

Medical Council of India
New Delhi

Minutes of the meeting of the Board of Governors dt. 17.09.2012

Reference Medical Council of India meeting notice dated 14.09.2012. The meeting of the Board of Governors was held on 17.09.2012 at 10.00 a.m. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077 under the Chairmanship of Dr.(Prof.) K.K. Talwar, Chairperson, Board of Governors. The following members of the Board of Governors attended the meeting:-

1.	Dr. (Prof.) H.S. Rissam	Member, Board of Governors
2.	Dr. Purshotam Lal	Member, Board of Governors
3.	Dr. Ashok Kumar Gupta	Member, Board of Governors
4.	Dr. Rajiv C. Yeravdekar	Member, Board of Governors
5.	Dr. (Prof.) K. Mohandas	Member, Board of Governors

Prof. Sanjay Shrivastava - Member Secretary, BOG meeting.

Apology for absence was received from Dr. (Prof.) K.S. Sharma, Member, Board of Governors.

The agenda for the meeting was as under:-

1. **Confirmation of the minutes of the meeting of the Board of Governors held on 10th September, 2012 under the Chairmanship of Dr. (Prof.) K.K. Talwar, Chairperson, Board of Governors.**

The minutes of the meeting of the Board of Governors held on 10.09.2012 under the chairmanship of Dr.(Prof.) K.K. Talwar, Chairperson, Board of Governors were read and confirmed. The confirmed minutes of the meeting were signed by the members of Board of Governors present.

2. **PG Degree/Diploma recognition cases - 107, wherein observations of PG Assessment Screening Committee and Sub-Committee of BOGs are available for decision by BOGs.**

Since one of the members of the Sub-Committee of the BOGs for postgraduate, Dr.(Prof.) K.S. Sharma was not present, therefore, the item was deferred.

3. Recognition of PG qualifications of B.P.Koirala Instt. Of Health Sciences, Dharan, Nepal – for decision by the BOGs.
4. Recognition of PG Degree granted by Instt. Of Medicine, Maharaj Ganj, Kathmandu, Nepal – for decision by the BOGs.

The decision of item No.3&4 were taken together.

The agenda notes, assessment reports and the observations of Postgraduate Assessment Screening Committee were studied. After detailed discussions, the BOGs decided that the courses for which the assessment has been carried out, the compliance report has been received and seen by the Postgraduate Assessment Screening Committee pending for BOGs decision may be considered for decision. The following decisions were taken:-

1. The BOGs decided to recommend recognition of M.S.(Obst. & Gynae.) in respect of B.P.Koirala Instt. Of Health Sciences, Dharan, Nepal when granted in or after 2011.
2. Recommended recognition of M.S.(Ortho.) course conducted by Instt. Of Medicine, Maharaj Ganj, Kathmandu, Nepal under Tribhuvan University. The course may be recognized when degree is granted on or after 2011.
3. To recommend recognition of M.D.(Internal Medicine) degree of Instt. Of Medicine, Maharaj Ganj, Kathmandu, Nepal under Tribhuvan University when granted in or after 2010.
4. Recommended for recognition of M.D.(DVL) course conducted by Instt. Of Medicine, Maharaj Ganj, Kathmandu, Nepal under Tribhuvan University, to be recognized when granted in or after 2011.
5. The Board of Governors decided that the entire matter relating to grant of recognition for postgraduate degrees imparted by these two institutions of Nepal needs review in view of the existing provision of need for appearing for screening test for registration of basic qualification i.e. MBBS. A detailed note may be prepared based on facts for sending to Ministry of Health & FW for seeking their view in the matter.
6. The Board of Governors decided not to send assessors for postgraduate courses which are due for recognition in respect of B.P.Koirala Instt. Of Health Sciences, Dharan, Nepal and Instt. Of Medicine, Maharaj Ganj, Kathmandu, Nepal till such time the decision regarding recognition of postgraduate qualifications is taken in consultation with Ministry of Health & F.W.

7. Regarding necessity for periodic assessment every 5 years as done in case of postgraduate degrees of our country, the BOGs decided that periodic assessment after completion of 5 years may not be done till such time the final decision is taken in consultation with Ministry of Health & F.W.
5. **Decision on applications received for starting New PG courses/for increasing number of existing PG seats, not fulfilling the criteria for registration - decision regarding dis-approval and return of application alongwith application fee.**

The decision regarding disapproval and return of application along with application fee was taken in respect of the institutions not fulfilling the criteria for registration on respective files.

6. **Matter relating to submission of application for starting New PG courses/increase in number of existing PG seats by the Institution wherein adverse action has been taken by the BOGs on show cause notice.**

After detailed discussion, considering the agenda note and documents on file the BOGs decided that the request for starting new postgraduate courses/increase of postgraduate seats in existing medical colleges/institutions will not be considered by the MCI in respect of the institutions where the BOGs has already taken decision on show cause notice by not permitting National Instt. of Medical Sciences, Jaipur and Kalinga Instt. of Medical Sciences, Bhubaneshwar for increasing the admission capacity of MBBS course.

The Board of Governors decided that the other institutions for which the action (to de-recognise the college and directing colleges to stop admissions) has been recommended by the BOGs to Ministry of Health & F.W. may be treated in similar manner, that means the application for starting of new postgraduate course/increase of postgraduate seats will not be considered for the academic year 2013-14.

7. **Review of Postgraduate Medical Education Regulations,2000 with respect to nomenclature of M.Ch. (Head & Neck Surgery) and number of maximum PG seats permitted in the subjects of Anaesthesiology, Forensic Medicine & Radiotherapy.**

The Board of Governors decided that the nomenclature of M.Ch.(Head & Neck Surgery) as notified in Gazette dated 21.02.2012 may be modified as "M.Ch.(Head & Neck Oncology)". The prior requirement for taking admission in M.Ch.(Head & Neck Oncology) will be (a) M.S.(General Surgery); (b) M.S.(ENT). The M.Ch. courses which are listed under category of prior requirements for the courses i.e. M.Ch.(Plastic &

Reconstructive Surgery), M.Ch.(Surgical Oncology) and M.Ch.(Neuro Surgery) may be deleted from the list.

The institutions which have applied for starting M.Ch.(Head & Neck Surgery) may be informed that their application will be considered for M.Ch.(Head & Neck Oncology) as the earlier notified course of M.Ch.(Head & Neck Surgery) is being modified to M.Ch.(Head & Neck Oncology). If it is acceptable to the institution, the institution may be asked to convey their willingness for consideration of their proposal for the course of M.Ch.(Head & Neck Oncology).

The Board of Governors considered the agenda note and the existing provision of the Postgraduate Medical Education Regulations, 2000 notification dated 24.04.2012 in respect of the postgraduate courses in Anaesthesiology, Forensic Medicine & Radiotherapy. The BOGs noted that in the existing notification the ceiling of maximum number of 6 postgraduate seats including diploma seats per academic year is mentioned. The BOGs decided that the clause "*subject to a maximum of 6 postgraduate seats including diploma seats per academic year*" to be deleted.

8. **Reporting of communication from Embassy of India, Yerevan regarding Standards of Medical Education in Yerevan State Medical University and Tbilise State Medical University - Decision regarding continuation of issue of Eligibility Certificate.**

The Board of Governors considered the agenda note and the letter dated 24.07.2012 from Embassy of India in Yerevan wherein the First Secretary in Embassy of India has highlighted the difficulties faced by the Indian students studying in Yerevan State Medical University, Armenia & Tbilisi State Medical University, Georgia. After detailed discussion, the BOGs decided -

- (a) To request Ministry of Health & F.W. to convey Ministry's approval to proposal of Embassy of India, Yerevan of contents of para 8 wherein the Embassy of India in Yerevan has proposed that Mission wish to upload an advisory on its website with regard to minimum amount (an amount of 600-700 US dollars per student per month has been mentioned) that a student would require to meet monthly expenditure on fee, hostel accommodation, food, transport etc. for studying at Yerevan State Medical University, Armenia & Tbilisi State Medical University, Georgia. The Ministry may also approve the proposal of Embassy of India to inform on their website regarding non-recognition of postgraduate studies of these universities by MCI.
- (b) Subject to approval by the Ministry of Health & F.W., the MCI will stop issuing eligibility certificate for study of MBBS course at Yerevan State Medical University "YSMU" and Tbilisi State Medical University "TSMU".

9. **Communication received from Embassy of India, Caracas regarding Standards of Medical Education in St. Martinus University, Faculty of Medicine, Curacao- Decision regarding continuation of Issue of Eligibility Certificate for this University.**

The Board of Governors considered the letter received from the Ambassador of India, Caracas forwarded by Ministry of Health & F.W. vide their letter dated 18.06.2012. The BOGs studied the contents of the letter received from the Ambassador of India, Caracas and decided that Ministry of Health & F.W. may be informed that in view of the contents of letter received from the Ambassador of India in Caracas, the MCI may be allowed not to issue eligibility certificate in respect of St. Martinus University, Faculty of Medicine, Curacao; Avalon University School of Medicine, Curacao and other medical universities operating from Curacao in view of the fact that the Govt. of Curacao does not issue authenticity form for the medical degrees of offshore institutions/entity operating in their country. Subject to approval of this proposal by the Ministry of Health & F.W. , the MCI will stop issuing eligibility certificate from prospective effect.

10. **Increase of MBBS seats from 150 to 250 at S.P. Medical College, Bikaner, Rajasthan for the Academic Year 2013-2014 when this college is recognized for 100 seats and 150 seats are permitted but not recognized. Policy decision needs to be taken which will be applicable on all other such cases.**

The Board of Governors perused the agenda note and also took note of the past practice in this regard along with the legal position in the matter. After detailed discussion, the BOGs approved the recommendation of retainer lawyer of the Council which is as under:-

“

In view of the above and especially in view of the legal provision contained in the Regulation, MCI cannot reject the application on the ground that though 100 seats have been recognized under section 11 of the IMC Act, 1956 but 150 seats have not been recognized. The only requirement in Regulation is that the qualification should be recognized which the college fulfills. Hence in my considered opinion, the college is qualified to apply for increase in admission capacity from 150 to 250 and if it fulfills other conditions mentioned in the Regulations also.”

The Board of Governors decided that the application received from various institutions/colleges for increase of seats for the academic year 2013-14 may be processed applying the above decision.

11. Change of affiliation of medical colleges of Bihar from their respective affiliating university to Aryabhatt Knowledge University, Bihar.

The Board of Governors considered the agenda note and after detailed discussion decided to approve the proposal for change of affiliation of medical colleges of Bihar from their respective affiliating universities to Aryabhatt Knowledge University, Bihar, the details of which are under:-

Sl.No.	Name	Courses Run	Previously Affiliated University	Presently Affiliated
1	Patna Medical College Hospital, Patna	UG,PG	Patna University	AKU
2	Nalanda Medical College, Patna	UG,PG	Patna University	AKU
*3	Anugrah Narain Magadh Medical College, Gaya	UG	Magadh University	AKU
*4	Jawahar Lal Nehru Medical College, Bhagalpur	UG	T M Bhagalpur University	AKU
5	Darbhanga Medical College, Laherisara, Darbhanga	UG, PG	L.N.M. University	AKU
*6	S K M College, Muzaffarpur	UG	B.R.A Bihar University	AKU

*These institutions are going to start PG Courses very soon.

12. UG recognition cases - wherein observations of UG Assessment Screening Committee and Sub-Committee of BOGs are available.

The BOGs decided to defer the consideration of the matter for the next meeting.

13. Status of important Court cases – for information of BOGs.

The Board of Governors considered the status of the court cases presented by the Legal Section and decided to obtain legal opinion from the Senior Advocate with respect of the decision received from the Hon'ble High Courts in respect of WA No. 3957/2012 filed by MCI & WP No. 27726/2012 filed by Vydehi Medical College & Hospital and LPA No. 1228/2012 – Medical Council of India Vs. Chintpurni Medical College & Hospital & Ors.

14. Presentation of status of applications received from OCI doctors for registration.

The Board of Governors noted the present status of the applications received from 7 doctors as mentioned in the agenda note. The BOGs also noted the existing provision for application for grant of permanent registration to Indian nationals/OCI registered in Australia, Canada, New Zealand, U.K. & U.S.A. The BOGs noted that none of the applicant is able to fulfill the requirement as mentioned in the notification. The BOGs realized that some of the requirements as mentioned in the notification are such which cannot be fulfilled by the applicants because of the existing provisions of various State Boards (registration authorities). In view of this, the BOGs decided to modify the provisions of application which are notified in APPENDIX-I as under:-

Existing Provisions

- a. PRIMARY MEDICAL QUALIFICATION DEGREE CERTIFICATE
- b. ALL POSTGRADUATE MEDICAL DEGREE CERTIFICATE/S
- c. REGISTRATION CERTIFICATE
- d. GOOD STANDING CERTIFICATE

NOTE: THE ABOVE CITED DOCUMENTS SHOULD BE DULY AUTHENTICATED BY THE COMPETENT MEDICAL REGULATORY BODY OF THE CONCERNED COUNTRY & DULY ENDORSED BY INDIAN EMBASSY/HIGH COMMISSION IN THE CONCERNED COUNTRY.

Modification approved by the BOGs

The above noted documents 'a' & 'b' either apostil or attested by the notary.

Regarding document 'c' - Registration Certificate - Print out taken from the website of the concerned Board where candidate is registered self attested. Registration certificate may also be verified by the MCI on the website and a print may be taken and verified by the MCI and kept in record.

Regarding document 'd' - Good Standing Certificate - In case Good Standing Certificate is received from the concerned Council directly by the MCI it should be considered sufficient, otherwise, the attested copy (attested by Notary) of the Good Standing Certificate.

In case the Good Standing is also certified in the registration details on website of concerned Board, the print may be taken out and verified by the MCI office and kept in record.

The remaining requirements as mentioned at **e,f,g & h** and other instructions of **APPENDIX-I** will continue to be the same.

The BOGs directed that accordingly the applicants may be informed and the certificate of registration may be issued to applicants who fulfill the modified criteria as approved by the BOGs on 17.09.2012.

The BOGs further decided that the documents may be sent to the Embassy of India in concerned countries for verification/authentication by the Embassy of India for our record for the future. While sending letter to Embassy/High Commission of India in concerned country, the copy of letter may be endorsed to the applicant so that they can follow up the matter with the concerned Indian Embassy/High Commission.

15. Any other matter with the permission of Chair.

The next meeting of the Board of Governors will be held on Friday, the 21.09.2012 at 12.00 Noon.

Meeting ended with a vote of thanks to the Chair.

(Prof. Sanjay Shrivastava)
Secretary

(Dr.(Prof.) H.S. Rissam)
Member

(Dr. Purshotam Lal)
Member

(Dr. Rajiv C. Yeravdekar)
Member

(Dr. Ashok Kumar Gupta)
Member

(Dr.(Prof.) K. Mohandas)
Member

(Dr. (Prof.) K.K. Talwar)
Chairperson