

Medical Council of India
New Delhi
Minutes of the meeting of the Board of Governors dt. 07.08.2012

Reference Medical Council of India meeting notice dated 3rd August, 2012.

The Meeting of the Board of Governors was held on 7th August, 2012 at 10.00 a.m. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi -110077 under the Chairmanship of Dr. (Prof.) K.K. Talwar, Chairperson, Board of Governors. The following members of the Board of Governors attended the meeting:-

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

Prof. Sanjay Shrivastava - Member Secretary, BOG meeting.

Apology for absence were received from Dr. (Prof.) K.S. Sharma & Prof. K. Mohandas.

The agenda for the meeting was as under:-

1. Minutes of the BOG's meeting dated 30.07.2012 - Confirmation of.

The minutes of the meeting of the Board of Governors held on 30.07.2012 under the Chairmanship of Prof. K.K. Talwar, Chairperson, Board of Governors were confirmed.

2. Confirmation of the minutes of the meeting of the Ethics Committee held on 19th June, 2012 (Copy of the minutes were circulated with meeting notice dt.27.7.12) is a deferred item of the meeting dt.30.7.12.

The Board of Governors approved the minutes of the meeting of the Ethics Committee held on 19th June, 2012 with the following observations:-

- (a) To expedite the matter relating to complaint against various doctors of Melmaruvathur Adiparasakthi Instt. of Medical Sciences, Melmaruvathur, Tamil Nadu giving false and misleading information regarding their working as full time faculty as alleged by CBI case in RC25(A)/2010 of ACB, Chennai at the earliest.

(b) Regarding point No.12 i.e. Draft minutes of the Ethical Guidelines for medical education and medical practice, the Board of Governors observed that the Sub-Committee under the Chairmanship of Prof. N.K.Ganguly was constituted to prepare a draft for incorporation of modification in Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 to ensure the preparation of proper guidelines. The Sub-Committee will finalise the draft and submitted to BOG for approval. The Board of Governors will submit the draft to Govt. of India for approval by following the usual prescribed procedure.

3. **Consideration of applications received for starting of PG (Broad Speciality) courses in view of the criteria laid down for eligibility. Details of 260 applications which have been analyzed so far will be put up to BOG for decision regarding further course of action in the case.**

The Board of Governors perused the agenda notes and qualifying criteria prescribed for 'Opening of Higher Course of Study'. After detailed deliberation the BOG decided that since none of the 260 applications analyzed so far fulfilled the eligibility criteria prescribed under the Regulations to 100%. Therefore, it is necessary to continue the practice which was followed in Academic Session 2012-13 as decided by the BOGs in their meeting held on 12.12.2011 wherein it was decided as under:-

"The Board of Governors considered the matter with regard to applications received for the academic session 2012-2013 with regard to increase in seats – deficient in terms of Fees, Essentiality Certificate and Consent of Affiliation and considering the rule, the Board decided to reject the applications which are deficient in essential documents such as deficient in either essentiality certificate or consent of affiliation or both, however, applications which were submitted without application fee the same be sought from the colleges within 2 weeks. In case where essentiality certificate or consent of affiliation is not as per format/requirements of MCI, the college to be informed to submit these documents as per MCI requirements within 3 weeks. In cases where Essentiality certificate and consent of affiliation are more than 3 years old or validity not mentioned it was decided that new essentiality certificate and consent of affiliation be submitted by the college within 3 weeks."

The Board of Governors decided that the applications which have been received without consent of affiliation of proposed PG/Broad speciality/Super speciality courses to be returned to applicant alongwith application fee.

In case the applicant has submitted the consent for affiliation and application fee with application and other documents as required under the Regulations are deficient in all such cases, Postgraduate Section should write a letter to the applicant institution to obtain the documents which were found deficient within three weeks time from the date of issue of letter through speed post and E-mail. The Board of Governors decided that the action may be initiated on this point immediately without waiting for approval of minutes.

In case of processing of applications received for Postgraduate Broad Specialities/Super specialities from college run by University, Section may please ensure that in case the application has been received from the competent authority of University, it may be considered as Consent of Affiliation also. However, clarification if needed may be obtained.

4. **Consideration of recognition of DA qualification in respect of students being trained at Govt. Med.College, Srinagar affiliated to University of Kashmir, Hazratbal Srinagar.**

The Board of Governors considered the agenda note and the letter received from Govt. Medical College, Srinagar and decided to inform –

- (a) the Dean, Govt. Medical College, Srinagar to furnish the details of faculty alongwith their designation and eligibility as PG Teacher.
- (b) That Govt. Medical College, Srinagar is allowed to admit three postgraduate diploma Anaesthesiology students in excess in academic year 2012-2013 with condition that in next academic year Govt. Medical College, Srinagar will admit three students less than the sanctioned intake capacity.

On receiving the information about the faculty in Anaesthesiology department, the case may be reviewed by Postgraduate Section and put up regarding total number of MD (Anaesthesia) and D.A. seats.

5. **Consideration of cases wherein conditional LOP was issued for starting of Super-Speciality courses/increase in super speciality seats subject to fulfillment of deficiencies. The compliance has not been received from total of 17 cases decisions regarding withdrawal of conditional LOP.**

The Board of Governors perused the agenda note and decided to ask the 17 Medical colleges/Institutions to furnish the required documents/bank guarantee within 15 days, otherwise the conditional Letter of Permission issued earlier by the Medical Council of India shall stand withdrawn.

6. **Consideration of re-admission cases in MBBS course at various medical colleges.**

The agenda item No. 6 (this item) was deferred for the next BOG meeting.

7. **Consideration of case of Establishment of New Medical College by Shree Chhatrapati Shivaji Education Society, Kolhapur at Satara (Mah.) – issue relating to conditional LOP issued and submission of bank guarantee by the college.**

The Board of Governors perused the agenda note and the documents available in concerned file and decided to accept the Bank Guarantee already received by the Medical Council of India vide letter dt.26.7.2012. The Institution may be asked to correct the first page of Bank Guarantee documents of Rs.1.50 lacs as observed by the Accounts Section.

8. **To note the Letters of Intent/Letters of Permission/Renewal of permission issued by the Medical Council of India for establishment of medical colleges/increase of seats in 1st MBBS course for the academic session 2012-2013.**

The Board of Governors noted the list of new medical colleges, list of colleges where MBBS seats have been increased, list of colleges where permission has been renewed, list of colleges where permission for increase of seats has been renewed and list of colleges which have been recommended for recognition.

9. **Proposed amendment in Establishment of Medical College Regulation, 1999 reg. 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.**

The Board of Governors perused the agenda note in respect of UG & PG courses and decided that the proposed amendment needs a relook in view of the practical difficulties encountered in meeting the prescribed time line. The Board of Governors directed UG & PG section to re-look at these amendments and put up agenda item afresh.

10. **Refund of Application Fee – regarding.**

The Board of Governors considered the provisions of Regulation for Establishment of Medical Colleges, 1999 and decided that in case the application is found incomplete which cannot be registered on account of non-availability of Essentiality Certificate and/or Consent of Affiliation then as per clause – 5 of the Regulation –

“..... Applications referred by the Ministry of Health & Family Welfare to the Council will be registered in the Council for evaluation and recommendations. Registration of the application will only signify the acceptance of the application for evaluation. Incomplete applications will not be registered and will be returned to the Ministry of Health & Family Welfare alongwith enclosures and processing fee stating the deficiencies in such applications. The Council shall register such incomplete applications, if so directed by the Central Government for evaluation but shall submit only a factual report in respect of them and shall not make any recommendations.....”

Application may be returned alongwith application fee to the applicants.

The Board of Governors also decided that Undergraduate Section may put up a proposal for Amendment of the Regulations wherein the application fee may be proposed as Rs.3.5 lacs for registration/technical scrutiny/contingent expenditure and for five inspections+Rs. one lac as Administrative charges which will not be refunded even if application is not registered.

11. **Establishment of new medical college at Beldari Tola, West Champaran, Bihar by Roquiya Educational Trust, Patna u/s 10A of the IMC Act, 1956 – Matter relating to refund of fee.**
12. **Consideration of the schedule of the meeting of the BOG.**
13. **Consideration of cases of migration after the scheduled period prescribed in the Regulations for migration on medical grounds as per provisions of the Graduate Medical Education Regulations. Case of Ms.Neelima Soni alongwith other policy decisions applicable on all such cases applying on medical grounds – Ms.Shweta Vinodhbhai Patel,Mr.Dahiphale Vijay Anantrao & Mr.Ayapati Gautam Mehdi.**
15. **Medical Council of India inputs on PIL No. 3486/2012 – Court on own mention vs Union of India and Ors in the Hon’ble High Court of Jharkhand.**

Agenda Item No.11,12,13 & 15 could not be discussed because of lack of time.

14. **Consideration of Representation dated 01.05.2012 and 01.06.2012 of Dr. M.C. Saxena Group of Colleges, Lucknow pursuant to the Order dated 16.07.2012 in WP (C) 4179/2012 captioned as Society for the Advancement of Environmental Sciences vs. Medical Council of India.**

The representative of Dr.M.C. Saxena, group of colleges, Lucknow were given hearing pursuant to order dt.16.7.2012 in WP(C) 4179/2012. The proceeding of hearing have been recorded on the concerned file of Undergraduate section.

15. Any other item(s) with the permission of chair.

- (a) The Chairperson, BOG requested the members of Board of Governors to forward names for re-constitution of Undergraduate Committee, Postgraduate Committee (Broad and Super-Speciality separately) & Equivalence Committee. Name and C.V. of doctors to be nominated for Ethics Committee may also be forwarded while forwarding the name for the Ethics Committee. BOG members may please ensure that the nominated member should not be member of State Ethical Committee. While forwarding the nomination for UG, PG & Equivalence Committee, BOG Members may please ensure that doctor should be serving Professor of Govt. Medical College while forwarding the name of doctor his/her consent may also be obtained alongwith willingness to attend the meeting regularly.
- (b) The Board of Governors noted that approx. 25 files were lying unattended pending for decision in the Board Meeting Room without any agenda note or item marked to Board of Governors between February 2012 to May 2012. The Board of Governors desired that all sections to note that no file(s) should be kept in board meeting room without making agenda item duly approved by the member, Board of Governors or Chairperson, Board of Governors in future. The Board of Governors while considering two pending cases relating to (i) Admission of 1st year MBBS students at Adesh Institute of Medical Science & Research, Bhatinda in the academic year 2011-12- List submitted thereof – decision about discharge of candidates admitted with less than 50% marks in violation of Medical Council of India Regulations. File is pending with board meeting room since 18.05.2012. (ii) Admission of 1st year MBBS students at Vydehi Instt of Medical Sciences & Research Center, Bangalore in the academic year 2011-12- List submitted thereof – Decision about discharge of candidates admitted with less than 50% marks in UR category. File is pending with board meeting room since 18.05.2012, the Board of Governors considered the matter and decided that Undergraduate Section without further delay must issue discharge notice in respect of candidates who have been admitted in violation of Regulations and ask for clarification in those cases where maximum marks of competition examination have not been mentioned immediately. While asking marks from the institutions we may mention that in case the information is not received in 15 days from issue of letter by speed post and email, appropriate action as per rule will be taken against the candidate(s) considering them ineligible for admission.”

- (c) It was decided to hold the next meeting of the Board of Governors on 13th August, 2012 from 10.00 a.m. to 5.30 p.m.

Meeting ended with a vote of thanks to the Chair.

(Prof. Sanjay Shrivastava)
Secretary

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

(Dr. Purshotam Lal)
Member

(Dr. Rajiv Chintaman Yeravdekar)
Member

(Dr. Ashok Kumar Gupta)
Member

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

Medical Council of India