College, Bangalore be approved for the award of MD (General Medicine) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 5(five) students per year”.

31. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of St. John’s Medical College, Bangalore for the award of MD(Obst. & Gynae.) & DGO qualification in respect of increased intake capacity.

Read: The Council Inspector’s report (October, 2004) on the standard of examination and other teaching facilities available at St. John’s Medical College, Bangalore for purpose of approval of the college for the award of M.D.(Obst. & Gynae.) & DGO qualification in respect of increased intake i.e. from 2(two) to 3 (three) granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (October,2004) and noted that institution already stands approved for the award of M.D.(Obst. & Gynae.) and D.G.O. qualifications with 2 (two) students per year in each course and the matter under consideration is for approval of the institution for increased intake subsequently permitted by the Central Govt. and decided to recommend that St. John's Medical College, Bangalore be approved for the award of M.D.(Obst. & Gynae.) and D.G.O. qualifications granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 3(three) students per year in each course”.

32. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of the Fr. Muller Medical College, Mangalore for the award DCP qualification.

Read: The Council Inspector's report (November, 2004) on the standard of examination and other teaching facilities available at Fr. Muller Medical College, Mangalore for purpose of approval of the college for the award of DCP qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (November,2004) and decided to recommend that Fr. Muller Medical College, Mangalore be approved for the award of DCP qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 2(two) per year”.

33. University of Delhi - Approval of Army Hospital Delhi Cantt., Delhi for the award of D.G.O. qualification.

Read: The Council Inspector's report (April, 2004) on the standard of examination and other teaching facilities available at Army Hospital Delhi Cantt., Delhi for purpose of approval of the college for the award of D.G.O. qualification granted by University of Delhi.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (April,2004) and decided to recommend that Army Hospital Delhi Cantt., Delhi be approved for the award of D.G.O. qualification granted by Delhi University restricting the number of admissions to 2(two) students per year”.

34. Calcutta University – Approval of Vivekanand Institute of Medical Sciences, Calcutta for the award of M.D. (Paediatrics) & D.C.H. qualifications.

Read: The compliance verification report (September, 2004) and Council Inspector's report (April, 2003) on the standard of examination and other teaching facilities available at Vivekanand Instt. of Medical Sciences, Calcutta together with compliance for purpose of recognition of MD(Pediatrics) & DCH qualification granted by Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (Sept.,2004) and Council Inspector's report (April,2003) and decided to recommend that Vivekanand Instt. of Medical Sciences, Calcutta be approved for the award of M.D.(Paediatrics) & D.C.H. qualifications granted by Calcutta University restricting the number of admissions to

1(one) student for M.D.(Paediatrics) & 2 (two) students for D.C.H. courses per year prospectively commensurate with number of teaching units”.

35. Sardar Patel University – Approval of Pramukhswami Medical College, Karamsad, Gujarat for the award of D.G.O. qualification.

Read: The Council Inspector report (August, 2004) of standard of examination and other teaching facilities available at Pramukhswami Medical College, Karamsad, Gujarat for purpose of approval of the college for the award of D.G.O. qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (August, 2004) and decided to recommend that Pramukhswami Medical College, Karamsad, Gujarat be approved for the award of DGO qualification granted by Sardar Patel University restricting the number of admissions to 2(two) students per year”.

36. The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of P.S.G. Institute of Medical Sciences & Research, Coimbatore for the award of MD (Obst. & Gynae.) qualification.

Read: The Council Inspector report (September, 2004) of standard of examination and other teaching facilities available at P.S.G. Institute of Medical Sciences & Research, Coimbatore for purpose of approval of the college for the award of MD (Obst. & Gynae.) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (September, 2004) and decided to recommend that P.S.G. Institute of Medical Sciences & Research, Coimbatore be approved for the award of MD (Obst. & Gynae.) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 2(two) students per year”.

37. Saurashtra University – Approval of MS(Ophthalmology) qualification in respect of students being trained at Pt. Deendayal Upadhyaya Medical College, Rajkot.

Read: The Council Inspector (December, 2004) of standard of examination and other teaching facilities available at Pt. Deendayal Upadhyaya Medical College, Rajkot for purpose of approval of the college for the award of MS (Ophthalmology) qualification granted by Saurashtra University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (December, 2004) and decided to recommend that Pt. Deendayal Upadhyaya Medical College, Rajkot be approved for the award of MS(ophthalmology) qualification granted by Saurashtra University restricting the number of admissions to 2(two) students per year”.

38. Rajasthan University – Approval of MD(TB & Resp./Chest Dises.) qualification in respect of students being trained at J.L.N. Medical College, Ajmer.

Read: The Council Inspector report (December, 2004) of standard of examination and other teaching facilities available at J.L.N. Medical College, Ajmer for purpose of approval of the college for the award of MD (TB & Resp./Chest Dises.) qualification granted by Rajasthan University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (December, 2004) and decided to recommend that JLN Medical College, Ajmer be approved for the award of MD(TB & Resp./Chest Diseases) qualifications granted by Rajasthan University restricting the number of admission to 1(one) student per year”.

39. Punjab University –Approval of Govt. Medical College, Chandigarh for the award of M.D.(Anatomy) qualification.

Read: The compliance verification report (December, 2004) togetherwith compliance and Council Inspector report (February, 2004) on the physical and other teaching facilities available at Govt. Medical College, Chandigarh for purpose of approval of the college for the award of MD (Anatomy) qualification granted by Panjab University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Compliance verification report (December,2004) together with compliance and Council Inspector's report (February,2004) and decided to recommend that Govt. Medical College, Chandigarh be approved for the award of MD (Anatomy) qualification granted by Punjab University restricting the number of admissions to 2 (two) students per year”.

40. Approval of Govt. Medical College,Patiala for the award of M.D.(Microbiology) qualification – affiliation with Baba Farid University of Health Sciences, Faridkot.

Read: The letter dated 27.1.2005 from Dr.Malini C. Kapoor regarding recognition of MD(Microbiology) qualification granted Baba Farid University of Health Sciences, Faridkot in respect of Govt. Medical College, Patiala as already recognized under Panjabi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the letter dated 27.1.2005 from Dr.Malini C. Kapoor regarding recognition of MD(Microbiology) qualification granted Baba Farid University of Health Sciences, Faridkot in respect of Govt. Medical College, Patiala and noted that MD(Microbiology) qualification granted by Panjabi University in respect of Govt. Medical College, Patiala is already recognized by the Council and included in the 1st Schedule to the IMC Act, 1956; decided that Govt. Medical College, Patiala be approved for the award of MD(Microbiology) qualification granted by Baba Farid University of Health Sciences, Faridkot”.

41. Marathwada University/Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad – Approval of Govt. Medical College, Aurangabad for the award of DCP qualification.

Read: The Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Govt. Medical College, Aurangabad for purpose of approval of the college for the award of DCP qualification granted by Marathwada University and now by Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (February,2005) and decided to recommend that Govt. Medical College, Aurangabad be approved for the award of DCP qualification granted by Marathwada University and now by Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad restricting the number of admissions to 4 (four) students per year.

The Committee further decided to draw the attention of the university authorities as regards the second examiner not being from outside the state which is inconsistent with the Council norms”.

42. Approval of Medical College, Rohtak for the award of M.S.(Ophthalmology) qualification – affiliation with Punjab University regarding.

Read: The letter dated 20.12.2004 from Dr.R.C. Nagpal, Dehradun regarding recognition of M.S.(Ophthalmology) qualification under Punjab University as already recognised under M.D. University, Rohtak.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the letter dated 20.12.2004 from Dr. R.C. Nagpal, Dehradun and noted that M.S.(Ophthalmology) qualification is already recognised under M.D. University, Rohtak and the matter for recognition of M.S. (Ophthalmology) under Punjab University is under consideration; decided to recommend that Medical College, Rohtak

be approved for the award of M.S. (Ophthalmology) qualification granted by Panjab University”.

43. Change of nomenclature of MS(Anatomy) and MD(Obst. & Gynae.) qualification to MD(Anatomy) & MS(Obst. & Gynae.) qualification - Recognition of MD(Anatomy) & MS(Obst. & Gynae.) qualification granted by Manipal Academy of Higher Education(Deemed University), Manipal.

Read: The letter dated 23.12.2004 from the Registrar, Manipal Academy of Higher Education(Deemed University), Manipal regarding recognition of MS(Anatomy) & MD(Obst. & Gynae.) qualification has been changed to MD (Anatomy) & MS(Obst. & Gynae.) qualification w.e.f. academic session 2001.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee noted the letter dated 23.12.2004 from the Registrar, Manipal Academy of Higher Education (Deemed University), Manipal and decided that the qualification by the changed nomenclature of MS (Anatomy) & MD(Obst. & Gynae.) to MD (Anatomy) & MS(Obst. & Gynae.) qualifications granted by MAHE University be recognised and included in the 1st Schedule to the IMC Act,1956”.

44. Variation in nomenclatures of Postgraduate Degree/Diploma qualification awarded by respective universities – consideration of recognition regarding.

Read: The matter regarding variation in nomenclatures of Postgraduate Degree/Diploma qualification awarded by respective university.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the matter and decided that postgraduate qualifications recognised and included in the 1st Schedule to the IMC Act, 1956 in a subject and the nomenclature thereof if has been subsequently altered by the Council and adopted by the authorities concerned, then the qualifications by both the nomenclatures shall be deemed to be recognised by the Council, so that individuals/candidates may not suffer”.

45. Recognition of each of the PG/Superspeciality courses of each of the medical college under a university – Notification regarding.

Read: The matter regarding issuance of Gazette Notification from the Central Govt. for recognition of each postgraduate qualification of each of the medical college under a university.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the whole matter and decided that a request be made to the Central Government to issue Gazette Notification separately for each of the postgraduate courses of each college under the affiliating & examining University”.

46. **Change of nomenclature of MS(Anatomy) and MD(Obst. & Gynae.) qualification to MD(Anatomy) & MS(Obst. & Gynae.) qualification - Recognition of MD(Anatomy) & MS(Obst. & Gynae.) qualification granted by Manipal Academy of Higher Education(Deemed University), Manipal.**

ITEM REPEATED, REFER TO ITEM NO. 43

47. **King George’s Medical University, Lucknow (Deemed University) – Continuation of recognition of MD(Obst. & Gynae) & DGO qualifications– Compliance verification regarding.**

Read: The compliance verification inspection report (May,2004) togetherwith compliance and Council Inspector’s report (May,2003) on the standard of examination and other teaching facilities available at K.G. Medical College, Lucknow for purposes of continuance of recognition of MD(Obst. & Gynae.) & DGO qualifications granted by Lucknow University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification inspection report (May,2004) and decided to recommend that recognition of MD (Obst. & Gynae.) & DGO qualifications granted by Lucknow University in respect of students being trained at K.G. Medical College, Lucknow be continued.

The Committee further decided to direct the institution authorities to prospectively i.e. from the academic session 2005-2006 restrict the number of admissions to 7 (seven) students for degree and 4 (four) students for diploma per year commensurate with available number of postgraduate teachers and the number of teaching units”.

48. Approval of S.V.S. Medical College, Mehboobnagar for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada.

Read: The Council Inspectors report (18th & 19th Nov., 2004) carried out to assess the undergraduate teaching and training facilities available at S.V.S. Medical College, Mehboobnagar along with standard of examination held under NTR University of Health Sciences, Vijayawada for approval of the college for the award of MBBS degree.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Ad-hoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (18th & 19th Nov., 2004) and decided to recommend that S.V.S. Medical College, Mehboobnagar be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada with an annual intake of 100 (one hundred) students annually”.

49. Approval of Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada.

Read: The Council Inspectors report (18th & 19th Nov., 2004) carried out to assess the undergraduate teaching and training facilities available at Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda along with standard of examination held under NTR University of Health Sciences, Vijayawada for approval of the college for the award of MBBS degree.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Ad-hoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (18th & 19th Nov., 2004) and decided to recommend that Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada with an annual intake of 100 (one hundred) students annually”.

50. Appropriate action to be taken by the Council for endorsing declarations containing misstatement and also false Statement-Explanation of the Deans/Principals in response to MCI letter dated 27/05/2004.

Read: The matter with regard to action to be taken by the Council for endorsing declarations containing misstatement and also false Statement-Explanation of the Deans/Principals in response to MCI letter dated 27/05/2004.

The Council considered the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 24th and 25th June, 2004 and decided to place the same before the next General Body of the Council”.

"The Ethics Committee considered the cases of the following 16 Deans/Principals who were present before the Ethics Committee:-

1. *Dr.T.M.V.Prasad Rao, Dean, Narayana Medical College, Nellore.*
2. *Dr.Glorine Gnanathakom, Principal, Dr.Sommervel MCSI, Karakonam.*
3. *Dr.A.V.Krishnan Raju, Principal, Rangaraya Medical College, Kakinada.*
4. *Dr.C.Madhava Rao, Principal, Pinnamaneni Siddhartha Instt. Chinoutpalli.*
5. *Dr.G.Surender Reddy, Dean, Medicity Instt. of Med. Sciences, Ghanpur.*
6. *Dr.Sheela G.Nayak, Principal, KVG Medical College, Sullia.*
7. *Dr. C.Sadasivan Pillai, Principal, MES Med.College, Perintalmanna.*
8. *Dr. M.Ganapathy, Dean, Konaseena Instt. of Med. Sciences, Amalapuram.*
9. *Dr. D.L. Ramchandra, Principal, PES Instt. of Med.Sciences, Kuppam*
10. *Dr. M.Shantharan Shetty, Dean, K.S. Hegde Med.Academy, Mangalore.*
11. *Dr. T.A.V. Narayana Raju, Principal, Maharaja Instt.of Med.Sciences, Nellimarla*
12. *Dr.P.Venkata Rama Raju, Principal, Alluri Academy of Med.Sciences, Eluru.*
13. *Dr.A. Rama Mohana Rao, Dean, GSL Med. College, Venkatapuram*
14. *Dr.K.V.Raghav Rao, Principal, MNR Medical College, Sangareddy.*
15. *Dr.(Mrs.)L.V. Swarnan, Principal, Amala Instt. of Med. Sciences, Thrissur.*
16. *Dr. M.S. Subhadra, Principal, Co-operative Med.College, Kochi.*

The Ethics Committee after detailed deliberation found that Professional negligence in the part of the following Principals could not be substantiated. Hence, Ethics Committee decided unanimously that they have not violated professional Conduct Etiquette & Ethics Regulation 2002 and no further action is required at this end in respect of the following Principals:-

1. *Dr.Glorine Gnanathakom*
2. *Dr.A.V.Krishnan Raju*
3. *Dr.Sheela G. Nayak*
4. *Dr. M.Shantharan Shetty*
5. *Dr. (Mrs.) L.V.Swarnan*
6. *Dr.M.S. Subhadra*

In case of the following Principals/Deans (P), the Ethics Committee observed that there is wanting of some documents/papers and till those documents are received, the Ethics Committee decided that their cases may

be kept pending and may be considered in the subsequent meeting of the Ethics Committee after obtaining those papers.

1. *Dr. C.Madhava Rao*
2. *Dr. C.Sadasivan Pillai*
3. *Dr. M.Ganapathy*
4. *Dr.K.V. Raghav Rao*

After deliberation of the oral statement as well as scrutiny of the papers, it was found that the following Principals/Deans (F) have committed professional negligence as per Sections 1.1.1, 1.1.2 & 8.1 of the professional Conduct Etiquette Ethics Regulation 2002, the Ethics Committee recommends their names may be erased for a period of three years from the Indian Medical Register:-

1. *Dr.T.M.V. Prasad Rao*
2. *Dr.G.Surender Reddy*
3. *Dr. T.A.V. Narayana Raju*
4. *Dr. P.Venkata Rama Raju*
5. *Dr.A. Rama Mohana Rao*
6. *Dr. D.L. Ramchandra*

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”

"The Dean of the college by virtue of his position is expected to be an emulative role model. In the instant case being conscious of the fact that he has gone ahead with certifying details pertaining to the faculty and he had knowledge that they were incorrect. The knowledge of the wrong deterrents ought to be willful, with full knowledge in the back drop that he also must have known that the same is avoidable by conscious intervention of his /her. As such, the nature and gravity of the wrong that stands committed by him is more than the one which has been committed by the teacher in terms of his singular declaration. It is for this reason the penalty needs to be exemplary in character so as to act as a deterrent for others".

After detailed deliberations, the Ethics Committee is of the unanimous opinion that (1) Dr.T.M.V. Prasad Rao (2) Dr.G.Surender Reddy (3) Dr. T.A.V. Narayana Raju (4) Dr. P.Venkata Rama Raju (5) Dr.A. Rama Mohana Rao (6) Dr.D.L. Ramchandra have committed professional negligence as per Sections 1.1, 1.1.1, 1.1.2 and 8.1 of the Professional Conduct (Etiquette and Ethics) Regulations, 2004. In view of above, the Ethics Committee recommends that her name may be erased for a period of 3 years from Indian Medical Register."

The Council after considering the above deliberated at length on the matters. The members of the Council and of the Adhoc Committee were informed that some of the doctors against whom a similar action was taken earlier by the Council at its meeting held on 12.10.2004 had challenged the decision of the Council in the Hon'ble High Court of Andhra Pradesh. It was also observed that the Single Judge of the Hon'ble High Court of Andhra Pradesh had dismissed the writ petition. However, the Division Bench of the Hon'ble High Court of Andhra Pradesh in Writ Appeal No. 2107 of 2004 between Dr. D. Peraiah Chetty Vs. MCI & Ors. have admitted the appeal and ordered that the "operation, execution and implementation of the order No. 34©/2004-Med/19635, dated 1.11.2004 issued by the 1st and 2nd respondents herein be and hereby is suspended upto 31.3.2005". They were further informed that similar writ appeals have been filed by several other doctors wherein the same orders have been passed.

In view of the above, the Council decided to obtain legal opinion in the matter and authorized the President (Acting) to proceed in accordance with the legal opinion.

51. Appropriate action to be taken by the Council for endorsing declarations containing misstatement and also false statement. Explanation of the Deans/Principals in response to MCI letter dated 27.05.2004.

Read: The decision of the Ethics Committee on the appropriate action to be taken by the Council for endorsing declarations containing misstatement and also false statement. Explanation of the Deans/Principals in response to MCI letter dated 27.05.2004.

The Council considered the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approve the following decision of the Ethics Committee taken at its meeting held on 2/3rd September, 2004 and decided to place the same before the General Body of the Council.

"The Ethics Committee considered the cases of following three Deans/Principals, who were present before the Ethics Committee and heard all of them. All of them were given sufficient time and ample opportunity to submit their explanations:

1. Dr. B. Mallikarjun
2. Dr.(Mrs.) Madhav Kalyani
3. Dr. P. Subanullah

The Ethics Committee after detailed deliberations found that Dr. B. Mallikarjuna, Principal, MR Medical College, Gulbarga and Dr. P.Subanullah, Principal, KBN Medical College, Gulbarga have not committed any professional negligence. Hence, the Ethics Committee unanimously decided that no action is to be taken in these two cases.

It appears from records and statement of Dr.(Mrs.) Madhav kalyani that she has joined NRI Medical College on May, 2003 and joined as Principal in the same institute on 21st August,2003. This is according to her signed statement given before the Ethics Committee. This shows that she had become the Principal only on the next day of the 2nd inspection. But she had signed the declaration forms of the staff as Principal of NRI Medical College for the inspection. This shows that she had given a false statement before the Ethics Committee. Hence her statement that she had recently joined and not aware of the selection procedure and the staff of the college appears to be untenable. It was seen that out of 7 staff, 6 have joined between 1.7.2003-14.7.2003 – that is less then a month before the 1st inspection at 24-25th July, 2003 and one joined at 1.8.2003, that is after 1st but before 2nd inspection. These facts show the complicity of the Principal in the whole process of false certification, falsification of records of medical teachers with an intention to mislead Medical Council of India inspectors. Further she states that after receipt of MCI letter no. 34(C)/2004 - MC/12972 dated 13.08.2004, it came to her notice that 7 members of her staff were found to be working in other medical colleges and out of them 5 doctors were terminated. However, in case of 2 doctors namely Dr. Rama Mohan and Dr. Venugopal Sharma, the Principal has stated that they are still in service and are not terminated because they could produce their relieving orders from the previous institute which were satisfactory in her opinion. However, the Principal did not produce copies of any such relieving orders in the Ethics Committee. It appears that these relieving orders (if they exist at all) were obtained after date of MCI inspection. This only shows that the Principal is trying to condone the wrong committed by two of her staff members.

The Dean of the College by virtue of his position is expected to be an emulative role model. In the above 2 cases it appears that the Principal have condoned/ accepted declarations of the doctors which are incorrect. This amounts to perpetuating some mistakes or willful commissions on the

part of the Principal. Such unwanted actions can only be willful and with full knowledge in the backdrop that she must also have known that the same is avoidable by conscious intervention of her. As such, the nature and gravity of the wrong that stands committed by her is more than the one which has been committed by the teacher in terms of her singular declaration. It is for this reason the penalty needs to be exemplary in character so as to act as a deterrent for others.

After detailed deliberations, the Ethics Committee is of the unanimous opinion that Dr. Madhav Kalyani, Principal, NRI Medical College, Guntur has committed professional negligence as per Sections 1.1, 1.1.1, 1.1.2 and 8.1 of the Professional Conduct (Etiquette and Ethics) Regulations, 2004. In view of above, the Ethics Committee recommends that her name may be erased for a period of 3 years from Indian Medical Register."

The Council after considering the above deliberated at length on the matters. The members of the Council and of the Adhoc Committee were informed that some of the doctors against whom a similar action was taken earlier by the Council at its meeting held on 12.10.2004 had challenged the decision of the Council in the Hon'ble High Court of Andhra Pradesh. It was also observed that the Single Judge of the Hon'ble High Court of Andhra Pradesh had dismissed the writ petition. However, the Division Bench of the Hon'ble High Court of Andhra Pradesh in Writ Appeal No. 2107 of 2004 between Dr. D. Peraiah Chetty Vs. MCI & Ors. have admitted the appeal and ordered that the "operation, execution and implementation of the order No. 34©/2004-Med/19635, dated 1.11.2004 issued by the 1st and 2nd respondents herein be and hereby is suspended upto 31.3.2005". They were further informed that similar writ appeals have been filed by several other doctors wherein the same orders have been passed.

In view of the above, the Council decided to obtain legal opinion in the matter and authorized the President (Acting) to proceed in accordance with the legal opinion.

52. **Complaint against Dr. Purnima Nath as alleged by Mr. Gadadhar Das(F.No.174/2003).**

Read: The matter with regard to Complaint against Dr. Purnima Nath as alleged by Mr. Gadadhar Das.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 26th - 28th August, 2004:-

"The Ethics Committee considered the matter with regard to complaint against Dr. Purnima Nath as alleged by Mr. Gadadhar Das and noted the decision of the Orissa Medical Council in respect of Dr. Purnima Nath wherein Dr. Nath was warned in future guidance."

53. Complaint against Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and Others.

Read: The complaint made against the Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and Others.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 26th to 28th August, 2004 and decided to place the same before the next General Body of the Council:-

"The Ethics Committee considered the matter with regard to complaint against Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and others and noted the decision of the Bihar Medical Council in the complaint case against Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and others wherein they have awarded strict warning to Dr. S.K. Agarwal. The Ethics Committee recommended that this may be noted into the IMR and the same may be communicated to the complainant also and the file may be treated as closed."

54. Complaint against Dr. Amjad Khan as alleged by Mr. Faquir Chand.

Read: The complaint of Mr. Faquir Chand against Dr. Amjad Khan.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted and approved the following decision of the Ethics Committee taken at its meeting held on 1st & 2nd November, 2004 and decided to place the same before the General Body of the Council:-

"The Ethics Committee noted that Bihar Medical Council had de-registered Dr. Amjad Khan vide Registration no. 32614 dt. 31.03.2001 for a period of one month.

In view of above, the Ethics Committee decided that his name must be erased for one month from IMR also."

55. Order passed by the Punjab Medical Council on the complaint of Dr. O.P.S. Kande against Dr. Sumeet Sofat and Dr. Sumita Bedi of Sofat Infertility & Women Care Centre, Ludhiana.

Read: The order dated 12/10/2004 passed by the Punjab Medical Council on the complaint of Dr.O.P.S. Kande against Dr. Sumeet Sofat and Dr. Sumita Bedi of Sofat Infertility & Women Care center, Ludhiana.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted and approved the following decision of the Ethics Committee taken at its meeting held on 1st & 2nd November, 2004 and decided to place the same before the General Body of the Council:-

'The Ethics Committee noted the order passed by the Punjab Medical Council on the complaint of Dr. O.P.S.Kande against Dr. Sumeet Sofat and Dr. Sumita Bedi of Sofat Infertility & Women Care Centre, Ludhiana. The Ethics Committee noted that the names of both the above mentioned doctors have been erased from the register of the Punjab Medical Council.

In view of above, their names may be erased from the Indian Medical Register till further notice until further information comes from the Punjab Medical Council."

56. W.P. (C) No. 317/2000 - Malay Ganguly Vs. MCI & Ors.

Read: The letter dt. 13/10/2004 from Sh. Maninder Singh, Council Advocate on W.P. (C) No. 317/2000 - Malay Ganguly Vs. MCI & Ors.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 3rd and 4th January, 2005:-

"The Ethics Committee noted the letter dt. 13/10/2004 of Mr. Maninder Singh, Council Advocate with regard to WP (C) No. 317/2000 - Malay Ganguly Vs. MCI & Ors. and was of the opinion that perhaps inclusion of the proposed provision in the IMC (Professional Conduct, Etiquette and Ethics) Regulations, 2002 as amended in 2004 for providing transfer of registration of a medical practitioner from one State Medical Council to another State Medical Council on a medical practitioner shifting his/her place of residence and practice may be accepted."

57. Amendment in the Screening Test Regulations, 2002 as per directions of the Hon’ble Supreme Court vide its judgment dated 16/11/2004 – conduct of Screening Test regarding.

Read: The letter received from the Central Govt., Ministry of Health & F.W. with regard to amendments in Screening Test Regulations, 2002 as per directions of the Hon’ble Supreme Court vide its judgment dated 16/11/2004.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted and approved the following amendments to be incorporated in Screening Test Regulations, 2002:-

1. *The existing clause 7 will be substituted as under:-*

"7. The Screening Test shall be conducted as per Schedule of examination announced by the Prescribed Authority i.e. National Board of Examinations. The procedure of conducting the test shall be in accordance with the scheme announced by Medical Council of India in this regard."

2. *For existing clause 8, the following will be substituted:*

"8. There shall be one paper of multiple choice questions which will consist of a total of 300 questions (50 questions on pre clinical, 50 questions on para clinical and 200 questions on clinical subjects). For the sake of convenience in conducting the test, the paper can be divided into two parts, the questions on pre and para clinical subjects forming Part-I and questions on clinical subjects forming Part-II."

3. *After clause 8, the following clause 8a shall be inserted:-*

"8a. The questions in the screening test may be put in the ratio of 1/3 from pre and para clinical subjects and the remaining 2/3 from the clinical sections."

4. *The existing clause 9 will be substituted as under:*

*"9. A candidate should be declared as pass only if he/she obtains a minimum of 50% marks in both the parts combined. In case a person fails to make minimum of 50% marks in aggregate, he shall have to attempt again both the parts of the paper i.e. Parts I & Part-II.
All the candidates who appear in the test shall be provided with mark sheet"*

58. O.P. No. 18900/1995 – Dr. John Zachariah David Vs. Registrar, Medical Council of India & Anr. before the Hon’ble Kerala High Court.

Read: The O.P. No. 18900/1995 – Dr. John Zachariah David Vs. Registrar, Medical Council of India & Anr. before the Hon’ble Kerala High Court.

The Council noted the following-

"A Petition being O.P. No.18900/1995 has been filed by one Dr. John Zachariah David before the Hon’ble Kerala High Court, inter-alia, against the letter of the State Medical Council requiring him to return the original certificate of registration of additional qualification dated 16.11.1974 stated to have been issued due to oversight and when the qualification – Doctor of Medicine (Medicine including Tropical

Medicine) from the Andhra University is not included in the Schedule of qualifications recognized by the MCI. The record of the case reveals that Dr. John was selected and had undergone teaching and training in the subject of MD (General Medicine). However, he was awarded degree in MD(Medicine) in Branch-I Medicine including Tropical Medicine from Andhra University in the year 1973 on the basis of which he obtained a certificate of registration of additional qualification issued on 16.11.1974 from the Medical Council of Thiruvananthapuram. Since then he was enjoying the benefit of his additional qualification. It has been contended by him in the petition that the course undergone by him remains a course of MD (Gen. Med.) and not MD (Tropical Med.) although Tropical Medicine was one of the subjects for this course. It is the submission of Dr. John that MD(General Medicine) of Andhra University is a recognized medical qualification under the provisions of the IMC Act and, therefore, there is no justification available to Travancore-Cochin Medical Council whereby the benefit of the additional qualification earned by him in 1973 can be taken away in such a manner.

To recall, by virtue of amendment in the Indian Medical Council Act, 1993 w.e.f. 01.06.1992, the provisions of Section 10A, 10B and 10C were incorporated in the Act making it mandatory for each person seeking to establish a new medical college/institution and/or starting a higher course or seeking increase in its annual intake capacity, to seek a prior permission of the Central Govt. u/s 10A of the Act on the recommendations of the Council. It, therefore, became necessary that if any medical college is seeking to start any PG degree or diploma course, to obtain a prior permission from the Central Govt. u/s 10A of the Act on the recommendations of the Council. The statutory scheme further prescribes that after a college obtains permission from the Central Govt. u/s 10A for starting of any PG degree/diploma course, when students of the 1st batch was admitted, are to appear in the final examination, it is required to make an application for consideration of its case for grant of recognition u/s 11(2) of the Act. Further, the provisions of Regulation 6 of the PG Regulations also reiterate and re-emphasize this position. It has been clearly provided in the Act that if any medical college had started any PG degree or diploma course before coming into operation of the Amendment Act of 1993 but has still not undertaken the process u/s 11(2) of the Act for seeking recognition of the qualification, it is laid down that the said medical college should move its application through the affiliating university to the Central Govt. for necessary exercise and action u/s 11(2) of the Act. Till the time the said qualification is recognized, any such PG qualification obtained by a candidate does not entitle him to claim and obtain an entry in the IMR of the higher qualification against the name of the said candidate, u/s 26 of the Act.

It may be stated here that the Regulations on PGME, 2000 came into operation August, 2000. It was being observed that different medical colleges in the country were giving different nomenclature than what is enshrined in clause 7 and the Schedule of approved nomenclatures of qualifications of the PG Regulations for conduct of various similar

PG courses. Hence, a necessity was felt to have a uniform nomenclature for PG degree and diploma courses.

To achieve adoption of uniform nomenclatures of PG courses in all the medical colleges in the country, the issues – (i) there existed nomenclatures of PG courses which are, although recognized by MCI but perhaps have not been included in the Schedule to the PG Regulations, 2000; and (ii) that many of the medical colleges have not adopted/implemented the nomenclatures enlisted in the PG Regulations of 2000 – were placed for consideration before the PG Committee of the Council at its meeting held on 23.3.2004, when the Committee directed that all the medical colleges, while being informed of the difficulties faced by the holders of such qualifications the nomenclature whereof is not mentioned in the Schedule to the PG Regulations, were requested to supply the list of such PG degree/diploma including superspeciality courses which are recognized by the MCI and are being awarded by different nomenclature.

It is the grievance of Dr. John that u/s 28 of the Travancore Medical Practitioners Act, 1953, empowering the State Council to remove the name of a candidate from the Register of the said Council, does not empower the State Council to deny him the benefit of additional qualification earned by him and that of an entry against his name u/s 26 of the IMC Act.

In view of the facts of this petition, the Legal Adviser of the Council has requested the above matter to be placed before an appropriate Committee of the Council for consideration whether –

- (1) if any entry of additional qualification u/s 26 of the Act has been made on account of some mistake or error, the correction thereof could not only be necessary but would be imperative. However, in the light of the facts on record of this case that Dr. John was selected for MD (General Medicine) and got training in that discipline, whether the mention of the line – Branch-I Medicine including Tropical Medicine in his MD degree certificate would convert the nomenclature of that PG degree certificate to mean that is not MD (General Medicine) but is MD (Tropical Medicine) being an unrecognized qualification and, therefore, does not entitle him to continue to have the benefit of entry of additional qualification against his name u/s 26 of the Act?
- (2) The provisions of Section 26 of the Act clearly lays down unambiguously that the substitution or addition against the name of a doctor in the Indian Medical Register for the additional medical qualification obtained by a candidate, can only be carried out by the MCI and not by a State Medical Council. This position becomes absolutely clear when the provisions of Section 26(2) are read carefully with the scheme of the Act starting from Sections 21, 22, 23 & 24 clearly laying down that it is only when the substitution/addition against the name of a person in the IMR, for the additional qualification when carried out in the IMR, it is only then that the State

Medical Council is required to carry out the necessary addition in the State Medical Register and not vice versa. In this case, the candidate has enjoyed the benefit of entry of the additional qualification against his name for last more than 30 years, i.e. after the candidate acquired the PG qualification in the year 1973. In view of Section 26(2) read with Section 21, 22, 23 & 24 of the Act, following issues deserve consideration:

- (i) Whether any State Medical Council has the jurisdiction or authority to carry out any entry of possessing any additional qualification against the name of a doctor who gets registration u/s 15 of the Act?
- (ii) Whether any State Medical Council has any jurisdiction or authority to seek to cancel the entry of additional qualification made against the name of a doctor whose name also stands entered into the IMR?

If the reply to 2(i) & 2(ii) above is in the negative, then the Council would be required to suitably advise all the State Medical Council to forward all the cases of entries for additional qualifications against the names of those doctors who get their name registered on the basis of primary medical qualification – to the Indian Medical Council, they would neither be empowered nor authorized either to make any such entry u/s 26 of the Act or to cancel any such entry which is made in the IMR.

After due deliberations and noting the above facts, the Council approved the following recommendations of the Postgraduate Committee:-

"The members of the Postgraduate Committee deliberated at length and decided as under:-

- (i) Whether any State Medical Council has the jurisdiction or authority to carry out any entry of possessing any additional qualification against the name of a doctor who gets registration u/s 15 of the Act?- NO (in view of the Section 26 (2) read with Sections 21,22,23,24 of the Act.)
- (ii) Whether any State Medical Council has any jurisdiction or authority to seek to cancel the entry of additional qualification made against the name of a doctor whose name also stands entered into the IMR?-NO

The Committee further decided that as the reply to 2(i) & 2(ii) above is in the negative, then the Council would be required to suitably advise all the State Medical Council to forward all the cases of entries for additional qualifications against the names of those doctors who get their name registered on the basis of primary medical qualification - to the Indian Medical Council, they would neither be empowered nor authorised either to make any such entry u/s 26 of the Act or to cancel any such entry which is made in the IMR."

59. Minutes of the Finance Committee Meeting held on 01/12/2004 – Approval of.

Read: The minutes of the Finance Committee meeting held on 01/12/2004.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the minutes of the Finance Committee meeting held on 1.12.2004”.

60. Minutes of the Building Committee meetings held on 29th December, 2004, 3rd March, 2005 & 17th March, 2005.

Read: The minutes of the Building Committee meetings held on 29th December, 2004, 3rd March, 2005 & 17th March, 2005.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Building Committee meetings held on 29th December, 2004, 3rd March, 2005 & 17th March, 2005.”

61. Minutes of the Postgraduate Committee – Approval of

Read: The minutes of the PG Committee Meetings held on 23/09/2004, 29/10/2004, 23/12/2004 & 11/02/2005.

The Council approved the minutes of the PG Committee Meetings held on 23/09/2004, 29/10/2004, 23/12/2004 & 11/02/2005.

62. Re-Designation of retired Group ‘B’ & ‘C’ posts in the Council Office.

Read: The matter with regard to re-designation of retired Group ‘B’ & ‘C’ posts and revision of pay scale w.e.f. 01/04/1993.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to grant benefits arises due to re-designation of pay scales to the following six retired employees w.e.f. 1.4.1993:-

| <u>S.No.</u> | <u>Name</u> | <u>Designation</u> | <u>Date of Retirement</u> |
|--------------|-----------------|---------------------|---------------------------|
| 1. | Sh. P.C. Gupta | Accountant | 31.8.1994 |
| 2. | Sh. Tulsi Ram | Superintendent | 28.2.1994 |
| 3. | Sh. Kishori Lal | Assistant Secretary | 30.11.2001 |
| 4. | Sh. Brij Lal | Superintendent | 31.12.1997 |
| 5. | Mrs. Ram Murti | Superintendent | 30.6.1999 |
| 6. | Sh. L.D. Monga | Assistant | 30.4.1994 |

63. Removal of the name of deceased person from Register of Registered Medical Practitioners – Dr. Nawal Kishore Sharma.

Read: The letter dated 19.1.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Nawal Kishore Sharma (Regn. No.963, dated 21.5.1963) has expired on 17.1.2005 and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter received from the Registrar, Rajasthan Medical Council intimating that Dr. Nawal Kishore Sharma (Registration No. 963, dated 21/5/1963) has expired on 17.1.2005 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country”.

64. Removal of the name of deceased person from the Medical Registrar.

Read: The letter dated 10th August, 2004 from the Registrar, Rajasthan Medical Council intimating that Santokh Singh Thind (Registration No. 5922, dated 09/10/1976) has expired on 02nd May, 2004 and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter received from the Registrar, Rajasthan Medical Council intimating that Dr. Santokh Singh Thind (Registration No. 5922, dated 09/10/1976) has expired on 02nd May, 2004 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country”.

65. Removal of the name of deceased person from the Indian Medical Register.

Read: The letter dt. 25/10/2004 from the Registrar, Rajasthan Medical Council intimating that that Dr. B.R. Maheshwari (Registration No. 714 dt. 13/09/1960) had expired on 24/10/2004 as per the News published in Daily Rajasthan Patrika dated 25/10/2004 and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 25.10.2004 received from the Registrar, Rajasthan Medical Council intimating that Dr. B.R. Maheshwari (Registration No. 714 dt. 13/09/1960) had expired on 24/10/2004 as per the News published in Daily Rajasthan Patrika dated 25/10/2004 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country”.

66. Removal of the name of deceased person from the Indian Medical Register.

Read: The letter dt. 03/11/2004 from the Registrar, Rajasthan Medical Council intimating that that Dr. S.N. Kakkar (Registration No. 457 dt. 11/05/1961) had expired on 02/11/2004 as per the News published in Daily Rajasthan Patrika dated 03/11/2004 and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 3.11.2004 received from the Registrar, Rajasthan Medical Council intimating that Dr. S.N. Kakkar (Registration No. 457 dt. 11/05/1961) had expired on 02/11/2004 as per the News published in Daily Rajasthan Patrika dated 03/11/2004 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country”.

67. To consider the matter of intake capacity to PG Degree/Diploma courses.

Read: The matter of intake capacity to PG Degree/Diploma courses.

After due deliberations and discussions, the Council decided as under:-

"The Postgraduate Committee while considering the matter pertaining to increase of seats in the degree course u/s 10A of the Indian Medical Council Act,1956 may reduce the intake capacity in the concerned diploma courses although duly recognised with a definite intake, if need be, so as to be in consonance with the existing Regulations of the Council on Postgraduate Medical Education, 2000."

68. Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained Dr. B.R. Ambedkar Medical College, Bangalore.

Read: The Council's inspectors report (Sept., 2004) carried out for continuation of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Dr. B.R. Ambedkar Medical College, Bangalore alongwith letter signed jointly by the Principal & Chairman of the Governing Council of the college.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (September, 2004) and observed that gross deficiencies of teaching faculty, clinical material and infrastructure were received in the report.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also perused the letter dated 21st March, 2005 signed jointly by the Principal & Chairman of the Governing Council of the college and noted that in the said letter, no compliance in respect of any of the deficiency has been furnished.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council in view of the above, therefore decided to recommend to the Central Government to de-recognise the institution for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore u/s 19 of the Indian Medical Council Act, 1956 and further to request the Central Government to ask the institution to stop admissions with immediate effect for the academic year 2005-06”.

69. Equivalency of DNB qualifications with MD/MS and DM/M.Ch. courses.

Read: The report of the Sub-Committee with regard to Equivalency of DNB qualifications with MD/MS and DM/M.Ch. courses.

Item No. 69 & 76 were tagged and taken up for discussion and decision together.

The Council noted that the Postgraduate Committee at its meeting held on 23.12.2004 considering the letter dated 20.12.2004 from the Govt. of India decided to seek the opinion thereon from the Directors of premier institutions like AIIMS, New Delhi; PGI, Chandigarh; SGPGI, Lucknow; JIPMER, Pondicherry; Sri Chitra Thirunal Institute of Medical Sciences & Technology, Trivandrum; KGMU (Deemed University), Lucknow.

The observations communicated by Registrar, AIIMS, New Delhi in his communication dated 29.1.2005 enclosing the minutes of the meeting held on 22.1.2005 at AIIMS and observations of the Vice Chancellor, KGMU (Deemed University), Lucknow in his communication dated 1.2.2005 were in contrast to the

observations that have been brought out by the Committee of Experts incorporated in the communication from the Govt. of India dated 20.12.2004.

In view of the same, the Secretary of the Council by a communication dated 17.3.2005 directed by the Chairman, Postgraduate Committee sought opinion of the members of the Postgraduate Committee in regard to the conclusion that "it was not prudent and appropriate to waive the decision of the General Body of the Council prescribing additional teaching experience of one/two years at the recognised medical institutions/colleges for acquiring equivalence with the regular postgraduate degrees by the holders of Diplomate National Board for the purpose of appointment as teacher in medical colleges/institutions."

The said decision was concurred by the members of the Postgraduate Committee. The members observed that the observations brought out by the Vice-Chancellor of King George Medical University, Lucknow and those by the various heads of the department at A.I.I.M.S. vide a meeting held on 22.1.2005 presided over by the Dean, Dr. Kusum Verma be adopted.

Accordingly, Council unanimously decided that the earlier decision of the Council in regard to equivalency of DNB qualifications with MD/MS and DM/MCh. course with that of Diplomate of National Board and their validity for the purpose of appointment of teachers is reiterated.

70. Conducting of DNB courses in Postgraduate medicine in Govt. Medical Colleges by utilising the surplus capacity available vis-à-vis MCI norms.

Read: The letter dt. 17th August, 2004 received from the Govt. of India, Ministry of Health & F.W., with regard to conducting of DNB courses in Postgraduate medicine in Govt. Medical Colleges by utilising the surplus capacity available vis-à-vis MCI norms.

After due deliberations and discussions, the Council decided as under:-

"The Council noting the letter dated 17th August, 2004 from the Director, Govt. of India, Ministry of Health & F.W. and decided that as of now, there is neither need nor necessity to revise the earlier instructions of the Council to all the medical institutions/colleges not to admit DNB candidates for training, so as to avoid duplication and ensure fair and desired teaching and training including hands on training to the students admitted to the postgraduate courses permitted by the Council."

71. Proposal to obtain written declaration from the applicant at the time of registration with the Council.

Read: The matter with regard to the proposal to obtain written declaration from the applicant at the time of registration with the Council.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following format of Declaration to obtain written declaration from the applicant at the time of registration with the Council.

It is provided in “The Indian Medical Council (Professional Conduct Etiquette and Ethics) Regulations, 2002” that each applicant, at the time of making an application for registration under the provisions of the Act, shall be provided a copy of the declaration and shall submit a duly signed Declaration as provided in the Appendix I.

The relevant portion of the Regulations is cited below:-

Chapter I
1. Code of Medical Ethics
A. Declaration

Each applicant, at the time of making an application for registration under the provisions of the Act, shall be provided a copy of the declaration and shall submit a duly signed Declaration as provided in the Appendix 1. The applicant shall also certify that he/she had read and agreed to abide by the same.

A format of Declaration as given in the Regulations vide ‘Appendix – I’ is as under:-

APPENDIX 1
A DECLARATION

At the time of registration, each applicant shall be given a copy of the following declaration by the Registrar concerned and the applicant shall read and agree to abide by the same.

1. I solemnly pledge myself to consecrate my life to service of humanity.
2. I will maintain the utmost respect for human life.
3. I will not permit considerations of religion, nationality, race, party politics or social standing to intervene between my duty and my patient.
4. I will practice my profession with conscience and dignity.
5. The health of my patient will be my first consideration.
6. I will respect the secrets, which are confined in me.
7. I will maintain by all means in power, the honour and noble traditions of medical profession.
8. I will treat my colleagues with all respect and dignity.
9. I shall abide by the Code of Medical Ethics as enunciated in the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 as amended from time to time.

I make these promises solemnly, freely and upon my honour.

Signature.....
Name.....

Place.....
Address.....
Date.....

It is therefore proposed that the Council Office may implement the above provisions as given in the "The Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002" and obtain signed declaration from each applicant at the time of their permanent registration with the Medical Council of India."

72. Annual Report of the Medical Council of India for the year 2003- 2004.

Read: The Annual Report of the Medical Council of India for the year 2003-2004.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

"The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and decided to approve the Annual Report of the Council for the year 2003-04".

73. Recommendation of D.P.C. regarding confirmation of officials of the Council.

Read: The recommendation of D.P.C. regarding confirmation of officials of the Council.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Departmental Promotion Committee held on 6.9.2004 with regard to confirmation of officials of the Council:-

As such, the probation completion report in respect of said officers by the then Secretary is not on record, however, the Annual Confidential Reports available on record reflect their performance to be "Good".

In view of the same, the Committee recommends that Dr. Prem Kumar be treated as "deemed confirmed" to the post of Deputy Secretary from the date of completion of his probation i.e. 18.11.1999, Shri A.K. Ahluwalia be treated as "deemed confirmed" to the post of Accountant from the date of completion of his probation i.e. 29.5.1997 and Shri Anupam Dhua be treated as "deemed confirmed" to the post of Computer Programmer from the date of completion of his probation i.e. 28.9.2001".

74. Recognition/Approval of Surat Municipal Institute of Medical Education & Research, Surat for the award of MBBS degree granted by Veer Narmad South Gujarat University, Surat.

Read: The Council Inspectors report (11th & 12th March, 2005) for recognition/approval of Surat Municipal Institute of Medical Education & Research, Surat for the award of MBBS degree granted by Veer Narmad South Gujarat University, Surat.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspector’s report (11th & 12th March, 2005) and decided to recommend that Surat Municipal Institute of Medical Education & Research, Surat be recognised/approved for the award of MBBS degree granted by Veer Narmad South Gujarat University, Surat with an annual intake of 100 students”.

75. Approval of C.U. Shah Medical College, Surendranagar for the award of MBBS degree granted by Saurashtra University, Rajkot.

Read: The Council Inspectors report (16th & 17th March, 2005) for approval of C.U. Shah Medical College, Surendranagar for the award of MBBS degree granted by Saurashtra University, Rajkot.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspector’s report (16th & 17th March, 2005) and decided to recommend that C.U. Shah Medical College, Surendranagar be approved for the award of MBBS degree granted by Saurashtra University, Rajkot with an annual intake of 100 students”.

76. Equivalence of National Board of Examinations qualifications with that of MD/MS/DM/M.Ch. of other University for the purpose of appointment as teachers.

Read: The letter dt. 20th Dec., 2004 from the Govt. of India, Ministry of Health & F.W. with regard to equivalence of National Board of Examinations qualifications with that of MD/MS/DM/M.Ch. of other University for the purpose of appointment as teachers.

Item No. 69 & 76 were tagged and taken up for discussion and decision together.

The Council noted that the Postgraduate Committee at its meeting held on 23.12.2004 considering the letter dated 20.12.2004 from the Govt. of India decided to seek the opinion thereon from the Directors of premier institutions like AIIMS, New Delhi; PGI, Chandigarh; SGPGI, Lucknow; JIPMER, Pondicherry; Sri Chitra Thirunal Institute of Medical Sciences & Technology, Trivandrum; KGMU (Deemed University), Lucknow.

The observations communicated by Registrar, AIIMS, New Delhi in his communication dated 29.1.2005 enclosing the minutes of the meeting held on 22.1.2005 at AIIMS and observations of the Vice Chancellor, KGMU (Deemed University), Lucknow in his communication dated 1.2.2005 were in contrast to the observations that have been brought out by the Committee of Experts incorporated in the communication from the Govt. of India dated 20.12.2004.

In view of the same, the Secretary of the Council by a communication dated 17.3.2005 directed by the Chairman, Postgraduate Committee sought opinion of the members of the Postgraduate Committee in regard to the conclusion that "it was not prudent and appropriate to waive the decision of the General Body of the Council prescribing additional teaching experience of one/two years at the recognised medical institutions/colleges for acquiring equivalence with the regular postgraduate degrees by the holders of Diplomate National Board for the purpose of appointment as teacher in medical colleges/institutions."

The said decision was concurred by the members of the Postgraduate Committee. The members observed that the observations brought out by the Vice-Chancellor of King George Medical University, Lucknow and those by the various heads of the department at A.I.I.M.S. vide a meeting held on 22.1.2005 presided over by the Dean, Dr. Kusum Verma be adopted.

Accordingly, Council unanimously decided that the earlier decision of the Council in regard to equivalency of DNB qualifications with MD/MS and DM/MCh. course with that of Diplomate of National Board and their validity for the purpose of appointment of teachers is reiterated.

77. Consideration of recommendation of DPC for the post of Additional Secretary in the Council Office.

Read: The recommendation of the Departmental Promotion Committee taken at its meeting held on 16.03.05 regarding promotion to the post of Additional Secretary in the Council Office.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ ble Supreme Court and of the Executive Committee of the Council considered the recommendations of the DPC and decided to approve the recommendations of the DPC that Dr. P. Kumar, Joint Secretary, be promoted to the post of Additional Secretary in accordance to the recruitment rules”.

78. Consideration of recommendation of DPC for granting higher pay-scale to Sh. A. K. Ahluwalia, Accounts Officer.

Read: The recommendation of Departmental Promotion Committee taken at its meeting held on 16.03.05 for the purpose of granting higher pay scale to Sh. A. K. Ahluwalia, Accounts Officer.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the recommendations of the DPC and decided to approve the recommendations of the DPC that Shri A.K. Ahulwalia be placed in the higher scale of Rs. 10,000 – 15,200/- w.e.f. 04/03/2004 onwards”.

79. **Extension of services of Dr. M.C.R. Vyas as Whole Time Inspector.**

Read: The recommendation of the Executive Committee with regard to extension of service of Dr. M.C.R. Vyas as Whole Time Inspector.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted that the service of Dr. M.C.R. Vyas, Whole Time Inspector is going to expire on 9.4.2005. The Committee decided to extend the services of Dr. M.C.R. Vyas for a period of one year i.e. upto 9.4.2006.”

(Lt Col. (Retd) Dr. A.R.N. Setalvad)
Secretary

New Delhi, dated the
26th March, 2005.

APPROVED

(DR. P.C. KESVANKUTTY NAYAR)
PRESIDENT (ACTING)