

No.MCI-5(2)/2006-Med./**MEDICAL COUNCIL OF INDIA****EXECUTIVE COMMITTEE**

Minutes of the meeting of the Executive Committee held on 10th July, 2006 at 10.00 a.m. in the Council office at Sector 8, Pocket 14, Dwarka, New Delhi-110 075 where the members of the Adhoc Committee appointed as per the Hon'ble Supreme Court order dated 20.11.2002 were also present.

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Present:

Dr.P.C. Kesavankutty Nayar]President (Acting),]Former Dean,]Govt. Medical College,]Trivandrum
Prof. P.N.Tandon]Former Prof. & Head of Neuro-]Surgery,A.I.I.M.S,NewDelhi and]Member, Adhoc Committee]appointed by the Hon'ble Supreme Court
Dr. (Mrs.) S. Kantha]Former Vice-Chancellor,]Rajiv Gandhi University of Health]Sciences, Bangalore and]Member, Adhoc Committee]appointed by the Hon'ble Supreme Court
Dr. D.K. Sharma]Former Professor & Head,]Department of Paediatrics,]L.L.R.M. Medical College,]Meerut
Dr. P.K. Sur]Director,]I.P.G.M.E.R.,]Kolkatta
Dr. Mukesh Kr. Sharma]Deptt. of General Surgery,]S.M.S. Medical College,]Jaipur
Dr. K.P. Mathur]Former Medical Superintendent,]Ram Manohar Lohia Hospital,]77, Chitra Vihar,]Delhi-110092
Dr. G.K. Thakur]Professor & Head,]Department of Radiodiagnosis,]S.K.Medical College, Muzaffarpur
Lt.Col. (Retd.) Dr. A.R.N. Setalvad -]Secretary

The apologies for absence were received from Prof. N. Rangabhashyam, Adhoc Committee member and Dr. G.B. Gupta, Dr.B.C. Das, members of the Executive Committee.

1. Establishment of new medical college at Bhubaneswar by Kalinga Institute of Industrial Technology,(Deemed University), Bhubaneswar.

Read: The compliance submitted by the authorities of Kalinga Institute of Industrial Technology, Bhubaneswar through the Central Govt. for establishment of new medical college at Bhubaneswar.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council at its meeting held on 14-15 June, 2006 had considered the inspection report (17th-18th May,2006) carried out by the Council Inspectors and it was decided as under:

1. (a) *The following faculty members were not eligible while computing faculty deficiency for reasons given as under:-*

<i>Sr. no.</i>	<i>Name of the Faculty</i>	<i>Designation</i>	<i>Department</i>	<i>Reason for Exclusion</i>
1.	<i>Dr.Dibakar Chakrabarty</i>	<i>Assoc.Prof.</i>	<i>Physiology</i>	<i>He possesses Ph.D. degree from Science faculty. Hence, cannot be accepted as an Assoc. Prof. as per TEQ Regulations.</i>
2.	<i>Dr. Aparna Behura</i>	<i>Asstt.Prof.</i>	<i>Pathology</i>	<i>She has only 3 months residency experience and 08 months as Asstt. Prof. as stated in the declaration form. She cannot be accepted as Asstt. Prof. as she does not possess requisite experience of 3 years as Tutor as required under Regulations.</i>
3.	<i>Dr.Kanaklata Purohit</i>	<i>Asstt.Prof.</i>	<i>Pathology</i>	<i>She has only 1 year 1 month residency and 9 months as Asstt.Prof. experience as stated in the declaration form. She cannot be accepted as Asstt. Prof. as she does not possess requisite experience of 3 years as Tutor as required under Regulations.</i>
4.	<i>Dr.D.P. Panigrahi</i>	<i>Asstt.Prof.</i>	<i>Forensic Medicine</i>	<i>He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.</i>
5.	<i>Dr.Jyochnamayi Panda</i>	<i>Asstt.Prof.</i>	<i>Obst. & Gynae.</i>	<i>She has not stated any teaching experience in the declaration form. She cannot be accepted as Asstt. Prof. as she does not possess requisite experience of 3 years as Tutor as required under Regulations..</i>
6.	<i>Dr.P.V. Mohan</i>	<i>Asstt.Prof.</i>	<i>Radio-Diagnosis</i>	<i>He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.</i>
7.	<i>Dr. Sarika Awasthi</i>	<i>Asstt.Prof.</i>	<i>Obst. & Gynae.</i>	<i>She has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.</i>
8.	<i>Dr.Nityananda Pradhan</i>	<i>Asstt.Prof.</i>	<i>Anaesth.</i>	<i>He has only 2 years residency experience as stated in the declaration form. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.</i>
9.	<i>Dr. Prasan Kumar Das</i>	<i>Asstt. Prof.</i>	<i>Community Medicine</i>	<i>He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.</i>
10.	<i>Dr. Shashi Shankar Behera</i>	<i>Asstt. Prof.</i>	<i>Obst. & Gynae.</i>	<i>He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.</i>

11.	Dr.Sarbeshwar Sahu	Asstt. Prof.	Surgery	He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.
12.	Dr.Shantanu Tapadar	Asstt. Prof.	Physiology	He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Asstt. Prof.
13.	Dr.Manoranjana Mohapatra	Sr.Resident	Radiology	He has only 2 years 6 months experience as Sr. Resident. He cannot be accepted as Sr. Resident as he does not possess requisite experience of 3 years as required under regulations.
14.	Dr. R.N. Samanta	Sr.Resident	Surgery	He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Sr. Resident.
15.	Dr.G. Biswas	Sr.Resident	Medicine	He has not mentioned any teaching experience as stated in the declaration form. Not accepted as Sr. Resident.
16.	Dr. Sasmita Das	Sr.Resident	Obst. & Gynae.	She has stated in her declaration form that she possesses experience of 2 years and 4 months in a non-teaching hospital. She cannot be accepted as Sr. Resident as she does not possess requisite experience of 3 yrs in the department in a teaching hospital.

- (b) In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty cannot be considered as the experience certificates submitted by them are forged as shown below:

S.No.	Name	Designation	Department	Remarks
1.	Dr. Bijay Kumar Pathak	Professor & HOD	Surgery	In his declaration form, he has claimed that he has worked at Mamata Medical College, Khammam from 11.12.2004 to 31.7.2005 as Professor. In its letter, Mamata Medical College, Khammam has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
2.	Dr. Allam Murli Mohan	Assoc.Prof.	Biochemistry	In his declaration form, he has claimed that he has worked at Deccan College of Medical Sciences, Hyderabad from 1.2.92 to 10.11.99 as Assoc. Professor. In its letter, Deccan College of Medical Sciences, Hyderabad has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
3.	Dr.K.L. Narayana Reddy	Assoc.Prof.	Orthopaedics	In his declaration form, he has claimed that he has worked at Kasturba Medical College, Manipal from 1992 to 1995 as Tutor and from 2.6.95 to 28.10.2000 as Asstt.Prof. in Sri Devraj Urs Medical College, Kolar. In their letters, Kasturba Medical College, Manipal and Sri Devraj Urs Medical College, Kolar have stated that he has not worked at all in the institutions. Thus, he has submitted false and forged

				experience certificates and therefore cannot be accepted as a teacher.
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The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigation in all such cases. It was also observed that in the complaint to be sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors and the Dean/Principal in accordance with Professional Conduct (Etiquette and Ethics) Regulations 2002.

[c] The following teacher has been found to be working at more than one medical college simultaneously:

1. Dr. Aruna Dehury

Name of the college	Date of Joining	Date of Inspection
1. Naryana Medical College, Nellore	05.07.2004	20.04.2005
2.Chhatisgarh Instt. of Medical Sciences, Bilaspur	20.12.2001	15.07.2004
3. Kalinga Instt. of Medical Sciences, Bhubaneshwar	09.12.2005	17.05.2006

(d) The shortage of teaching staff is more than 25% as under:-

- (i) Professor-1 (Surgery-1)
(ii) Assoc. Prof.-3 (Biochemistry-1, Orthopaedics-1, Physiology-2)
(iii)Asstt. Prof. -10 (Biophysics-1, Radio-Diagnosis-1, Dental-1, Physiology-1, Biochemistry-1, Pathology-1, Anaesthesia-1, Forensic Medicine-1, Community Medicine-1)
(iv) Tutors-2 (Radio-Diagnosis-2)
(e) The Shortage of Residents is more than 20% as under:-
(i) Sr. Resident-10 (Medicine-3, Surgery-3, ENT-1, OBGY-2, Anaesthesia-1))
(ii) Jr. Resident-2 (Medicine-1, Orthopaedic-1)

2. Clinical material is inadequate as under:-

	Daily Average	Day of Inspection
OPD Attendance	300 to 320	640
Bed occupancy %	60 to 65%	65%
Operative work		
Number of major surgical operations	1-3	1
Number of minor surgical operations	2-5	4
Number of normal deliveries	0-1	0
Number of caesarian sections	0-1	0

3. In Central library, total number of journals subscribed are 10 Indian and 03 foreign. Internet and medlar facilities are not available.
4. No accommodation is made available within the campus for Resident doctors.
5. Unmarried nurses are accommodated in a hostel located 2 km. away from the hospital alongwith the MCA students. Married nurses are reported to be staying at their own.
6. Total 30 quarters are available outside the campus (half km.), 17 two bedroom, 13-three bedroom and one four bedroom quarters are available for the staff.
7. The ground ear marked for play ground etc. is yet to be leveled and made available.
8. Dr. Sisir Kumar Mishra, 62 years is the Medical Superintendent. He is MBBS (1966), MS (1969) and has less than 3 years of administrative experience.
9. Distribution of beds is not as per MCI norms as under:-

Speciality	Required Beds/Units	Present Beds/Units	Deficiency
General Surgery	90	80	10
Orthopaedics	30	30	-
Ophthalmology	10	08	02
ENT	10	08	02
OBGY	50	48	02
Total:	300	284	16

10. OPD has got three cubicles and only one x-ray view box is available. There is no class room available. Orthopaedic OPD cubicles have small and narrow. There is no refractionist and no class room or procedure room available.
11. Nursing stations are located at the end of each corridor with no visibility by the nurses on duty. No class rooms, ward labs. and pantry are available.

12. There is no medical record section available under a qualified medical record technician. The old cases are kept under the custody of Asstt. Medical Superintendent.
13. In Central Casualty, there is no crash trolley available. There is no emergency theatre available. No toilet facility or ceiling fan is available in doctor's room.
14. In Intensive Care, Paediatrics and Obstetrics beds are not available.
15. Eclamsia machine is not available in Labour room.
16. No ultrasound is available in Obst. & Gynae. department. Facilities for special investigations are not available.
17. There is no hospital pharmacy available.
18. Central laundry is not available.
19. Kitchen is not available and no dietician available.
20. Incinerator is not available.
21. Boys and Girls hostel are not provided within the campus.
22. Other deficiencies/remarks in the report.

In view of above, and Govt. of India letter dt. 15.3.2005 issued after the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. requesting the Council to strictly adhere to the time schedule prescribed under the regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15th June, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to recommend to the Central Govt. to disapprove the scheme for Establishment of new medical college at Bhubaneswar by Kalinga Instt. of Medical Sciences, Bhubaneswar u/s 10A of the IMC Act, 1956.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided that including recommendation for disapproval of the scheme of the applicant college, the Central Govt. may consider debarring this college from any further consideration u/s 10A of the I.M.C. Act, 1956 for a period of 2-3 years and for any further appropriate action by the Central Govt. to curb this menace."

In view of the above decision of the Executive Committee of the Council, FIR was lodged at Dwarka Sector – 23, Police Station on 28.06.2006.

Subsequent to the communication of the decision of the Executive Committee sent to the Central Government vide letter no. MCI-34(41)/2006-Med./6825, dated 15th June, 2006, additional information was received regarding the forged degree certificate in respect of the following teachers employed by this institute as under:-

Sl.No.	Name	Designation	Department	Remarks
1	Dr. K.Chandra Reddy	Asstt.Prof.	Anatomy	In his declaration form, he has claimed that he has obtained his MS (Anatomy) degree from Guntur Medical College, Guntur and worked as a Tutor from Sept.2002 to Sept.2005 in the same institute. In its letter, Guntur Medical College, Guntur has stated that he has not obtained his PG degree from their institution and not worked as Tutor.
2.	Dr. N. Narendra Kumar	Asstt.Prof.	Anatomy	In his declaration form, he has claimed that he has obtained his MS (Anatomy) degree from Guntur Medical College, Guntur and worked as a Tutor from 12.9.2002 to 18.9.2005 in the same institute. In its letter, Guntur Medical College, Guntur has stated that he has not obtained his PG degree from their institution and not worked as Tutor.

This information was sent to the Central Government vide Council letter No. MCI-34(41)/2006-Med./7673, dated 3.7.2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee also observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that in accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made thereunder. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 5th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

On perusal of the inspection report of the inspection carried out on 5th July, 2006, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the following deficiencies are still persisting:-

1. (a) The following faculty members were not eligible while computing faculty deficiency for reasons given as under:-

Sr. no.	Name of the Faculty	Designation	Department	Reason for Exclusion
1	Dr. Aparna Behura	Asstt.Prof.	Pathology	She has only 3 months residency experience and 08 months as Asstt. Prof. as stated in the previous declaration form. In the new declaration form now submitted, she has stated that she has 3 years residency experience at V.S.S. Medical College, Burla but she has not attached any certificate or documentary evidence from V.S.S. Medical College, Burla to substantiate her claim. Hence, her new declaration form cannot be accepted. She cannot be accepted as Asstt. Prof. as she does not possess requisite experience of 3 years as Tutor as required under Regulations.
2.	Dr.D.P. Panigrahi	Asstt.Prof.	Forensic Medicine	He has not mentioned any teaching experience as stated in the previous declaration form. In the new declaration form now submitted, he has stated that he has 3 years experience as Tutor at M.K.C.G. Medical College, Berhampur but he has not attached any certificate or documentary evidence from M.K.C.G. Medical College, Berhampur to substantiate his claim. Hence, his new declaration form cannot be accepted. Not accepted as Asstt. Prof.
3.	Dr. Jyochnamayi Panda	Asstt.Prof.	Obst. & Gynae.	She has not stated any teaching experience in the previous declaration form. In the new declaration form now submitted, she has stated that she has 3 years residency experience at M.K.C.G. Medical College, Berhampur but she has not attached any certificate or documentary evidence from M.K.C.G. Medical College, Berhampur to substantiate her claim. The new declaration form is not endorsed by the Dean. Hence, her new declaration form

				cannot be accepted. She cannot be accepted as Asstt. Prof. as she does not possess requisite experience of 3 years as Tutor as required under Regulations..
4	Dr.P.V. Mohan	Asstt.Prof.	Radio-Diagnosis	He has not mentioned any teaching experience as stated in the previous declaration form. In the new declaration form now submitted, he has stated that he has 3 years residency experience at S.C.B. Medical College, Cuttack but he has not attached any certificate or documentary evidence from S.C.B. Medical College, Cuttack to substantiate his claim. Hence, his new declaration form cannot be accepted. Not accepted as Asstt. Prof.
5.	Dr.Nityananda Pradhan	Asstt.Prof.	Anaesth.	He has only 2 years residency experience as stated in the previous declaration form. In the new declaration form now submitted, he has stated that he has only done PG study at S.C.B. Medical College, Cuttack for 3 years. Hence, he has no experience as Resident for 3 years required as per Regulations. Moreover, he has also not attached any certificate or documentary evidence of teaching experience from S.C.B. Medical College, Cuttack to substantiate his claim. Hence, his new declaration form cannot be accepted. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.
6.	Dr. Prasan Kumar Das	Asstt. Prof.	Community Medicine	He has not mentioned any teaching experience as stated in the previous declaration form. In the new declaration form now submitted, he has stated that he has 3 years experience as Tutor at Patna Medical College, Patna but he has not attached any certificate or documentary evidence from Patna Medical College, Patna to substantiate his claim. Hence, his new declaration form cannot be accepted. Not accepted as Asstt. Prof.
7.	Dr.Shantanu Tapadar	Asstt. Prof.	Physiology	He has not mentioned any teaching experience as stated in the previous declaration form. In the new declaration form now submitted, he has stated that he has 3 years experience as PG Trainee at I.P.G.M.E.R., Kolkatta. Hence, he has no experience as Resident for 3 years required as per Regulations. Moreover, he has also not attached any certificate or documentary evidence of teaching experience from I.P.G.M.E.R., Kolkatta to substantiate his claim. Hence, his new declaration form cannot be accepted. Not accepted as Asstt. Prof.
8.	Dr. B. Prabhakar	Sr.Resident	General Surgery	In his declaration form, he has stated that he is having experience of 3 years as Resident at Osmania Medical College, Hyderabad. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess

				requisite experience of 3 years as required under the Regulations.
9.	Dr. A. Gopal Rao	Sr. Resident	General Medicine	In his declaration form, he has stated that he is having experience of 3 years as Resident at Rangaraya Medical College, Kakinada. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
10.	Dr. H. Babul Reddy	Sr.Resident	General Medicine	In his declaration form, he has stated that he is having experience of 3 years as Resident at Gandhi Medical College. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
11.	Dr.Subramaniam Ravi Sankar	Sr.Resident	General Medicine	In his declaration form, he has stated that he is having experience of 3 years as Resident at Andhra Medical College, Vishakhapatnam. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
12.	Dr. Asima Das	Sr.Resident	OBGY	In her declaration form, she has stated that she is having experience of 3 years as Resident at V.S.S. Medical College, Burla. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and she cannot be considered as Asstt.Prof. as she does not possess requisite experience of 3 years as required under the Regulations.
13.	Dr.Dasari Venu Madhav	Sr.Resident	Orthopaedic	In his declaration form, he has stated that he is having experience of 3 years as Resident at S.V. Medical College, Tirupati. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
14.	Dr.T.David Vasantha Kumar	Sr.Resident	Ophthalmology	In his declaration form, he has stated that he is having experience of 3 years as Resident at Andhra Medical College,Vishakhapatnam. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence,

				declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
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- (b) In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty cannot be considered as the experience certificates submitted by them are forged as shown below:

S.No.	Name	Designation	Department	Remarks
1.	Dr. Subroto Ghosh	Assoc.Prof.	Anatomy	In his declaration form, he has claimed that he has worked at N.R.S. Medical College, Kolkatta as Tutor from 1985 to 1988 and from 1990 to 1993 and as Asstt.Prof. at R.G.Kar Medical College, Kolkatta from 1993 to 1997 and as Professor at M.G.M. Medical College, Kishanganj from 21.11.2004 to 30 th May,2006. In its letter, the Principal, NRS Medical College has stated that he has worked in that institution from 4.4.1985 to 29.4.1988 and from April,1990 to Nov. 1990 only. In its letter, the Principal, R.G. Kar Medical College has stated that he has worked as Asstt.Prof. from 12.1.1994 to 31.10.1997. In its letter, the Chief Administrator, MGM Medical College, Kishanganj vide letterdt. 7 th July,2006 has stated that Dr. Ghosh is working as Prof. of Anatomy in that institution from 24.11.2004 to till date i.e. 7.7.2006 and he has also been paid salary for the month of June,2006. No relieving order from M.G.M. Medical College, Kishanganj is attached with the declaration form. Thus, he has submitted a false and forged experience certificate and misled the Council with wrong information.

- (c) The shortage of teaching staff is about 20% as under:-
(i) Assoc. Prof.-4 (Anatomy-2, Physiology-2)
(ii)Asstt. Prof. -7 (Biophysics-1, Radio-Diagnosis-1, Physiology-1, Pathology-1, Anaesthesia-1, Forensic Medicine-1, Community Medicine-1)
- (d) The Shortage of Residents is about 20% as under:-
(i) Sr. Resident-9 (Medicine-3, Surgery-2, ENT-1, OBGY-1, Ophthalmology-1, Orthopaedics-1)
(ii) Jr. Resident-1(Medicine-1)

2. Clinical material is inadequate as under:-

	Daily Average	Day of Inspection
Bed occupancy %	60 to 65%	60%
Operative work		
Number of major surgical operations	3-5	1
Number of minor surgical operations	2-5	3
Number of normal deliveries	1-2	1
Number of caesarian sections	0-1	0
Radiological Investigations		
X-ray	35-40	40

3. Boys and Girls hostels are not provided within the campus. Deficiency remains as it is.
4. No accommodation is made available within the campus for Resident doctors. Deficiency remains as it is.
5. Unmarried nurses are accommodated in a hostel located 2 km. away from the hospital alongwith the MCA students which is not as per norms. Deficiency remains as it is. Married nurses are reported to be staying at their own.
6. No accommodation for teaching faculty is available within the campus.
7. Nursing stations are located at the end of each corridor with no visibility by the nurses on duty. Only a chair and a table are provided in the wards for the nurses to sit and move. No class rooms, ward labs. and pantry are available. Deficiency to that extent remains.
8. Only space is made available for central laundry which is not yet equipped. Deficiency remains as it is.
9. Incinerator is not available. Only MoU with Sami clean has been made for disposal of biomedical waste in place of incinerator which is not adequate.
10. Other deficiencies/remarks in the report.

It was observed that the authorities of this College have been found to be continuously indulging in misleading the Council on the basis of the fabricated and false documents. The college authorities have been found to be engaging itself / indulging in such impermissible activities even in the previous inspection for the current academic year. Whereas in the last inspection, as stated above, declaration forms with reference to 3 claimed medical teachers had been found to be false and misleading, in the present inspection insofar as 1 claimed medical teacher is concerned, the declaration forms are false and misleading and with reference to 14 other claimed medical teachers, they have not been found to be eligible on the ground that they do not possess the requisite teaching experience required as per Regulations.

It is to be observed that the Council had framed a declaration form to be signed by each of the medical teacher claimed to be employed by the applicant college. Such declaration forms are required to be filled-in by the candidates concerned giving their full particulars of educational qualification, teaching experience etc. and to be duly signed by them with the clear understanding that each statement made by them in the declaration form is honest and true and for any incorrect or untrue statement, they shall be held responsible. When it had been observed by the Council that this condition of filling-up of the declaration forms was also not deterring the false claims to be lodged with the inspection team with regard to employment of requisite number of medical teachers, it was then stipulated that the Principal/Dean of the College should be required to endorse the declarations made by each of the medical teacher claiming to be in the employment of the applicant college and in the event the declaration forms are found to be false and incorrect, apart from the teacher concerned submitting the declaration form, the Principal/Dean of the College and the college authorities would also be held responsible for such false declaration forms.

It also deserves to be appreciated that the inspection team of the Council comprising of 3 medical professionals (one being the permanent inspector of the Council and two eminent medical professionals drawn from Govt. Medical Institutions) visit the applicant colleges only for a duration of 1-2 days for conducting the inspection. They cannot perform their job efficiently if they are faced with false declaration forms and presence of persons at the time of inspection who are not even medical teachers. Thereafter, the inspection reports are required to be considered by the Executive Committee of the Council. It becomes almost impossible either for the inspection team or for the Executive Committee of the Council to investigate the correctness of each of the declaration forms like an investigating agency when each of the medical teacher claiming to be in the employment of the applicant college is expected and obliged to submit a true declaration enabling the Council to discharge its statutory responsibilities without any deception or deceit.

In the last couple of years, it has been observed that despite all bonafide efforts being continuously taken by the Council to curb such temptations on the part of the applicant colleges to submit false declaration forms and present persons who are neither eligible nor genuine for fulfilling the minimum requirements of requisite number of medical teachers, the job of the Council is becoming difficult and difficult day by day.

The situation, therefore, deserves to be handled deftly and with strong and meaningful action. The Council is considering for having appropriate regulations whereunder if an applicant college is found to be indulging in such malpractice year after year, i.e., in successive inspections it has been found to be submitting false declaration forms with the endorsement of Principal/Dean of the applicant college, the college should stand debarred from consideration for a period of 2-3 years from seeking any permission u/s 10A of the Indian Medical Council Act, 1956.

In the present case, this college has been found to be submitting and placing reliance on false declaration forms even in the earlier inspection which had been carried out on 17th /18th May 2006 for the academic year 2006-07. The Council had recommended disapproval of the scheme and debarring the college from any further consideration for a period of 2-3 years and for any further appropriate action by the Central Government to curb this menace. However, the Central Govt. has sent the compliance report received from the college authorities for consideration and for providing necessary input for the Council.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were further of the opinion that submission of declaration forms without any proper verification by the management with respect to the experience certificates submitted by the teachers is a recurring feature in this institute and which should be discouraged by taking a suitable decision by the Govt. of India to deter such colleges from indulging in such impermissible activities and thereby attempting to mislead the MCI/ Govt. of India in discharging their statutory obligation.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigations in all such cases. It was observed that in the complaint to be sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors in accordance with Professional Conduct (Etiquette and Ethics) Regulations, 2002. Thus it can be seen that the Council has taken every possible action to deal with such situation.

In view of above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to reiterate its earlier decision recommending to the Central Government to disapprove the scheme for establishment of new medical college at Bhubneshwar by Kalinga Instt. of Medical Sciences, Bhubneshwar u/s 10A of the I.M.C. Act, 1956 for the academic session 2006-07.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided to reiterate its earlier decision including recommendation for disapproval of the scheme of the applicant college, that the Central Govt. may consider debarring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Govt. to curb this menace thereby ensuring that neither this college nor other colleges get encouraged to indulge in such impermissible activities and to attempt to secure permission/renewal under Section 10A of the Act from the Govt. of India/MCI in a deceitful manner and by attempting to mislead the GOI/MCI in discharge of their statutory obligations .

2. Establishment of new medical college at Bhubaneshwar by Sikshya "O" Anusandhan Charitable Educational Society, Bhubaneshwar, Orissa.

Read: The compliance submitted by the authorities of Sikshya "O" Anusandhan Charitable Educational Society, Bhubaneswar through the Central Govt. for establishment of new medical college at Bhubaneswar.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council at its

meeting held on 14-15 June,2006 had considered the Council Inspectors report (24th May, 2006) carried out by the Council Inspectors and it was decided as under:-

1. (a) The following faculty members were not eligible while computing faculty deficiency for reasons given as under:-

Sr. no.	Name of the Faculty	Designation	Department	Reason for Exclusion
1.	Dr. Surama Samantray	Asstt.Prof.	Biochemistry	She has only 2 years residency experience as stated in the declaration form. She cannot be accepted as Asstt. Prof. as she does not possess requisite experience of 3 years as Tutor as required under Regulations.
2.	Dr.Shashi Narayana Mohapatra	Asstt.Prof.	Pharmacology	He has only 2 years 10 months residency experience as stated in the declaration form. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.
3.	Dr.Prasanta Kr, Mohapatra	Asstt.Prof.	Pathology	He has only 1 year residency and 6 months as Asstt.Prof. experience as stated in the declaration form. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.
4.	Dr.Sarada Prasanna Das	Asstt.Prof.	Radiology	He has only 1 year 1 month residency experience as stated in the declaration form. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.
5.	Dr.Samarendra Kr.Mohapatra	Asstt.Prof.	SPM	He has only 2 years 10 months residency experience as stated in the declaration form. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.
6.	Dr.Gourishyam Nanda	Asstt.Prof.	Anaesth.	He has only 1 year residency and 2 years and 5 months Asstt.Prof. experience as stated in the declaration form. He cannot be accepted as Asstt. Prof. as he does not possess requisite experience of 3 years as Tutor as required under Regulations.
7.	Dr. Banchanidhi Acharya	Sr.Resident	Anaesth.	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.
8.	Dr. Prafulla Kumar Naik	Sr.Resident	Medicine	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.
9.	Dr.Prasanna Kumar Padi	Sr.Resident	Medicine	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.
10.	Dr.Umesh Chandra Mohapatra	Sr. Resident	Radiology	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.
11.	Dr.Pendyala Sujata	Sr.Resident	OBGY	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.
12.	Dr. Satchidananda Mishra	Sr.Resident	ENT	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.

13.	Dr.Subash Chandra Rout	Sr.Resident	Ortho.	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.
14.	Dr. Bijaya Kr. Tripathy	Sr.Resident	Ortho.	He has not mentioned any experience as stated in the declaration form. Not accepted as Sr. Resident.

- (b) In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty cannot be considered as the experience certificates submitted by them are forged as shown below:

S.No.	Name	Designation	Department	Remarks
1.	Dr. A. Ravi Kumar	Assoc. Prof.	Physiology	In his declaration form, he has claimed that he has worked at Adichunchanagiri Instt. of Medical Scs., Bellur from Feb., 92 to Sept., 99 as Asstt. Prof. & 01.11.01 to 15.03.05 as Assoc. Prof. In its letter, Adichunchanagiri Instt. of Medical Scs., Bellur has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
1.	Dr. K. Balasundaram	Assoc. Prof.	Physiology	In his declaration form, he has claimed that he has worked at The Institute of Road Transport Perundurai Medical College, Perundurai Sanatorium, Erode Dist. TN from 12.03.90 to 02.09.96 as Asstt. Prof. and at Sree Balaji Medical College, Chennai from 10.9.96 to 19.5.2002 as Assoc.Prof. In their letters, the Institute of Road Transport Perundurai Medical College, Perundurai and Sree Balaji Medical College, Chennai have stated that he has not worked at all in the institutions. Thus, he has submitted a false and forged experience certificates and therefore cannot be accepted as a teacher.
2.	Dr. B. Ashok	Asstt. Prof.	Physiology	In his declaration form, he has claimed that he has worked at JJM Medical College, Davangere from 04.10.00 to 05.10.03 as Tutor & 05.10.03 to 17.06.04 as Asstt. Prof. In its letter, JJM Medical College, Davangere has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
3.	Dr. R. Ganeshan	Assoc. Prof.	Anatomy	In his declaration form, he has claimed that he has worked at Sri Ramachandra Medical College, Porur, Chennai from Nov.,93 to Jan., 00 as Asstt. Prof. & 10.01.00 to 12.09.03 as Assoc. Prof. In its letter, Sri Ramachandra Medical College, Porur, Chennai has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
4.	Dr. A. Lakshmi Narayana	Assoc. Prof.	Anatomy	In his declaration form, he has claimed that he has worked at Deccan College of Medical Sciences,

				<i>Hyderabad from 04.09.96 to 08.06.02 as Asstt. Prof. In its letter, Deccan College of Medical Sciences, Hyderabad has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
5.	<i>Dr. A. Suryanarayna</i>	<i>Prof.</i>	<i>Radiology</i>	<i>In his declaration form, he has claimed that he has worked at JSS Medical College, Mysore from 04.08.97 to 15.11.98 as Asstt. Prof. and at M.S. Ramaiah Medical College, Bangalore from 8.8.85 to 14.8.92 as Asstt.Prof. and from 15.8.92 to 8.6.97 as Assoc.Prof. In their letters, JSS Medical College, Mysore and M.S. Ramaiah Medical College, Bangalore have stated that he has not worked at all in the institutions. Thus, he has submitted a false and forged experience certificates and therefore cannot be accepted as a teacher.</i>
6.	<i>Dr. Rajesh</i>	<i>Asstt.Prof.</i>	<i>Anatomy</i>	<i>In his declaration form, he has claimed that he has worked at JSS Medical College, Mysore from 06.11.01 to 29.12.04 as Asstt.Prof.. In its letter, JSS Medical College, Mysore has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
7.	<i>Dr. S. Panchamuthu</i>	<i>Prof.</i>	<i>Anatomy</i>	<i>In his declaration form, he has claimed that he has worked at JSS Medical College, Mysore from 04.02.88 to 03.02.94 as Asstt. Prof. & from 04.02.94 to 10.10.99 as Assoc. Prof. In its letter, JSS Medical College, Mysore has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
8.	<i>Dr. B. Anand Kumar</i>	<i>Asst. Prof.</i>	<i>Anatomy</i>	<i>In his declaration form, he has claimed that he has worked at Sri Devaraj Urs Meeical College, Tamaka, Kolar from 16.03.01 to 18.03.04 as Tutor & 19.03.04 to 04.08.04 as Asstt. Prof. Prof. In its letter, Sri Devaraj Urs Meeical College, Tamaka, Kolar has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigation in all such cases. It was also observed that in the complaint to be sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors and the Dean/Principal in accordance with Professional Conduct (Etiquette and Ethics) Regulations 2002.

(c) *In view of above, the shortage of teaching staff is more than 25% as under:-*

(i) *Assoc.Prof. - 7 (Anatomy-3, Physiology-3, Radio diagnosis -1)*

(ii) *Asstt. Prof. - 7 (Anatomy -3, Physiology -1, Biochemistry - 1, Pathology - 1, Radiology -1)*

- (d) *In view of the above the deficiency of residents is 20% as under:-*
- (i) *Sr. Resident – 6 (Anasthesia –1, Medicine –1, Radiology –1, Obst. & Gynae. –1, ENT –1, Orthopaedics –1)*
- 2. *There are no residential quarters available. They are under construction.*
 - 3. *Sports & recreation facilities are not available. Site for the same has been identified. No Gymnasium facilities are available.*
 - 4. *The nurses have been temporarily housed in the hospital ward (25 special cabin with inadequate furniture). There is no messing facilities in all temporary hostels. The construction work for the nurses hostel and residents hostel has not been still started.*
 - 5. *5-6 of the admitted cases were not having diseases requiring hospitalization in the casualty. The deficiency is partially rectified.*
 - 6. *Other deficiencies/remarks in the report.*

In view of above, and Govt. of India letter dt. 15.3.2005 issued after the directions of the Hon’ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. requesting the Council to strictly adhere to the time schedule prescribed under the regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15th June, the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to recommend to the Central Govt. to disapprove the scheme for Establishment of new medical college at Bhubaneshwar by Sikshya “O” Anusandhan Charitable Educational Society, Bhubaneshwar u/s 10A of the IMC Act, 1956.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council also decided that including recommendation for disapproval of the scheme of the applicant college, the Central Government may consider debarring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Government to curb this menace."

In view of the above decision of the Executive Committee of the Council, FIR was lodged at Dwarka Sector – 23, Police Station on 28.06.2006.

Subsequent to the communication of the decision of the Executive Committee sent to the Central Government vide letter no. MCI-34(41)/2006-Med./6837, dated 15th June, 2006, additional information was received regarding the forged degree certificate in respect of the following teachers employed by this institute as under:-

Sl.No.	Name	Designation	Department	Remarks
1	Dr. A. Lakshmi Narayana	Assoc.Prof.	Anatomy	In his declaration form, he has claimed that he has obtained his MS (Anatomy) degree from Guntur Medical College, Guntur In its letter, Guntur Medical College, Guntur has stated that he has not obtained his PG degree from their institution.

This information was sent to the Central Government vide Council letter No. MCI-34(41)/2006-Med./7675, dated 3.7.2006.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee also observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that in accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made thereunder. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July,2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only

be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 5th July,2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July,2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

On perusal of the inspection report of the inspection carried out on 5th July,2006, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the following deficiencies are still persisting:-

1. (a) The following faculty members were not eligible while computing faculty deficiency for reasons given as under:-

1	Dr. K. Sambha Sivan	Asstt.Prof.	Anatomy	In his declaration form, he has stated that he is having teaching experience of 3 years at Rangaraya Medical College. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
2	Dr.R. Ramesh Chander	Prof.	Urology	He has been appointed as Prof. of Urology and in his joining report dated 24 th February, 2006, he has stated that he joined in the post of Prof. of Urology. Therefore, he cannot be accepted as Prof. of Surgery.
3	Md. Zaheer	Lecturer	Biophysics	In his declaration form, he has not shown any experience . He cannot be accepted as Lecturer in Biophysics as he does not possess requisite 3 years experience required as per Regulations.
4	Dr. Gaurav Das	Asstt.Prof.	Anatomy	In his declaration form, he has stated that he is having teaching experience of 3 years at S.C.B.Medical College. However, no documentary evidence or proof or experience certificate has been attached with the declaration form. In absence of any documentary evidence, declaration form cannot be accepted and he cannot be considered as Asstt.Prof. as he does not possess requisite experience of 3 years as required under the Regulations.
5	Dr. Bijayananda Patnaik	Sr.Resident	Medicine	In his declaration form, he has claimed that he has worked at M.K.C.G. Medical College, Berhampur 11.1.75 to 17.8.1979. The experience certificate given by the Principal of the college shows that he has worked as a Demonstrator in the department of

				Pathology during this period. Thus, he has no experience in the department of Medicine, He cannot be accepted as Sr. Resident as he does not possess 3 years experience required as per Regulations.
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- (b) In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty cannot be considered as the experience certificates submitted by them are forged as shown below:

S.No.	Name	Designation	Department	Remarks
1.	Dr. Geeta Singh	Prof.	Anatomy	In her declaration form, she has claimed that she has worked at Konaseema Instt. of Medical Sciences, Amlapuram from 2002 to 2004 for a period of 2 years. In its letter, the Dean of Konaseema Instt. of Medical Sciences, Amlapuram has stated that she joined the institute on 10 th December, 2004 and was deemed to have been relieved due to her long absence. Thus, she has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
2	Dr. K. Sivasankaran	Assoc. Prof.	Physiology	In his declaration form, he has claimed that he has worked at Madurai Medical College, Madurai from 1983 to 1987 as Tutor, as Asstt. Prof. at S.V. Medical College, Tirupati from 11.8.1990 to 16.4.1996 and as Assoc.Prof. at Guntur Medical College, Guntur from 17.4.1996 to 28.2.2001. In their letters, the Dean of Madurai Medical College, Govt. Medical College, Guntur and S.V. Medical College, Tirupati have stated that he has not worked at all in the institutions. Thus, he has submitted a false and forged experience certificates and therefore cannot be accepted as a teacher.
3	Dr. K. Srinivas Rao	Asstt.Prof.	Anatomy	In his declaration form, he has claimed that he has acquired M.S. (Anatomy) degree from Kasturba Medical College, Manipal in September, 2005 and he has worked as Tutor at the same college from 2002 to 2005. In its letter, the Dean, Kasturba Medical College, Manipal has stated that he has not studied MS (Anatomy) in that institute. Thus, he has submitted a false and forged degree certificate and therefore cannot be accepted as a teacher.
4.	Dr. Narasu Sampath	Asstt.Prof.	Physiology	In his declaration form, he has claimed that he has worked as Tutor in Physiology at Govt. Medical College, Guntur from 2000 to 2003. In its letter, the Dean, Govt. Medical College, Guntur has stated that he has not worked in that college during that period at all. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.

5.	Dr. Kotta Mohan Rao	Prof.	Anatomy	In his declaration form, he has claimed that he has worked as Assoc.Prof. from 17.4.1996 to 16.8.2000 and as Professor from 17.8.2000 to 28.2.2001 at Govt. Medical College, Guntur. In its letter, the Dean, Govt. Medical College, Guntur has stated that he has not worked in that college during that period at all. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
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(c) In view of above, the shortage of teaching staff is about 20% as under:-

- (i) Professors-1

(ii) Assoc.Prof. - 3

(ii) Asstt. Prof. - 8

(iv) Tutor -1
- (Anatomy-1)

(Anatomy-1, Physiology-1, Radiology-1)

(Anatomy -3, Pathology-1, Biophysics – 1, Surgery- 1,Dentistry-1, Physiology-1)

(Pharmacology-1)

(d) In view of the above the deficiency of residents is 30% as under:-

- (i) Sr. Resident – 10

(ii) Jr.Resident-3
- (Anasthesia –2, Medicine –4,Surgery-2, ENT –1,Orthopaedics –1)

(Surgery-1, Orthopaedics-2)

2. Clinical material is inadequate as under:-

	Daily Average		Day of Inspection	
Bed occupancy %	82%		56%	
Operative work				
Number of major surgical operations	11		1	
Number of minor surgical operations	20		9	
Radiological Investigations	OP	IP	OP	IP
x-ray	51	20	17	2
Ultrasound	17	7	8	-

3. On the day of inspection, in the casualty, only two female patients were admitted and kept under observation, one with fainting attacks and the other with diarrhoea which is not adequate. Casualty attendance on random date-

1. On the day of inspection-5 patients.

2. 4.7.2006 - 6 admissions.

3. 4.6.2006 - 4 admissions

4. 4.5.2006 - 2 admissions

4. The nurses accommodation is on the second floor of the hospital building. One block had 14, two seater rooms, another block had 14, three seater rooms. The third block had 8,three seater rooms. Thus, total accommodation available within the campus is for 94 nurses, which is inadequate. The dining arrangements were made in the Corridor of these blocks. The deficiency is partially rectified to that extent.

5. Other deficiencies/remarks in the report.

It was observed that the authorities of this College have been found to be continuously indulging in misleading the Council on the basis of the fabricated and false documents. The college authorities have been found to be engaging itself / indulging in such impermissible activities even in the previous inspection for the current academic year. Whereas in the last inspection, as stated above, declaration forms with reference to 8 claimed medical teachers had been found to be false and misleading, in the present inspection insofar as 5 claimed medical teacher is concerned, the declaration forms are false and misleading and with reference to 5 other claimed medical teachers, they have not been found to be eligible on the ground that they do not possess the requisite teaching experience required as per Regulations.

It is to be observed that the Council had framed a declaration form to be signed by each of the medical teacher claimed to be employed by the applicant college. Such declaration forms are required to be filled-in by the candidates concerned giving their full particulars of educational qualification, teaching experience etc. and to be duly signed by them with the clear understanding that each statement made by them in the declaration form is honest and true and for any incorrect or untrue statement, they shall be held responsible. When it had been observed by the Council that this condition of filling-up of the declaration forms was also not deterring the false claims to be lodged with the inspection team with regard to employment of requisite number of medical teachers, it was then stipulated that the Principal/Dean of the College should be required to endorse the declarations made by each of the medical teacher claiming to be in the employment of the applicant college and in the event the declaration forms are found to be false and incorrect, apart from the teacher concerned submitting the declaration form, the Principal/Dean of the College and the college authorities would also be held responsible for such false declaration forms.

It also deserves to be appreciated that the inspection team of the Council comprising of 3 medical professionals (one being the permanent inspector of the Council and two eminent medical professionals drawn from Govt. Medical Institutions) visit the applicant colleges only for a duration of 1-2 days for conducting the inspection. They cannot perform their job efficiently if they are faced with false declaration forms and presence of persons at the time of inspection who are not even medical teachers. Thereafter, the inspection reports are required to be considered by the Executive Committee of the Council. It becomes almost impossible either for the inspection team or for the Executive Committee of the Council to investigate the correctness of each of the declaration forms like an investigating agency when each of the medical teacher claiming to be in the employment of the applicant college is expected and obliged to submit a true declaration enabling the Council to discharge its statutory responsibilities without any deception or deceit.

In the last couple of years, it has been observed that despite all bonafide efforts being continuously taken by the Council to curb such temptations on the part of the applicant colleges to submit false declaration forms and present persons who are neither eligible nor genuine for fulfilling the minimum requirements of requisite number of medical teachers, the job of the Council is becoming difficult and difficult day by day.

The situation, therefore, deserves to be handled deftly and with strong and meaningful action. The Council is considering for having appropriate regulations whereunder if an applicant college is found to be indulging in such malpractice year after year, i.e., in successive inspections it has been found to be submitting false declaration forms with the endorsement of Principal/Dean of the applicant college, the college should stand debarred from consideration for a period of 2-3 years from seeking any permission u/s 10A of the Indian Medical Council Act, 1956.

In the present case, this college has been found to be submitting and placing reliance on false declaration forms even in the earlier inspection which had been carried out on 24th May 2006 for the academic year 2006-07. The Council had recommended disapproval of the scheme and debarring the college from any further consideration for a period of 2-3 years and for any further appropriate action by the Central Government to curb this menace. However, the Central Govt. has sent the compliance report received from the college authorities for consideration and for providing necessary input for the Council.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were further of the opinion that submission of declaration forms without any proper verification by the management with respect to the experience certificates submitted by the teachers is a recurring feature in this institute and which should be discouraged by taking a suitable decision by the Govt. of India to deter such colleges from indulging in such impermissible activities and thereby attempting to mislead the MCI/ Govt. of India in discharging their statutory obligation.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigations in all such cases. It was observed that in the complaint to be

sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors in accordance with Professional Conduct (Etiquette and Ethics) Regulations, 2002. Thus it can be seen that the Council has taken every possible action to deal with such situation.

In view of above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to reiterate its earlier decision recommending to the Central Government to disapprove the scheme for establishment of new medical college at Bhubneshwar by Sikshya 'O' Anusandhan Charitable Educational Society, Bhubneshwar u/s 10A of the I.M.C. Act, 1956 for the academic session 2006-07.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided to reiterate its earlier decision including recommendation for disapproval of the scheme of the applicant college, that the Central Govt. may consider debaring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Govt. to curb this menace thereby ensuring that neither this college nor other colleges get encouraged to indulge in such impermissible activities and to attempt to secure permission/renewal under Section 10A of the Act from the Govt. of India/MCI in a deceitful manner and by attempting to mislead the GOI/MCI in discharge of their statutory obligations .

3. Establishment of new medical college at Pondicherry by Ramachandra Educational Trust, Chennai.

Read: The compliance submitted by the authorities of Ramachandra Educational Trust, Chennai through the Central Govt. for establishment of new medical college at Pondicherry.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council at its meeting held on 14-15 June, 2006 had considered the inspection report (19th-20th May, 2006) carried out by the Council Inspectors and it was decided as under:

1. (a) *In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty cannot be considered as the experience certificates submitted by them are forged as shown below:*

S.No.	Name	Designation	Department	Remarks
1.	Dr. S. Ramesh Kumar	Asst. Prof.	Anatomy	<i>In his declaration form, he has claimed that he has worked at Manipal Academy of Higher Education, Manipal from 1.4.98 to 30.3.01 as Tutor. In its letter, Manipal Academy of Higher Education, Manipal has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
2.	Dr. Thiagaraja A. Rajkumar	Asst. Prof.	Physiology	<i>In his declaration form, he has claimed that he has worked at Manipal Academy of Higher Education, Manipal from 2000 to 2003 as Tutor and at M.S. Ramaiah Medical College, Bangalore from 01.03.2000 to 26.12.2005 as Asst. Prof. In their letters, Manipal Academy of Higher Education, Manipal and M.S. Ramaiah Medical College, Bangalore have stated that he has not worked at all in the institutions. Thus, he has submitted false and forged experience certificates and therefore cannot be accepted as a teacher.</i>
3.	Dr. Deepika Gopalakrishnan	Assoc. Prof.	Physiology	<i>In her declaration form, she has claimed that she has worked at Manipal Academy</i>

				<i>of Higher Education, Manipal from 1990 to 1993 as Tutor. In its letter, Manipal Academy of Higher Education, Manipal has stated that she has not worked at all in the institution. Thus, she has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
4.	<i>Dr. Ramprasath Dhurvas Ramlal</i>	<i>Asst. Prof.</i>	<i>Biochemistry</i>	<i>In his declaration form, he has claimed that he has worked at Manipal Academy of Higher Education, Manipal from 1999 to 2002 as Tutor. In its letter, Manipal Academy of Higher Education, Manipal has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
5.	<i>Dr. S. Srinivas</i>	<i>Assoc. Prof.</i>	<i>Physiology</i>	<i>In his declaration form, he has claimed that he has worked at Manipal Academy of Higher Education, Manipal from 1991 to 1994 as Tutor and from 8.4.1994 to 12.10.2000 as Asst. Professor and from 13.10.2000 to 10.06.2001 as Assoc. Prof. at M.S. Ramaiah Medical College, Bangalore. In their letters, Manipal Academy of Higher Education, Manipal and M.S. Ramaiah Medical College, Bangalore have stated that he has not worked at all institutions. Thus, he has submitted false and forged experience certificates and therefore cannot be accepted as a teacher.</i>
6.	<i>Dr. Ravichandran P.</i>	<i>Asstt.Prof.</i>	<i>Biochemistry</i>	<i>In his declaration form, he has claimed that he has worked at JSS Medical College, Mysore from 15.6.93 to 20.10.98 as Asstt.Prof. In its letter, JSS Medical College, Mysore has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
7.	<i>Dr. Dekshanamoorthy Ramasamy</i>	<i>Asstt.Prof.</i>	<i>Anatomy</i>	<i>In his declaration form, he has claimed that he has worked at Sri Devaraj Urs Medical College, Kolar from 1990 to 1996 as Asstt.Prof. In its letter, Sri Devaraj Urs Medical College, Kolar has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigations in all such cases. It was observed that in the complaint to be sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors and the Principal of the college in accordance with Professional Conduct (Etiquette and Ethics) Regulations, 2002.

(b) In view of above, the shortage of teaching staff is more than 25% as under:-

*Professor-1 (Obst. & Gynae.-1)
Assoc.Professors-6 (Pharmacology-1, Radio-Diagn.-1, Anaesthesia-1, Physiology-2,
Anatomy-1)
Asstt.Professors-6 (Anaesthesia-1, Physiology-2, Anatomy-1, Biochemistry-2)
Tutors-2 (Radio-Diagnosis-2)*

2. The clinical material in terms of bed occupancy, operative work and laboratory investigations is inadequate as under:-

	Daily Average		Day of Inspection	
Bed occupancy %	69.80%		60%	
Operative work	Nil		Nil	
Number of major surgical	3		2	
Number of minor surgical	Nil		Nil	
No. of normal deliveries	Nil		Nil	
No. of caesarian sections	Nil		Nil	
<u>Laboratory Investigations</u>				
Biochemistry	34	17	63	12
Microbiology	4	2	4	nil
Serology	10	nil	9	nil
Parasitology	nil	nil	nil	nil
Haematology	72	9	130	15
Histopathology	nil	nil	nil	nil
Cytopathology	nil	nil	nil	nil
Clinical Pathology	94	11	93	10

- Clinical material is inadequate.
 - The bed occupancy is only 60%. However, the Medical Superintendent has reported 93% bed occupancy. On actual counting, bed occupancy comes to 60%.
 - The type of admitted patients were not of much clinical importance.
 - There were no records admitted patients in the wards.
 - The total number of major surgeries performed from 25th March,2006 to 18th May,2004 were 14.
 - Total number of minor surgeries from Jan.2006 to April,2006 were 32 which is inadequate.
 - Total number of normal deliveries from Jan.2006 to April,2006 were 8. Whereas the total number of caesarian sections were 3.
 - Number of deliveries from Ist May,2006 to 20th May,2006 were 5.
 - Number of ultrasound done is negligible.
 - Number of special investigations done is negligible.
 - The laboratory investigations pertaining to Biochemistry, Microbiology & Pathology are inadequate. The number of Histopathology & Cytopathology test done is also negligible.
3. In administrative block, furniture is inadequate. The glasses are still to be fixed on windows and ventilators.
 4. The medical college building civil work is incomplete. The water supply, water drainage and electricity still to be supplied in more than 50% of the college. The plastering flooring the tile work is still to be done in most of the part of the college building. The wooden frames, doors and windows are not fixed in the college building. The flooring is not done in the approach roads and corridors.
 5. In lecture theatres, windows and doors are still to be fixed. The light connection is still not available. The second lecture theatre is not functional. Flooring, plastering of the floor and sealing as well as fixing of window frames, doors and windows is not done. Only one lecture theatre is available which is inadequate.
 6. Flooring of the toilet and fixing of doors and windows is still to be done.
 7. In central library, there is no reading room for the faculty as well as for the residents. The books are not catalogued.
 8. Boys hostel is under construction. There are 29 single seater rooms on the ground floor where the plumbing work is in progress. Flooring, plastering, woodwork and doors and window fixing still to be done. The fixation WC in the toilet and flooring is not complete. There is no ralling on the stairs. No messing facility available.
 9. In Girls hostel, bricks work, flooring, de-shuttering and roofing not complete.
 10. In Resident doctor's hostel also flooring, plastering, fixing of doors and windows, fixing of WC electric work plumbing is incomplete.
 11. Flooring, plastering, wood work, electric work and plumbing work is still be completed in Residential quarters. There is no quarters for class III and IV employees.
 12. In OPD, there are no view boxes and couches, audiometry room is commission. OPD is not computerized and the records of the OPD patients is maintained in the register.
 13. In wards, the side lab. are not functional as there is no equipments . The duty doctor rooms are not furnished. There are no registers available in the wards. The entries of the admitted patients is not done. There is no furniture in the treatment rooms and nurses duty rooms.
 14. MRD is not cross linked with OPD registration counters.
 15. Only two OTs are functional which is not adequate as per norms.
 16. There is no separate canteen for the staff or the resident doctors.
 17. In Anatomy department, there are no mounted and unmounted specimens and no catalogue available. There is no light connection in the histology lab. and no windows are fixed in the lab. No students lockers are available. Preparation room without washing facilities is available. The departmental is non-functional.
 18. In Physiology deptt., construction work is going on. Faculty rooms are not ready for occupation as plastering and flooring is incomplete. The windows and doors are still to be fixed. Mammalian Lab., Clinical Lab. and Haematology lab. are still not functional as plastering, flooring and wood work has not been done. The working table are still to be installed. Water and light connection is not available. The department is non-functional.

- 19. In Biochemistry Department, no water connection and gas connection available. No preparation room, no burners and gas chambers available. No wash basin in the side room. No electric connection and no water bath available. Fixation of doors and windows still to be done. The department is non-functional.
- 20. Community Medicine department is not available.
- 21. Para Clinical departments are not available.
- 22. Other deficiencies/remarks in the report.

In view of above, and Govt. of India letter dt. 15/3/2005 issued after the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. requesting the Council to strictly adhere to the time schedule prescribed under the regulations, and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15th June, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to recommend to the Central Govt. to disapprove the scheme for Establishment of new medical college at Pondicherry by Ramachandra Educational Trust, Chennai received u/s 10A of the IMC Act, 1956.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided that including recommendation for disapproval of the scheme of the applicant college, the Central Government may consider debaring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Government to curb this menace”.

In view of the above decision of the Executive Committee of the Council, FIR was lodged at Dwarka Sector-23, Police Station on 28.6.2006.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee also observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that in accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made thereunder. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July,2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 7th-8th July,2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July,2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

On perusal of the inspection report of the inspection carried out on 7th - 8th July, 2006, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council observed that the following deficiencies are still persisting:-

- 1. (a) The following faculty members were not eligible while computing faculty deficiency for reasons given as under:-

Sr. no.	Name of the Faculty	Designation	Department	Reason for Exclusion
1.	Dr. V. Shanmugam	Professor	Orthopaedics	In his Declaration Form, he has stated that he possesses the

				experience as Assistant Professor only for a total period of 6 years. He has not stated any experience as Assoc. Professor in Orthopaedics nor has he attached any Certificate to that effect. He is, thus, not qualified to hold the post of Professor of Orthopaedics as he does not possess the requisite teaching experience of 4 years as Assoc. Professor as required as per Regulations.
2.	Dr. P. Rathinasamy	Professor	ENT	He has total teaching experience as Tutor in ENT for 1 year, as Assistant Professor of ENT of 5 years and 9 months and as Assoc. Professor of ENT of 2 years and 6 months only. Thus, he is not qualified to hold the post of Professor of ENT as he does not possess the requisite teaching experience of 4 years as Assoc professor as required as per Regulations.
3.	Dr. Aarthi Priya T.	Asst. Prof.	Anaesthesia	She is not eligible to be considered as Asstt. Professor as she does not possess 3 years teaching experience as Tutor/Resident/ Registrar as required under the Regulations.
4.	Dr. Abhiman Gautam R.	Asst. Prof.	Surgery	He is not eligible to be considered as Asstt. Professor as he does not possess 3 years teaching experience as Tutor/Resident/ Registrar as required under the Regulations.
5.	Dr. M. Ramasany	Asst. Prof.	Biochemistry	In his Declaration Form, he has mentioned that he has worked as Assistant Professor in SRM Dental College and Hospital for 3 years. His experience in Dental college cannot be considered. He is not eligible as Asst. Prof. as he does not fulfil the required teaching experience of 3 yrs. as Tutor/Resident/ Registrar as required under the Regulations.
6.	Dr. A. Sukumaran	Sr. Resident	ENT	He possesses only 2 yrs. experience as shown in the declaration form. Hence he does not fulfil 3 yrs. experience as per norms.
7.	Dr. P. Sekar	Sr. Resident	Orthopaedics	In his Declaration Form, he has claimed that he has worked as Resident at Kilpauk Medical College from 1999-April 2001 and from 12.12.2001 to 11.12.2003. The Certificate submitted by him which is issued from the Principal, Kilpauk Medical College that he has worked as Sr. Resident in the Dept. only for the period 12.12.2001 to 11.12.2003 – i.e. for a period of 2 years. No Certificate is attached for the period from 1999-April 2001. Thus, he has a total experience of only 2 years as Resident. He is thus not qualified to hold the post of Sr. Resident as he does not possess the requisite experience of 3 years in the Dept.

- (b) In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty

cannot be considered as the experience certificates submitted by them are forged as shown below:

S.No.	Name	Designation	Department	Remarks
1.	Dr. R. Rafath Ali	Professor	Anatomy	In his declaration form, he has claimed that he has worked at Sri Devaraj Urs Medical College, Kolar from 2.1.1993 to 5.2.1998 as Asstt. Prof. In its letter, Sri Devaraj Urs Medical College, Kolar has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
2.	Dr. Syed Athar Hussain	Assoc. Prof.	Physiology	In his declaration form, he has claimed that he has worked at Deccan Medical College, Hyderabad A.P. from 5.6.1998 to 25.6.2003 as Asstt. Prof. In its letter, Deccan Medical College, Hyderabad A.P. has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
3.	Dr. K. Ravi	Asstt. Prof.	Biochemistry	In his declaration form, he has claimed that he has worked at Vinayaka Mission Medical College, Salem from 10.2.1997 to 05.3.2002 as Asstt. Prof. In its letter, Vinayaka Mission Medical College, Salem has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
4.	Dr. G. Rajaram	Assoc.Prof.	Physiology	In his declaration form, he has claimed that he has worked at Deccan College of Medical Sciences from 18.9.1993 to 16.10.1999. In its letter, the Dean, Deccan College of Medical Sciences has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigations in all such cases. It was observed that in the complaint to be sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors and the Principal of the college in accordance with Professional Conduct (Etiquette and Ethics) Regulations, 2002.

(c) In view of above, the shortage of teaching staff is as under:-

- (1) The shortage of teaching faculty is more than 15% as under:
- i) Professor 1 (Anatomy 1)
 - ii) Associate Professor 5 (1 Physiology, 1 OBG, 1 Anaesthesia, 1 Radiology, 1 Pharmacology)
 - iii) Assistant Professor 3 (1 Anatomy, 2 Biochemistry)
 - iv) Tutor 3 (1 Biochemistry, 2 Radiodiagnosis)
- (2) The shortage of Residents is 10.52% as under:-
- i) Sr. Resident 4 (2 Medicine, 1 Surgery, 1 OBG)

2. Available clinical material is grossly inadequate as under:-

	Daily Average		Day of Inspection	
Bed occupancy%	75%		56.33%	
Operative work				
Number of major surgical operations	1		1	
Number of minor surgical operations	1		2	
Number of normal deliveries	1		-	
Number of caesarian Sections	1		-	
Radiological Investigations	O.P.	I.P.	O.P.	I.P.
X-ray	52	3	40	12
Ultrasonography	2	1	-	2
Special Investigations	-	-	6	4
C.T. Scan	-	-	-	-
Laboratory Investigations				
Biochemistry	74	10	51	14
Microbiology	4	1	5	4
Serology	10	3	20	4
Parasitology	8	2	7	3
Haematology	80	33	74	20
Histopathology	3	1	-	-
Cytopathology	3	1	-	4
Others	-	-	-	-

Observations: The following are the observations on randomly selected dates out of manually/computerized maintained records. Out door's, Indoor's & Casualty – following records are taken out of computer records except casualty & Indoor admissions which are maintained manually.

Dates	OPD New Cases						OPD Old Cases	Casualty Attendance	Indoor Admissions
	Med	Surg	OBG	Ortho	Paed	Total			
06.07.06	160	54	44	40	63	361	248	62	42
25.06.06	13	73	50	35	65	236	246	73	36
12.06.06	116	105	50	33	51	355	237	61	38
02.06.06	114	138	88	57	57	454	242	16	37
19.05.06	150	159	90	58	86	543	896	38	36

Laboratory Investigations & Radiology Work Load (Out of Manual Record)

Dates	Pathology*		Microbiology*		Biochemistry*		Radiology		
	OP	IP	OP	IP	OP	IP	X-Ray	USG	CT
06.07.06	71	18	36	6	62	12	31	3	NIL
25.06.06	72	20	18	2	56	2	4		
12.06.06	54	6	28	10	57	15	78		
02.06.06	66	8	22	12	58	11	105		
19.05.06	75	10	19	3	34	12	85		

* The figures indicate the number of patients

Major Surgeries/Minor surgeries and birth record - Manual Records

Dates	Surgery		Orthopedic		Gynaec (Excluding Caesarean)		Births	
	Major	Minor	Major	Minor	Major	Minor	Normal	Caes.
06.07.06	0	1	0	1	0	1	0	0
25.06.06	0	1	0	1	1	2	1	1
12.06.06	1	0	0	0	1	2	1	0
02.06.06	1	4	1	0	1	0	1	1
19.05.06	0	1	0	0	1	1	1	1

Bed Occupancy on the day of Inspection in Main Department :

Medicine	Surgery	OBG	Paediatrics	Orthopaedics	Total	%
61	50	20	16	22	169	56.33

Remarks & Observations - on the day of inspection

- I. Clinical material in OPDs & Indoors is inadequate. The figures submitted by the institution do not correspond with the clinical material available.
- II. The Radiological investigation (X-rays & USGs) are inadequate & not commensurate with the number of patients attending the hospital.
- III. Major surgeries/Minor surgeries are very few.

IV. Bed Occupancy is 56.33%.

V. The patients admitted in Indoors are not of clinical & teaching importance esp. in medicine/ orthopaedic.

3. In the boys' hostel, only the ground floor is furnished having 29 double seated rooms with water and electricity supply. In the girls' hostel, 25 triple seated rooms are available. Thus, total accommodation is available for 58 boys and 75 girls – i.e. for 133 students, which is inadequate.
4. In the Central Library, reading room for the students is provided with the capacity of 80 to 90. The books are numbered but proper cataloguing is in process. Deficiency is partially rectified to that extent.
5. There are 8 two bed room Residential quarters 6 on the ground floor and 2 on the first floor are available and furnished.
Temporary accommodation for 15 each, class III and class IV employees has been constructed with asbestos sheets roofs. Deficiency is partially rectified to that extent.
6. Only a Big room for Community Medicine Department is available with 25 charts on the first floor of the college building. No other facility is available. Deficiency remains as it is.
7. Other deficiencies/remarks in the report.

It was observed that the authorities of this College have been found to be continuously indulging in misleading the Council on the basis of the fabricated and false documents. The college authorities have been found to be engaging itself / indulging in such impermissible activities even in the previous inspection for the current academic year. Whereas in the last inspection, as stated above, declaration forms with reference to 7 claimed medical teachers had been found to be false and misleading, in the present inspection insofar as 4 claimed medical teacher is concerned, the declaration forms are false and misleading and with reference to 7 other claimed medical teachers, they have not been found to be eligible on the ground that they do not possess the requisite teaching experience required as per Regulations.

It is to be observed that the Council had framed a declaration form to be signed by each of the medical teacher claimed to be employed by the applicant college. Such declaration forms are required to be filled-in by the candidates concerned giving their full particulars of educational qualification, teaching experience etc. and to be duly signed by them with the clear understanding that each statement made by them in the declaration form is honest and true and for any incorrect or untrue statement, they shall be held responsible. When it had been observed by the Council that this condition of filling-up of the declaration forms was also not deterring the false claims to be lodged with the inspection team with regard to employment of requisite number of medical teachers, it was then stipulated that the Principal/Dean of the College should be required to endorse the declarations made by each of the medical teacher claiming to be in the employment of the applicant college and in the event the declaration forms are found to be false and incorrect, apart from the teacher concerned submitting the declaration form, the Principal/Dean of the College and the college authorities would also be held responsible for such false declaration forms.

It also deserves to be appreciated that the inspection team of the Council comprising of 3 medical professionals (one being the permanent inspector of the Council and two eminent medical professionals drawn from Govt. Medical Institutions) visit the applicant colleges only for a duration of 1-2 days for conducting the inspection. They cannot perform their job efficiently if they are faced with false declaration forms and presence of persons at the time of inspection who are not even medical teachers. Thereafter, the inspection reports are required to be considered by the Executive Committee of the Council. It becomes almost impossible either for the inspection team or for the Executive Committee of the Council to investigate the correctness of each of the declaration forms like an investigating agency when each of the medical teacher claiming to be in the employment of the applicant college is expected and obliged to submit a true declaration enabling the Council to discharge its statutory responsibilities without any deception or deceit.

In the last couple of years, it has been observed that despite all bonafide efforts being continuously taken by the Council to curb such temptations on the part of the applicant colleges to submit false declaration forms and present persons who are neither eligible nor genuine for fulfilling the minimum requirements of requisite number of medical teachers, the job of the Council is becoming difficult and difficult day by day.

The situation, therefore, deserves to be handled deftly and with strong and meaningful action. The Council is considering for having appropriate regulations whereunder if an applicant college is found to be indulging in such malpractice year after year, i.e., in successive inspections it has been found to be submitting false declaration forms with the endorsement of Principal/Dean of the applicant college, the college should stand debarred from consideration for a period of 2-3 years from seeking any permission u/s 10A of the Indian Medical Council Act, 1956.

In the present case, this college has been found to be submitting and placing reliance on false declaration forms even in the earlier inspection which had been carried out on 19th-20th May, 2006 for the academic year 2006-07. The Council had recommended disapproval of the scheme and debarring the college from any further consideration for a period of 2-3 years and for any further appropriate action by the Central Government to curb this menace. However, the Central Govt. has sent the compliance report received from the college authorities for consideration and for providing necessary input for the Council.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were further of the opinion that submission of declaration forms without any proper verification by the management with respect to the experience certificates submitted by the teachers is a recurring feature in this institute and which should be discouraged by taking a suitable decision by the Govt. of India to deter such colleges from indulging in such impermissible activities and thereby attempting to mislead the MCI/ Govt. of India in discharging their statutory obligation.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were, therefore, were clearly of the view that the Council should take steps for referring these cases to the Police authorities for registration of FIRs and conducting investigations in all such cases. It was observed that in the complaint to be sent to the Police authorities, it should also be clearly requested that all those cases where there is a collusion and conspiracy of such persons with the management of the colleges, the necessary action should also be taken against the management of those colleges. It was further decided that appropriate action be taken against these Doctors in accordance with Professional Conduct (Etiquette and Ethics) Regulations, 2002. Thus it can be seen that the Council has taken every possible action to deal with such situation.

In view of above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to reiterate its earlier decision recommending to the Central Government to disapprove the scheme for establishment of new medical college at Pondicherry by Ramachandra Educational Trust, Chennai u/s 10A of the I.M.C. Act, 1956 for the academic session 2006-07.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided to reiterate its earlier decision including recommendation for disapproval of the scheme of the applicant college, that the Central Govt. may consider debarring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Govt. to curb this menace thereby ensuring that neither this college nor other colleges get encouraged to indulge in such impermissible activities and to attempt to secure permission/renewal under Section 10A of the Act from the Govt. of India/MCI in a deceitful manner and by attempting to mislead the GOI/MCI in discharge of their statutory obligations .

4. Establishment of new Medical College at Mandya by Govt. of Karnataka.

Read: The compliance submitted by the authorities of Medical College at Mandya through the Central Govt. for establishment of new medical college at Mandya.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the

judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 26th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 7th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 26.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the compliance verification inspection report 7th July, 2006 carried out by the Council Inspectors alongwith the letter dated 15th July, 2004 of the Joint Secretary, Govt. of India, Ministry of Health & F.W and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college in the name of 'Mandya Institute of Medical Sciences, Mandya' by Govt. of Karnataka with an annual intake of 100 students for the academic session 2006-2007 u/s 10A of the IMC Act, 1956.

5. Establishment of new Medical College at Belgaum by Govt. of Karnataka.

Read: The compliance submitted by the authorities of Medical College at Belgaum through the Central Govt. for establishment of new medical college at Belgaum.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 26th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 7th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 26.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the

colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the compliance verification inspection report 7th July, 2006 carried out by the Council Inspectors alongwith the letter dated 15th July, 2004 of the Joint Secretary, Govt. of India, Ministry of Health & F.W and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college in the name of 'Belgaum Institute of Medical Sciences, Belgaum' by Govt. of Karnataka with an annual intake of 100 students for the academic session 2006-2007 u/s 10A of the IMC Act, 1956."

6. Establishment of new medical college at Jagdalpur, Chhatisgarh by Govt. of Chhatisgarh.

Read: The compliance submitted by the authorities of Medical College at Jagdalpur through the Central Govt. for establishment of new medical college at Jagdalpur.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee also observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 7th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (7th July, 2006) and noted the following:-

1. The shortage of teaching staff is as under:-

- (a) The shortage of teaching faculty is about 20% as under:-
 - i) Professor 1 (1 Biochemistry)
 - ii) Associate Professor 6 (2 Anatomy, 2 Physiology, 1 Bio Chem, 1 Microbiology,)

- iii) Assistant Professor 2 (1 Biochemistry, 1 Forensic Medicine)
- iv) Tutor 2 (1 Anatomy, 1 Anaesthesia)
- (b) The shortage of Residents is 5.2% as under: -
 - i) Jr. Resident 2 (2 Gen. Surgery)

2. Available clinical material is inadequate as under :-

	Daily Average	Day of Inspection
O.P.D. attendance	347	350
Radiological Investigations	O.P.+I.P.	O.P.+I.P.
X-ray	56	38
Ultrasonography	5	4
Special Investigations	-	-
C.T. Scan	2.5	2
Laboratory Investigations		
Biochemistry	41	37
Microbiology	-	-
Serology	-	-
Parasitology	12	16
Haematology	48	68
Histopathology	-	-
Cytopathology	-	-
Others	-	-

- The OPD attendance, Radiological Investigations, and Lab Investigations are low. No Histology, Cytopathology & Serology work is being done.
- 3. There is no playground. One old stadium is available, but there are no sports facilities. No other sports and recreation facilities are available. Deficiency not rectified.
- 4. OPD registration counter has one computer but indoor registration counter is not computerized. Each speciality is provided one to two rooms for examination of patients and inadequate accommodation for the doctors. Teaching facilities like patient couch, stools, x-ray, view box, examination tray, etc. are inadequate. There are no teaching areas in the major clinical departments. In wards, there is no doctor duty room, pantry, side laboratory, teaching and demonstration room, in any of the indoor wards. Medical Record Section is not computerized. Follow up services are not available. ICD classification is not followed. Deficiency not rectified.
- 5. The casualty is not adequately equipped with resuscitation instruments. Central oxygen supply, central suction, defibrillator, pulse oximeter, ambu bag, and disaster trolley etc. are not available. Casualty OT is used for minor surgery. Deficiency not rectified.
- 6. Bio-Chemistry laboratory has one autoanalyzer and one semi autoanalyser. The autoanalyser is not functional. The microbiology section is not existent. No histopathology, serology and cytopathology work is done. Each section is not having the required equipment except in bio-chemistry department. Technical staff is not adequate. On an average 20 samples are processed per day. Deficiency not rectified.
- 7. There is no Medical, Surgical & Paediatrics ICU. Deficiency not rectified.
- 8. In Radiological department, the protective measures as per BARC specifications are not followed. Deficiency not rectified.
- 9. There is no CSSD. However, one horizontal sterilizer is available in the OT Complex. Deficiency partially rectified.
- 10. Intercom is not available. Deficiency not rectified.
- 11. There is no mechanized laundry. The laundry system is run by outsource agency which is unsatisfactory. Deficiency not rectified.
- 12. At present the disposal of bio-medical waste is done by Red cross society, Jagdalpur but it is not conducted as per Supreme Court Guide lines. Deficiency not rectified.
- 13. Nursing staff is status quo since the last inspection and is inadequate. Deficiency remains as it is.
- 14. In Anatomy Department, the Dissection Hall is under construction. Preparation room is still under construction. False roofing and civil work is pending. There is no water supply and electricity.
In the Physiology Department, laboratories are nearing completion. Civil work is pending. There is no electricity and water connection.

In the Biochemistry, flooring in the department is pending. Civil work is remaining. There is no water and electricity connection. The staircases in the building are still under construction and there are no side railings. Deficiency partially rectified.

15. Bath rooms of Common room for Boys & Girls are under construction. There are no electrical fittings & no fans.
16. Central Library is not organized and equipped with new books and journals. One large hall has been provided in which mostly old edition books have been randomly stacked. Books have been brought from Govt. Medical College Raipur. One librarian was available in the library. Only 371 books have been entered in the accession register. No Journals are available. One computer is kept but is not functional. Internet facility is not available. There are no other facilities available in the library.
17. Boys hostel is under construction. However, one boys hostel with 24 double seater rooms has been taken on rent which is 3 kms from the campus.
18. Other deficiencies and remarks in the report.

In view of above, the members of the Executive Committee and of the Adhoc Committee appointed by the Hon'ble Supreme Court, having regard to the persisting deficiencies as pointed out in the compliance verification report, decided to reiterate its decision to recommend to the Central Govt. to disapprove the scheme for establishment of new medical college at Jagdalpur, Chhatisgarh by Govt. of Chhatisgarh received u/s 10A of the IMC Act, 1956.

7. Christian Medical College & Hospital, Dichpally – Renewal of Permission for admission of 4th batch of students for the academic session 2006-2007.

Read: The compliance submitted by the authorities of Christian Medical College & Hospital, Dichpally through the Central Govt. for renewal of permission for admission of 4th batch of students for the academic session 2006-2007.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee also observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 6th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (6th July, 2006)

alongwith the letter of the college received through Central Govt. vide its letter dt. 07.07.2006 and noted the following:-

1. The shortage of the faculty is as under :-
 - (a) The shortage of teaching staff is 83.07% as under
 - (i) Professor – 15 (Anat – 1, Physio-1, Biochem-1, Pharma-1, Micro -1, For Med-1, Comm. Med-1, G Med-1, Peads-1, G Surg-1, ortho-1, ENT-1, Opthl-1, Anaes –1, Radio-1)
 - (ii) Assoc. Prof – 28 (Anat-2, Physio-2, Biochem-1, Pharma-1, Patho-3, Micro-1, Fore. med-1, Com med-1, G med-3, Peads-1, TB –1 , Derma-1, Psy-1, Gen.Surg-3, Ortho-1, OBGY-1, Anaes-2, Radio-1, Dental-1)
 - (iii) Asst. Prof – 37 (Anat-3, Physio-2, Biochem-1, Pharma-3, Patho-3, Micro-1, Formed-1, Com med-6, Peads-2, Derma-1, Psy-1, Gsurg-2, Ortho-2, ENT-1, OBGY-3, Anaes-3, Radio-2)
 - (iv) Tutors – 28 (Anat-4, Physio-4, Pharma-4, patho-6, micro-1, For med-2, Com med-2, Anaes-2, Radio-3)
 - (b) Shortage of Residents is 90.7% is as under:-
 - (i) Sr. Residents – 14 (Gen. med-2, Peads-2, TB Chest -1, Derma-1, Psy-1, G Surg-4, Ortho-2, ENT-1)
 - (ii) Jr. Residents – 55 (Gen. med-12, Peads-5, TB chest-3, Derma-3, Psy-3, G surg 12, Ortho-6, ENT-3, Opthal-2, OBGY-6)
2. Clinical material is inadequate in terms of OPD attendance, Casualty Attendance, No. of admissions, X-rays, lab investigations, no. of major & minor surgeries and no. of normal deliveries and cesarean sections as under:-

	Daily Average		Day of Inspection	
O.P.D. attendance	812		118	
Casualty attendance	16.8		1	
Bed occupancy%	76%		15%	
<u>Operative work</u>				
Number of major surgical operations	1-2		-	
Number of minor surgical operations	3-4		4	
Number of normal deliveries	0.5-1		-	
Number of caesarian Sections	0-0.5		-	
<u>Radiological Investigations</u>	O.P.	I.P.	O.P.	I.P.
X-ray	58	11	3	Nil
Ultrasonography	22	10	nil	Nil
Special Investigations	2	2	nil	Nil
C.T. Scan	NA	NA	NA	NA
<u>Laboratory Investigations</u>				
Biochemistry	163	112	14	2
Microbiology	18	10	2	1
Serology	29	27	5	0
Parasitology	13	10		1
Haematology	121	60	22	26
Histopathology	5	8	nil	nil
Cytopathology	6	6	nil	nil
Others	27	20	nil	nil

3. On an average 1 unit of blood is transfused daily. The last transfusion was done on 29-06-06. The daily collection of blood is also inadequate. The last collection was done on 26-06-06.
4. The main OT block with 4 OT s was non functional on the day of inspection.
5. On the day of inspection only one ward (male medical ward) was being used for admissions of all specialities (Medical as well as surgical). All the admitted patients in the hospital were accommodated in the male medical ward which included female patients as well; which belonged to medicine, surgery, ophthalmology, ENT Orthopaedics. 2 patients were admitted in the Gynea ward near the labour room. All other medical and surgical wards were totally vacant.

6. Display and distribution of various units in different departments is not done. The number of total beds are 400 as against 450 as required by MCI norms for the 3rd renewal. Distribution of beds is not as per MCI norms.

Speciality	Required Beds/Units	Present Beds/Units	Remarks
Medicine & Allied Specialities			
General Medicine	102	93	Not as per MCI norms.
Paediatrics	60	50	
TB & Chest	15	12	
Skin & VD	9	7	
Psychiatry	9	7	
Total	195	169	
Surgery & Allied Specialities			
General Surgery	100	93	Not as per MCI norms.
Orthopaedics	60	50	
Ophthalmology	18	16	
ENT	18	16	
Total	196	175	
Obstetrics & Gynaecology			
Obstetrics & ANC	36	34	Not as per MCI norms.
Gynaecology	23	22	
Total	59	56	
GRAND TOTAL	450	400	Deficiencies of 50 beds

- Units are not displayed.
- There is shortage of 50 beds for 3rd Renewal 100 seats.

7. Space for the teaching areas is small in OPDs of major departments like Medicine, Surgery, Pediatrics, Obst. & Gynae. and Orthopaedics. Deficiency remains as it is.
8. There is no central oxygen and suction in any of the ICU's. On the day of inspection there was no patient in any of the ICU's. All the ICUs are non- functional, with no special equipment except 1 ventilator, 2 multi para meters and 1 defibrillator. Only suction machine was available in all the ICUs. No resident doctor/ faculty/ nursing staff was posted in any ICU. Deficiency remains as it is.
9. No colour Doppler, CT Scan and C Arm are available. Facilities for special investigations e.g. mammography are not available. No record of ultrasound is maintained. Deficiency remains as it is.
10. A total of 20 quarters are available within the campus for the teaching staff. Only 8 quarters are occupied and rest are lying vacant and were locked. Deficiency remains as it is.
11. Out patient attendance record is not maintained at UHC. Immunization services for diagnostic investigations and for minor surgery are not available. Activities under the National Programme are not carried out. Duty Roasters and records of various activities and investigations are not maintained. UHC was locked and there was no staff member available to open the center. Deficiency remains as it is.
12. Two buildings are allocated for residents which were found to be locked and unoccupied. Deficiency remains as it is.
13. Dormitory is being used for the resident doctors. Deficiency remains as it is.
14. Incinerator is non functional, and the hospital waste is buried in the pits. In OPD and wards, there is no proper segregation and disposal of waste material. Deficiency remains as it is.
15. In the Casualty, Central Oxygen and Central Suction are not available. Resuscitation equipment and Defibrillator are not available. On the day of inspection, there was only one patient in the Casualty. No CMO, No nursing staff were posted in the casualty. There was no register available for the casualty admission. Deficiency remains as it is.
16. There is no glove inspection machine, ETO and Ultrasonic cleaner in CSSD. Deficiency remains as it is.
17. There is no provision to supply special diet as recommended by Physician. There is no dietician available. Deficiency remains as it is.
18. Para medical staff is grossly inadequate as under:-
- | | |
|------------------------|-----|
| Laboratory Technicians | : 5 |
| Laboratory Assistants | : 3 |
| Laboratory Attendants | : 3 |

19. There is no record of Medical Education Programme available. No programme has been held in Medical Education Unit. Deficiency remains as it is.
20. No lecturers cum medical officers having MD(PSM) qualification is available at RHTC/UHC. No LMO was available. Students are not posted at RHTC. No furniture was available in the hostel at RHTC. Mess facility was available. Audio-visual aids have not been provided. Family welfare activities were not carried out. Out patient records were available. Staff as prescribed under MCI norms needs to be appointed. Deficiency remains as it is.
21. Other deficiencies/remarks in the report.

In view of above, the members of the Executive Committee and of the Adhoc Committee appointed by the Hon'ble Supreme Court, having regard to the persisting deficiencies as pointed out in the compliance verification report, decided to reiterate its earlier decision to recommend to the Central Govt. not to grant the Renewal of Permission for admission of 4th batch of students for the academic session 2006-07 at Christian Medical College & Hospital, Dichpally u/s 10A of the Indian Medical Council Act, 1956.

8. Vivekanand Institute of Medical Sciences & Research, Vallia – Renewal of Permission for admission of 5th batch of students for the academic session 2006-2007.

Read: The compliance submitted by the authorities of Vivekanand Institute of Medical Sciences & Research, Vallia through the Central Govt. for renewal of permission for admission of 5th batch of students for the academic session 2006-2007.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 5th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (5th July, 2006) and noted the following:-

1. The shortage of the faculty is as under :-

- (a) The shortage of teaching staff is 93% for 100 seats. Only 8 faculty members were present on the day of the Inspection. The Dean & Medical Superintendent were not available. The Chairman of the Trust was also not available.
 - (b) The shortage of Residents is 100%. No Resident was available on the day of the inspection.
2. There are no patients in any ward. Casualty, ICCU & OPD expect in surgery ward which has 8 patients. Central Lab is non-functional. There is no OT. List of all OT's were found to locked. Clinical material is grossly inadequate as under:-

	Daily Average		Day of Inspection	
O.P.D. attendance	943		07	
Casualty attendance	09		-	
Bed occupancy%	81%		1.4	
Operative work				
Number of major surgical operations	06		-	
Number of minor surgical operations	08		-	
Number of normal deliveries	1.6		-	
Number of caesarian Sections	0.8		-	
Radiological Investigations	O.P.	I.P.	O.P.	I.P.
X-ray	60	31	02	-
Ultrasonography	16	08	-	-
Special Investigations	02	02	-	-
C.T. Scan	-	-	-	-
Laboratory Investigations				
Biochemistry	400	136	02	-
Microbiology	15	22	-	-
Serology	105	30	-	-
Parasitology	5	1	-	-
Haematology	400	155	-	03
Histopathology	-	6	-	-
Cytopathology	2	4	-	-
Others	-	-	-	-

➤ The Hospital was found to be non-functional on the day of the inspection.

3. Distribution of teaching beds and units in different specialities are not as per Council requirements. Many wards have no beds/no mattress. Pantry & Side labs. as under:

Speciality	Required Beds/Units	Present Beds/Units	Deficiency
Medicine & Allied Specialities			
General Medicine	120/4	117/4	3
Paediatrics	60/2	60/2	-
TB & Chest	20/1	12/1	8
Skin & VD	10/1	06/1	4
Psychiatry	10/1	10/1	-
Total	220/9	205	
Surgery & Allied Specialities			
General Surgery	120/4	115/4	5
Orthopaedics	60/2	50/2	10
Ophthalmology	20/1	15/1	5
ENT	20/1	15/1	5
Total	220/8	195	
Obstetrics & Gynaecology			
Obstetrics & ANC	36		
Gynaecology	24		
Total	60	56	4
Grand Total	500/19	456	44 beds

4. Beds in Medicine, Paediatrics, TB & Chest, Psychiatry and Skin & VD are not numbered and there is no unit demarcation. There is no pantry and adequate number of bedside lockers are not provided. There is no numbering of beds and units in Surgery, Orthopaedics, ENT and Ophthalmology wards. Obst. & Gynae. wards do not have number of beds and no class room is available. Deficiency remains as it is.
5. There is no medical record department as there is no MRO and supportive staff. Old case record keeping is not followed. Deficiency remains as it is.
6. Monitoring and resuscitation equipment are not available. There is no emergency life supportive equipments or OT in casualty. Deficiency remains as it is.

7. No Microbiology tests are done in central laboratory. Deficiency remains as it is.
8. No medical officer or technician was available in Blood Bank at the time of inspection. Deficiency remains as it is.
9. 2 static units of 500 mA and 300 mA x-ray machines are available. No mobile unit is available. No C arm is available in the OT. No register is kept in Central Laboratory or Radio-Diagnosis department. Daily entry is made in loose sheet and destroyed after feeding into computer. No separate Anaesthesia register is available in OTs. Deficiency remains as it is.
10. There was no qualified Pharmacist available at the time of inspection in Pharmacy. Deficiency remains as it is.
11. EPABX is found to be not working in most of the places. Deficiency remains as it is.
12. No dryer is available in Central Laundry. Deficiency remains as it is.
13. No dietician is available. Deficiency remains as it is.
14. Paramedical staff is grossly inadequate as under:-
 Lab. Technician/Assistant -30
 Lab. Attendant -15
 Hence, deficiency remains as it is.
15. No incinerator is available. Deficiency remains as it is.
16. Playground is not available as the leveling of the ground is being undertaken. Deficiency remains as it is.
17. Medical Education Unit ceased to be functional as no activity was happening since 1 year. Equipments are kept under lock and key. Deficiency remains as it is.
18. Statistical work is not being carried out as there is no Statistical Medical Record Department. Deficiency remains as it is.
19. Veterinary Officer is part time. Deficiency remains as it is.
20. RHTC, Daheli is under the control of the Government and the college is using its facilities for teaching purposes. No Lecturer cum Medical Officer having MD (PSM) qualification is available. Deficiency remains as it is.
21. No Lecturer cum Medical Officer having MD (PSM) qualification is available at UHC. Duty rosters and records of various activities and investigations are not maintained properly. Deficiency remains as it is.
22. Residents hostel is unfurnished. Deficiency remains as it is.
23. Messing facilities are not available. Deficiency remains as it is.
24. In Medicine OPD, there are no registers, no black board, no x-ray view box and no vaccine for immunization. There is no separate TB & Chest OPD. There is no activity in Skin & VD OPD as there are no registers and no doctors seen during OPD hours. There is no activity in Psychiatry OPD as there is no register, no power supply and no doctors. There is no clinical Psychologist. There is no dressing room in Surgical OPD. There are no procedure room and class room in Ophthalmology and ENT OPD. There is no Audiometry Technician. Deficiency remains as it is.
25. In the departments of Anatomy, Physiology, Pharmacology, Pathology, Microbiology, Forensic Medicine, Community Medicine, office accommodation is poorly furnished. Deficiency remains as it is.
26. Second demonstration room in Anatomy is non-functional. The number of fans provided in the museum and demonstration room are inadequate. No non-teaching staff was available in Biochemistry, Pharmacology, Forensic Medicine during the inspection. In other departments, number of non-teaching staff present during the inspection is grossly inadequate. Deficiency remains as it is.
27. Books in the departmental libraries of Anatomy, Pharmacology, Pathology, Microbiology, Forensic Medicine, Community Medicine, General Medicine, TB & Chest, Skin & VD, Psychiatry, Paediatrics, General Surgery, ENT, Orthopaedics, Anaesthesia & Obst. & Gynae. are inadequate. Deficiency remains as it is.
28. There is no running water facility in the Histopathology practical laboratory. Deficiency remains as it is.
29. No service lab. is functioning in the Microbiology department OPD. Deficiency remains as it is.
30. Mortuary is clean and unutilized. Deficiency remains as it is.
31. Other deficiencies/remarks in the report.

In view of above, the members of the Executive Committee and of the Adhoc Committee appointed by the Hon'ble Supreme Court, having regard to the persisting deficiencies as pointed out in the compliance verification report, decided to reiterate its earlier decision to recommend to

the Central Govt. not to grant the Renewal of Permission for admission of 5th batch of students for the academic session 2006-07 at Swami Vivekananda Institute of Medical Sciences & Research Valia, Gujarat under Section 10A of the Indian Medical Council Act, 1956.

9. K.J. Somaiva Medical College & Hospital, Mumbai – Renewal of permission for admission of 4th batch of students against the increased intake i.e. from 50 to 100 for the academic session 2006-2007.

Read: The compliance submitted by the authorities of K.J. Somaiva Medical College & Hospital, Mumbai through the Central Govt. for renewal of permission for admission of 4th batch of students against the increased intake i.e. from 50 to 100 for the academic session 2006-2007.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee also observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July, 2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 7th July, 2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July, 2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (7th July, 2006) and noted the following:-

1. Shortage of teaching staff as under:-

- (a) The shortage of teaching faculty is 16.91% as under:-
 - (i) Professor – 3 (1 Biochemistry, 1 ENT, 1 Orthopaedics)
 - (ii) Assoc.Prof-4 (1 Forensic Medicine, 1 Pathology, 1 Community Medicine 1 General Surgery)
 - (iii) Asstt.Professor-16 (1 Anatomy, 1 Forensic Med., 1 Pharmacology, 4 Community Medicine, 3 Gen.Medicine, 1 T.B;. & Chest, 2 OBGY, 1 Radio-diagnosis, 1 Anaesthesia and 1 Dentistry)
- (b) The shortage of Residents is 11.84% as under
 - (i) Sr.Residents- 5 (2 Gen. Medicine, 2 Paediatrics, 1 Gen. Surgery)
 - (ii) Jr.Residents: 4 (1 Gen.Medicine, 1 Dermatology, 1 Orthopaedics and 1 ENT)

2. Clinical material is inadequate as under:-

	Daily Average		Day of Inspection	
O.P.D. attendance	606		518	
Casualty attendance	46		14	
Bed occupancy%	74%		46.6%	
Operative work				
Number of major surgical operations	7		4	
Number of minor surgical operations	6		3	
Number of normal deliveries	3-4		3	
Number of caesarian Sections	1		NIL	
Radiological Investigations	O.P.	I.P.	O.P	I.P.
X-ray	32	17	23	5
Ultrasonography	18	2	24	4
Special Investigations	1	NIL	1	NIL
C.T. Scan	NIL	NIL	NIL	NIL
Laboratory Investigations				
Biochemistry	56	56	46	25
Microbiology	10	12	4	12
Serology	18	4	9	2
Parasitology	NIL	2	NIL	1
Haematology	93	52	75	35
Histopathology	1	4	NIL	4
Cytopathology	5	1	4	1
Others	7	8	14	10

3. The CT scan machine is out of order for the last 6 months. Deficiency remains as it is.
4. Laboratory investigations is not commensurate with the number of patients claimed to have been attending the outdoor and admitted in the wards.
5. Girls hostel is located 4km. away from the college In K.J.Somaiya Polytechnic Hostel. Only one floor of this building is reserved for Girl Medical students. At present no girl medical student is staying in this Hostel. There are 16 rooms on this floor, all are four seated. In absence of medical students the rooms are allocated to other students belonging to Engineering/MBA students.
This hostel cannot be considered for medical students.
Boy's hostel is at a distance of 1½ km. having a 3 storied building with 5 rooms on each floor. Total accommodation is available for 48 boys. Thus, total accommodation available for medical students is grossly inadequate. Deficiency remains as it is.
6. Only 3 flats owned by the Trust and 4 flats rented by the Trust are available for teaching faculty outside the campus. No accommodation is available for teaching staff in the campus, which is not as per norms. Deficiency remains as it is.
7. Separate nursing hostel is not available. Deficiency remains as it is.
8. In Pharmacology museum, a few charts have been added since last inspection. Space remains unaltered. Deficiency remains as it is.
9. Paramedical staff is grossly inadequate as under:-
Lab Technicians – 40
Lab Assistants - 33
Lab Attendants - 20
10. Other deficiencies/remarks in the report.

In view of above, the members of the Executive Committee and of the Adhoc Committee appointed by the Hon'ble Supreme Court, having regard to the persisting deficiencies as pointed out in the compliance verification report, decided to reiterate its decision to recommend to the Central Govt. not to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e from 50 to 100 at K.J. Somaiya Medical College, Mumbai for the academic session 2006-07 u/s 10A of the Indian Medical Council Act, 1956.

10. Recognition of Sikkim Manipal Institute of Medical Sciences, Gangtok for the award of MBBS degree granted by Sikkim Manipal University of Health Medical & Technological Sciences, Gangtok.

Read: The compliance submitted by the authorities of Sikkim Manipal Institute of Medical Sciences, Gangtok through the Central Govt. for recognition of Sikkim Manipal

Institute of Medical Sciences, Gangtok for the award of MBBS degree granted by Sikkim Manipal University of Health Medical & Technological Sciences, Gangtok.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee observed that the Council vide its various communications, of which the last was sent on 3rd July, 2006, as well as during the course of the personal meeting with the Officers of the Ministry has stated that accordance with the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal under Section 10A of the Indian Medical Council Act, 1956 and the regulations made to the medical colleges. In view of the above, it would be neither possible nor permissible for the Council to conduct any inspection after 15th June for that academic year.

However, the Central Government has sent a compliance report received from the institute vide letter dated 27th June, 2006. The Central Government vide another letter dated 30th June, 2006 received in the office of the Council on 3rd July,2006 has desired that the necessary input may be sent to the Central Government. As proper, thorough & objective inputs can only be given after physical verification of the compliance, the inspection to verify the compliance was carried out on 5th July,2006 enabling the Council to furnish its inputs to the Govt. of India.

The members pointed out that they have come to know that simultaneous inspections were carried out by the Central Government in all these institutions for which the agenda was put-up. The members also noted that vide its letter dated 27.6.2006, the Council was requested by the Central Government to send the input on the basis of compliance received from the colleges. The Council vide its letter dated 30.6.2006 had informed the Central Government that the meeting of the Executive Committee is scheduled on 10th July,2006 and the decision of the Executive Committee would be communicated to the Central Government immediately thereafter. However, the Central Government had decided to send its own team to all these 10 institutions of which it has sent the compliance to the Council and for which it had desired the inputs from the Council. The members felt that this duplication could have been avoided and unnecessary controversy and expenditure of public exchequer could have been spared.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the compliance verification inspection report (5th July, 2006) and noted the following:-

1.

(a)

The shortage of teaching faculty is 33.58% as under:

(i)

Professor-1 (Paediatric-1)

(ii)

Prof./Assoc-1 (Dentistry-1)

(iii)

Assoc.Prof.-12(Anatomy-2, Physiology-1, Pathology-1, Forensic Medicine-1, Medicine-2, Pediatric-1, Surgery-1, Anaesthesia-2, Radiology-1)

(iv)

Asstt.Profs.-9 (Lecturer in Bio-physics-1, Pathology-2, Community Medicine-1, Lecturer Epidemiology-1, ANMO-1, MWO-1, Radiology-2)

(v)

Tutors-21 (Physiology-1, Pathology-5, Pharmacology-2, Community Medicine-5, Radiology-3, Anaesthesia-5)

(b)

The shortage of Residents is 60.52% as under:

(i)

Sr. Residents-13 (Medicine-4, TB & Chest-1, Psychiatry-1, Pediatric-2, Surgery-3, Orthopaedic-1, ENT-1)

(ii)

Jr. Residents-33 (Medicine-7, TB & Chest-2, Psychiatry-2, Pediatrics-3, Surgery-9, Orthopaedic-3, ENT-1, Ophthalmology-3,OBG-3)

(c)

Others: Pharmachemist-1

2.

Clinical material is grossly inadequate as under:-
- | | Daily Average | Day of Inspection 5.7.2006 |
|---------------------|---------------|----------------------------|
| OPD Attendance | 420 | 320 |
| Casualty attendance | 21 | 6 |
| Admission/discharge | 31/29 | 17/3 |
| Bed occupancy % | 39% | 59% |

Operative work				
Number of major surgical operations	3		3	
Number of minor surgical operations	1		1	
Number of normal deliveries	2		0	
Number of caesarian sections	1		1	
Radiological Investigations	O.P.	I.P	O.P	I.P
X-ray	47	9	28	13
Ultrasonography	14	3	14	0
CT Scan	0	2	1	0
Special investigations	1	0	0	0
<u>Laboratory Investigations</u>				
Biochemistry	154	194	102	169
Microbiology	22	0	24	1
Serology	24	0	6	6
Parasitology	16	0	9	6
Haematology	107	111	142	56
Histopathology	4	0	0	2
Cytopathology	2	0	2	2
Others	154	66	71	53

3. On the 6th level of the new college building, auditorium is available, which has capacity of 700 seats but five hundred chairs has been provided. The construction of the stage is in progress. Fans and exhaust fans are not fitted. Thus auditorium is not fully functional.
4. Accommodation for students & interns is inadequate at RHTC. Boarding and lodging facilities for 6 boys and 6 girls in two large halls alongwith messing arrangement has been made in a leased house at a 50 mtrs. distance from RHTC. The centre is under control of Sikkim Govt. but the college has been permitted to utilize the facilities. Hence, deficiency remains as it is.
5. On the 8th level of the hospital building, 17 double seated room are available for residents doctors (Male/Female). Total accommodation available for resident doctors within the campus is 34 against the requirement of 114. Thus, it is inadequate.
6. In CSSD, only one horizontal (425 liter capacity) and one portable vertical autoclave (50 liter capacity) are available. No other equipment like glove, inspection machines, ETO sterilizer, etc. are available in the CSSD. In addition, next to the OT complex, one horizontal autoclave (75 liter capacity) is available, which is inadequate.
7. Medicolegal work is inadequate. So far only 10 postmortem has been performed in the year 2006. The construction of approach road to mortuary is under construction. Hence, deficiency remains as it is.
8. Other deficiencies/remarks in the report.

In view of above, the members of the Adhoc committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to reiterate its decision not to recognize Sikkim Manipal Institute of Medical Sciences, Gangtok for the award of MBBS degree granted by Sikkim Manipal University of Health Medical & Technological Sciences, Gangtok.

11. Payment of the bill of Sh. K.K. Venugopal, Sr. Advocate.

Read: The matter with regard to payment of bill of Sh. K.K. Venugopal, Sr. Advocate.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted that the issue for which the opinion of Shri K.K. Venugopal was sought as Senior Counsel was very important as it related to matters pertaining to the Establishment of Medical College Regulations, 1999 and adherence to the time schedule prescribed therein. They further noted that the Council had strictly followed the guidelines prescribed by the Hon'ble Supreme Court in Mridul Dhar's case for strict adherence to the time schedule prescribed in the Regulations till date.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that it was very important for the Council to defend its stand of following the directives of the Hon'ble Supreme Court and strictly adhering to the time schedule and the Regulations and therefore it was essential for the Council to obtain the opinion of Shri K.K. Venugopal, Senior Advocate and his appearance as Sr. Advocate in the matter.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council further decided to pay the bill of Shri K.K. Venugopal, Senior Advocate under these circumstances.

12. Appointment of Lecturer in Radiological Physics.

Read: The matter with regard to appointment of lecturer in Radiological Physics.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council perused the letter received from Govt. of India, Atomic Energy Regulatory Board, Mumbai and observed that the Chairman, AERB is the competent authority for the enforcement of rules related to Radiological Safety of the radiation sources used in the country. The Regulatory Board prescribes the minimum qualification and experience for personnel handling radiation sources in various installations in the respective Safety Codes published by AERB. The minimum qualifications and experience to work as a Medical Physicist are prescribed in AERB/SC/MED-1. As per AERB Safety Code MED.1, the minimum qualifications required for a Medical Physicist are -

- (i) a basic degree in science from a recognised university with physics as one of the subject;
- (ii) a postgraduate degree/diploma in radiological/medical physics from a recognised university.

In view of above, the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided that the academic qualifications required for appointment in Radiological Physicist may be changed to bring it in line with AERB Safety Code MED-1. The amended academic qualifications for the various posts prescribed in the Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 for the department of Radiological Physicist should be amended as under:-

- (i) a basic degree in science from a recognised university with physics as one of the subject;
- (ii) a postgraduate degree/diploma in radiological/medical physics from a recognised university.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council further decided to place the above recommendations before the General Body of the Council for approval.

13. Establishment of new medical college at Palakkad, Kerala by Safe Development Alms Trust for the academic session 2006-2007 .

Read: The compliance submitted by the authorities of Medical College at Palakkad, Kerala by Safe Development Alms Trust for through the Central Govt. for establishment of new medical college at Palakkad, Kerala.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council observed that the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council at its meeting held on 14th-15th June,2006 had considered the Council Inspectors report dated 24th May,2006 carried out by the Council and it was decided as under:-

"The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (25th May, 2006) and noted the following:-

- 1 (a) In relation to certain Declaration Forms submitted on behalf of the medical teachers and endorsed by the Principal of the medical college, it was observed/found that teaching experience shown in those Declaration Forms is incorrect and in certain cases, it was seriously doubted. The office of the Council had undertaken the exercise of verifying the individual particulars regarding the claimed teaching experience from the Medical institutions concerned and found their claim to be fake. The following teaching faculty cannot be considered as the experience certificates submitted by them are forged as shown below:

S.No	Name	Designation	Department	Remarks
1.	Dr. R. Srirama Murthy	Prof.	Anatomy	In his declaration form, he has claimed that he has worked at Deccan College of Medical

				<i>Sciences, Hyderabad from 10.02.89 to 16.06.94 as Asstt.Prof. & from 17.06.1994 to 20.10.1999 as Assoc. Prof. In its letter, Deccan College of Medical Sciences, Hyderabad has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
2.	<i>Dr. Pospati Suresh</i>	<i>Prof.</i>	<i>Radiology</i>	<i>In his declaration form, he has claimed that he has worked at Adichunchanagiri Instt. of Medical Sciences, Bellure from 21.10.1998 to 04.04.99 as Assoc. Prof. In its letter, Adichunchanagiri Instt. of Medical Sciences, Bellure has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
3.	<i>Dr. B.R. Chandra Hasan</i>	<i>Prof.</i>	<i>Biochemistry</i>	<i>In his declaration form, he has claimed that he has worked at Sri Devaraj Urs Medical College, Tamaka, Kolar from 06.07.1991 to 10.11.1997 as Asstt. Prof. In its letter, Devaraj Urs Medical College, Tamaka, Kolar has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
4.	<i>Dr. Dara Venkata Ramaiah</i>	<i>Assoc. Prof.</i>	<i>Physiology</i>	<i>In his declaration form, he has claimed that he has worked at JSS Medical College, Mysore from 01.08.1992 to 10.08.1998 as Asstt.Prof. In its letter, JSS Medical College, Mysore has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
5.	<i>Dr. Puttur Jyothswar Reddy</i>	<i>Assoc. Prof.</i>	<i>Pharmacology</i>	<i>In his declaration form, he has claimed that he has worked at JJM Medical College, Davangere from April, 1992 to April, 1995 as Tutor and from May,1995 to Dec.1999 as Asstt.Prof. In its letter, JJM Medical College, Davangere has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
6.	<i>Dr. S. Srinivasulu</i>	<i>Assoc. Prof.</i>	<i>Physiology</i>	<i>In his declaration form, he has claimed that he has worked at Naryana Medical College, Nellor from 14.11.2001 to 13.2.2004 as Asstt.Prof. In its letter, Naryana Medical College, Nellore has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
7.	<i>Dr. B.Paul S. Kumar</i>	<i>Assoc. Prof.</i>	<i>Biochemistry</i>	<i>In his declaration form, he has claimed that he has worked at Deccan College of Medical Sciences, Hyderabad from 4.7.1994 to 20.12.1999 as Asstt.Prof. In its letter, Deccan College of Medical Sciences, Hyderabad has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
8.	<i>Dr. B.M.V. Giridhar</i>	<i>Assoc. Prof.</i>	<i>Anatomy</i>	<i>In his declaration form, he has claimed that he has worked at PES Instt. of Medical Sciences, Kuppam from 10.10.2006 to 16.10.2003 as Assoc.Prof. In its letter, PES Instt. of Medical Sciences, Kuppam has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.</i>
9.	<i>Dr. K.A. Anand</i>	<i>Assoc. Prof.</i>	<i>Pathology</i>	<i>In his declaration form, he has claimed that he has worked at Deccan College of Medical</i>

				Sciences, Hyderabad from 1.6.1993 to 10.6.1999 as Asstt.Prof. In its letter, Deccan College of Medical Sciences, Hyderabad has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
10.	Dr. B.R. Chandra Hasan	Asstt. Prof.	Biochemistry	In his declaration form, he has claimed that he has worked at Sri Devaraj Urs Medical College, Kolar, Karnataka from 6.7.1991 to 10.11.1997 as Asstt. Prof. In its letter, Sri Devaraj Urs Medical College, Kolar, Karnataka has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.
11.	Dr. P.K. Rajan	Asstt. Prof.	Anaesthesia	In his declaration form, he has claimed that he has worked at Kasturba Medical College, Manipal from 2000 to 2003 as Tutor. In its letter, Kasturba Medical College, Manipal has stated that he has not worked at all in the institution. Thus, he has submitted a false and forged experience certificate and therefore cannot be accepted as a teacher.

(b) The following faculty members were not eligible while computing faculty deficiency for reasons given as under:-

Sr. no.	Name of the Faculty	Designation	Department	Reason for Exclusion
1.	Dr.S. Somasundram	Assoc. Prof.	ENT	He has only 2 years residency and 4 years Asstt.Prof. experience as stated in the declaration form. He cannot be accepted as Assoc. Prof. as he does not possess requisite experience of 5 years as Asstt.Prof. as required under Regulations.
2.	Dr.K.Sengottayan	Asstt. Prof.	General Surgery	He has not mentioned any experience in the declaration form. Hence he cannot be accepted.
3.	Dr. R. Sadasivan	Sr. Resident	Surgery	He has not mentioned any experience in the declaration form. Hence he cannot be accepted.

- (c) In view of above, the shortage of teaching staff is more than 25% as under:-
- (i) Prof. – 2 (Anatomy –1, Biochemistry -1)
 - (ii) Assoc.Prof.-9 (Microbiology-1, Orthopaedics-1, Pharmacology-1, Anatomy-1, Physiology-2, Biochemistry-1, Pathology-1, Radio diagnosis -1)
 - (iii) Asstt.Prof. -3 (Forensic Medicine-1, Biochemistry-1, Surgery - 1)

- 2. CCTV facility not available in the Operation Theatres. Deficiency remains as it is.
- 3. Dr. V. Bhaskaran, shown as Medical Superintendent is not qualified to hold the post as he has only 8 years' administrative experience which is inadequate as per norms.
- 4. Accommodation is available for 30 boys and 39 girls (i.e. 69 students) against the requirement of 100. Even in this hostel, there is no railing on the staircase and the windows are yet to be fixed in the boys hostel. Rooms are not furnished adequately. Toilets are not ready for use. The hostel is non-functional. Deficiency remains as it is.
- 5. Registration counter is computerized but not fully cross-linked with computer in the MRD as well as with the central laboratory, operation theatres and labour rooms. ICD X classification is not followed. Deficiency remains as it is.
- 6. No glove inspection machine and instrument washing machine is available in Central Sterilization department. Separate washing area is not available. Deficiency remains as it is.
- 7. Temporary kitchen with tiled roof and no flooring, no windows, no electricity and water facility is available. No regular permanent arrangements for kitchen in the hospital premises is available. The trollies for the carrying the food for patients were inadequate.
- 8. Paramedical staff is inadequate as under:-
 - Laboratory Technicians-16
 - Laboratory Assistants - 7
 - Laboratory Attendants- 8
- 9. Rooms in hospital wards, OPDs and departments are not constructed as per MCI norms. All rooms have temporary hospital aluminum partition.
- 10. There are no cadavers in the department of Anatomy. Books in the departmental library are inadequate.

- 11. In deptt. of Physiology, there is no wash basin in clinical lab. In Mammalian Lab., no working table and washing area is available. All the rooms in the department including the labs and faculty rooms were partly partitioned by aluminium partition.
- 12. In Biochemistry deptt., no proper room for keeping the gas cylinders is available.
- 13. There are no regular rooms in the hospital OPD, wards and in the college departments. The rooms have been made by the use of aluminium/glass partitions.
- 14. One office each for Pharmacology, Microbiology, Pathology and Forensic Medicine was available with aluminum partition and no proper roof, electricity and water supply was available.
- 15. There is no proper roof for the PSM Department. There was no electricity and water connection in the department. The department is non-functional.
- 16. Histopathology and Cytopathology investigations are not available.
- 17. Medlar and Internet are not available in the Central library.
- 18. Only space is available for the common rooms for boys and girls. The deficiency remains as it is.
- 19. Other deficiencies/remarks in the report.

In view of above, and Govt. of India letter dt. 15/3/2005 issued after the directions of the Hon'ble Supreme Court in case of Mridul Dhar V/s. UOI & Ors. requesting the Council to strictly adhere to the time schedule prescribed under the regulations, and as per the Schedule prescribed in the Establishment of Medical College Regulations, 1999, the last date for sending the recommendations of the MCI for grant of Letter of Permission to the Central Govt. being 15th June, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to recommend to the Central Govt. to disapprove the scheme for Establishment of new medical college at Palakkad, Kerala by Safe Development Alms Trust received u/s 10A of the IMC Act, 1956."

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided that including recommendation for disapproval of the scheme of the applicant college, the Central Government may consider debaring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Government to curb this menace."

In view of the above decision of the Executive Committee of the Council, FIR was lodged at Dwarka Sector – 23, Police Station on 28.06.2006.

The members of the Executive Committee and the ad hoc Committee appointed by the Hon'ble Supreme Court perused the compliance submitted by the above mentioned college to the Central Govt. and forwarded to the Council. On the consideration of the compliance report in the light of the findings of the latest inspection report of the Council, the following has been observed.

"It was observed by the members of the Executive Committee of the Council and of the Adhoc Committee appointed by the Hon'ble Supreme Court that without a physical verification by the Council, confirmation of compliance by the college with reference to the deficiencies pointed out in the latest inspection report regarding a number of significant minimum requirements as per the statutory norms prescribed by the Council, cannot be secured. In this regard, the members of the Executive Committee of the Council and of the ad hoc Committee appointed by the Hon'ble Supreme Court considered the judgement of the Hon'ble Supreme Court dated 12.01.2005 in the case of Mridul Dhar Vs. UOI - WP(C) No.306/2004 was also perused. The Hon'ble Supreme Court in para 28 of this judgement observed as under:-

".....28. The time schedule for the receipt of applications for establishment of new medical colleges and processing of the applications by Central Government and the Medical Council of India is fixed under the schedule to 1999 Regulations. The said schedule is as under-

SCHEDULE FOR RECEIPT OF APPLICATIONS FOR ESTABLISHMENT OF NEW MEDICAL COLLEGES AND PROCESSING OF THE APPLICATIONS BY THE CENTRAL GOVERNMENT AND THE MEDICAL COUNCIL OF INDIA

Stage of Processing	Last date
1. Receipt of applications by the Central Govt.	From 1st August to 31st August (both days inclusive) of any year
2. Receipt of applications by the MCI	30 th September

from Central Govt.		
3.	Recommendations of Medical Council of India to Central Government for issue of Letter of Intent	31st December
4.	Issue of Letter of Intent by the Central Government	31st January
5.	Receipt of reply from the applicant by the Central Government requesting for Letter of Permission	28th February
6.	Receipt of Letter from Central Government by the Medical Council of India for consideration for issue of Letter of Permission	15th March
7.	Recommendations of Medical Council of India to Central Government for issue of Letter of Permission	15th June
8.	Issue of Letter of Permission by the Central Government	15th July

Note: (1) The information given by the applicant in Part-I of the application for setting up a medical college that is information regarding organization, basic infrastructural facilities, managerial and financial capabilities of the applicant shall be scrutinized by the Medical Council of India through an inspection and thereafter the Council may recommend issue of Letter of intent by the Central Government.

(2) Renewal of permission shall not be granted to a medical college if the above schedule for opening a medical college is not adhered to and admissions shall not be made without prior approval of the Central Government."

Thereafter in para 35 the Hon'ble Supreme Court has issued the following directions:-
".....35. *Having regard to the aforesaid, we issue the following directions : -*

- 1-13.*
- 14. Time schedule for establishment of new college or to increase intake in existing college, shall be adhered to strictly by all concerned.*
- 15. Time schedule provided in Regulations shall be strictly adhered to by all concerned failing which defaulting party would be liable to be personally proceeded with.*
- 16. Copy of the judgement shall be send to Chief Secretaries of all States/Union Territories for compliance....."*

After the above-mentioned judgement, the Medical Council of India had received a letter dated 15.03.2005 from the Ministry of Health & F.W., Govt. of India. IN this letter dated 15.03.2005, after referring to the directions of the Hon'ble Supreme Court dated 12.01.2005 in Mridul Dhar's case, the Govt. of India had requested the Council in the following terms : -

"..... You are requested to kindly bring the above directions of the Hon'ble Court to the notice of all the medical colleges/institutions and the authorities concerned in the country for strict adherence to the Time schedule prescribed in the Regulations of the Council for admission of students for the Undergraduate courses, and also the Time schedule prescribed for admission in the Postgraduate/Super Specialty courses indicated in this Ministry's letter No.V-11025/1/2003-ME(P.I) dated 14th May, 2003.

The Hon'ble Court has also directed that the Time schedule prescribed in the Regulations for Establishment of new Medical colleges, increase of intake capacity and for Opening of new or higher courses of study has also to be strictly adhered to. Similarly, the process of annual renewal of permissions have also to be completed in accordance with the Time schedule so that the Time schedule prescribed for admission of students is not disrupted. Therefore, as the Council is required to forward its recommendation in this regard to the Ministry and thereafter the Government is required to issue necessary permission/renewal of permission within the time prescribed for the same, the Council is requested to advise all the concerned colleges/institutions to get the inspections done well in time....."

The members of the Executive Committee and of the Adhoc Committee appointed by the Hon'ble Supreme Court, after considering the contents of the compliance of this college received from the Central Govt. and having regard to the contents of the above-mentioned letter dated 15.03.2005 of the Govt. of India, on the careful reading of the above mentioned directions of the Hon'ble Supreme Court dated 12.1.2005 in the case of Mridul Dhar and specifically directions

No. 14 and 15, came to the conclusion that without a physical verification by the Council, it is not possible to accept the claim of this college towards removal of deficiencies.

In the light of the above mentioned directions of the Hon'ble Supreme Court, it is the view of the Committee that when the directions No. 14 and 15 of the judgement of the Hon'ble Supreme Court are read with para 28 of that judgement, there does not appear to be any permissibility to any concerned authority to not to strictly follow the time schedule towards grant of permission/renewal to the medical colleges under Section 10A of the Indian Medical Council Act, 1956 and the regulations made thereunder.

The Council has detected fraud being played upon it as fabricated documents claiming teaching experience as a medical teacher or having a medical degree had been submitted by the concerned teacher with the endorsement of the Dean of the college. Neither the institute nor the Dean has offered any explanation as to how and why the attempt was made to mislead the Council as regards the appointment of a teacher. In last 2 years, the Council had detected more than 150 such cases of fraud. The Council has also taken the steps for removal of the name of the concerned doctors from the IMR for the inducted period on the doctors indulging such illegal activities and also has filed FIR with the police authorities for further necessary action. Such an exercise requires verification of the documents submitted by the teacher which is not only time consuming but a lot of persuasive efforts have to be undertaken by the Council for getting the information as expeditiously as possible. As the Declaration Forms of the new appointee is not enclosed, the antecedents cannot be verified. Under these circumstances, any decision of the Council in absence of verification of teachers, particularly when the college has been known to present teachers with fraudulent experience would be tantamount to support such fraud being perpetuated on the Council and would be detrimental to the quality of medical education.

Accordingly, the members of the Executive Committee and of the ad hoc Committee appointed by the Hon'ble Supreme Court, having regard to the persisting deficiencies as pointed out above in the comparative table, decided to reiterate its earlier decision to recommend to the Central Govt. to disapprove the scheme of new Medical College at Pallakad, Kerala under Section 10A of the Indian Medical Council Act, 1956 for the academic session 2006-07.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also decided to reiterate its earlier decision including recommendation for disapproval of the scheme of the applicant college, that the Central Govt. may consider debarring this college from any further consideration u/s 10A of the Act for a period of 2-3 years and for any further appropriate action by the Central Govt. to curb this menace thereby ensuring that neither this college nor other colleges get encouraged to indulge in such impermissible activities and to attempt to secure permission/renewal under Section 10A of the Act from the Govt. of India/MCI in a deceitful manner and by attempting to mislead the GOI/MCI in discharge of their statutory obligations .

While reiterating that there is no permissibility for altering the statutory time schedule, it is stated that now it is impossible to hold another meeting of the Executive Committee of the Council before 15.7.2006 and to send the recommendation to the Govt. of India.

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

New Delhi, dated the
10th July, 2006

A P P R O V E D

(Dr. P.C. Kesavankutty Nayar)
President (Acting)