

**BOARD OF GOVERNORS
IN SUPERSESION OF MEDICAL COUNCIL OF INDIA
SECTOR-8, POCKET-14, DWARKA PHASE-1, NEW DELHI-110077**

MINUTES

The fifteenth meeting of the Board of Governors was held on 26th March, 2019 (Tuesday) from 4.00 p.m. onwards at A.I.I.M.S., New Delhi.

The following members of the Board of Governors were present:

Dr. V.K. Paul	-	Chairman
Dr. Randeep Guleria	-	Member
Dr. Nikhil Tandon	-	Member
Dr. B.N. Gangadhar	-	Member
Dr. Balram Bhargava	-	Member

Leave of absence was received from Dr. S. Venkatesh and Dr. Jagat Ram, Members, BoG

Dr. R.K. Vats, Secretary General, BoG, MCI alongwith Prof. (Dr.) Siddarth Ramji, OSD/Sr. Adviser to BoG also attended the meeting.

The Chair welcomed the members.

Following is the summary of proceedings and decisions of the meeting.

1. Minutes of the 14th meeting of the Board of Governors held on 10.03.2019.

The minutes were confirmed by the Board of Governors.

2. Scheme for increase in MBBS seats under 10% EWS quota.

Read: Agenda Note.

Decision:

The Board of Governors considered the proposal to offer additional seats as per MSR when colleges apply for increased intake under the 10% EWS quota. The Board of Governors in principle approved the colleges could be offered the additional intake as listed in col.3 of the table below when they apply under the 10% EWS quota scheme:

Current MBBS intake	Intake after 25% increase in seats under EWS scheme	Proposed offer for additional seats and increased intake
(1)	(2)	(3)
50	63	100
100	125	150

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150	188	200
200	250	250
250	313	-

3. **Relaxation in the existing MCI benchmark for bed norms for medical colleges:**

BoG considered enhanced intake of MBBS students as outlined in agenda item No.2 i.e. 10% increase in intake under EWS quota, there is no reason to relax the bed norms for medical colleges as this would adversely affect the quality of medical education. It may further be noted that with the roll out of the new competency based curriculum from the academic year 2019-20, there is little margin for altering student-patient norms.

Read: Agenda Note.

Decision:

BoG considered the issue of relaxation of existing MCI benchmark for bed norms for medical colleges. However, since the 10% EWS quota scheme would result in substantial increase in annual intake of MBBS students and in view of the roll out of the new competency base curriculum from the academic year 2019-20 (which requires a more intense training), it was decided not to make any alterations in the existing MCI benchmark for medical colleges.

4. **Utilizing of existing infrastructure of the District Hospitals to create additional beds by medical colleges and Equated Faculty designation for specialist in District hospitals to be attached to Medical colleges.**

It has been suggested that to enhance intake of postgraduate students in medical colleges, the existing infrastructure of the adjoining district hospitals could be utilized under a Public-Public partnership MoU. This would require additional PG teachers. However, this could be partly facilitated by giving equated designations as being currently done under clause 11(d). The current sub-clause 11.1 (d) of PGMER 2000 as notified on 16th March 2005 provides equating a consultant/specialists with 18 years and 10 years experience working in hospitals contemplating to start PG courses to be equated as Professor and Associate Professor in broad specialties. All other consultants and specialist could be equated as Assistant professor.

It is proposed that under Public-Public partnership between medical colleges and adjoining district hospitals sub-clause 11(d) of PGMER 2000 may be amended as under and inserted as sub-clause 11(d)(i)

"11(d) (i): Consultants or specialists who have the experience of working for a period of not less than 15 years, 8 years and 2 years in the clinical departments in the District hospital, not attached to any medical college, wherein under an MoU is affiliated with a Government Medical college, postgraduate teaching is proposed to be imparted as contemplated under sub-regulation (1A) of regulation 8, shall respectively be eligible to be equated

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as Professor, Associate Professor and Assistant Professor in the department concerned."

Read: Agenda Note.

Decision:

The Board of Governors decided that the Ministry of Health, Govt. of India may be requested to frame appropriate guidelines for affiliating and utilization of existing infrastructure at District Hospitals for both Undergraduate and Postgraduate training. It was also decided that the existing sub-clause 11(d) of the PGMER, 2000 need not be amended and allowed to remain as it is.

5. Review of Faculty norms for postgraduate medical education:

Read: Agenda Note.

Decision:

The Board of Governors approved the proposed amendment to clause 12 of PGMER, 2000.

The minutes of the meeting were read and approved/confirmed in the meeting itself.

6. Proposal to introduce provisions in the Regulations to offer less number of MBBS seats than the applied number in case the institution fulfils the requirement of lesser number of seats.

BoG considered draft amendment in regulation for under graduation so as to enable MCI to offer less number of seats in establishment of medical college than the applied for if the concerned institution fulfils the requirement of lesser number of seats.

Read: Agenda Note.

Decision:

The Board of Governors approved that draft amendment in regulation for under graduation so as to enable MCI to offer less number of seats in establishment of medical college than the applied for if the concerned institution fulfils the requirement of lesser number of seats.

The minutes of the meeting were read and approved/confirmed in the meeting itself.

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7. Draft of Notification for amendment in Establishment of Medical College Regulations, 1999 for Private-Private Partnership:

BoG considered draft notification for private - private partnership in establishment of medical college.

Read the Agenda:

Decision

The Board of Governors agreed to the draft in principle requested that it may be legally vetted before the amendment is placed before the BoG for approval.

8. Reallocation of students admitted in Sridev Suman Subharati Medical College, Dehradun for the academic session 2016-2017 and 2017-2018 - Compliance of the Order dated 14.03.2019 passed by the Hon'ble Supreme Court in M.A No. 534/2019 in W.P. (C) No.571/2018- Sourabh Brala and Others Vs. Union of India & ors.

BoG considered shifting of 300 MBBS students (150 students admitted during 2016-17 & 150 students admitted during 2017-18) as per the directions of the Hon'ble Supreme Court, which has directed the Medical Council of India to accord permission for the additional seats that will have to be created in these institutions as a one-time measure.

Read: Agenda Note.

Decision:

The Board of Governors noted that the students admitted in Shridev Suman Subharti Medical College, Dehradun, being aggrieved by the lack of infrastructure in the medical college as well as suspension of classes and non-affiliation of the College by the Hemwati Nandan Bahuguna Medical University, Uttarakhand, approached the Hon'ble Supreme Court by way of Writ Petition (C) No. 571 of 2018 – Sourabh Brala Vs. UOI &Ors., inter-alia, seeking transfer to the other medical college of the State.

The said writ petition was listed before the Hon'ble Supreme Court on 23.01.2019, when the Hon'ble Supreme Court was pleased to direct the respondents to transfer the students, admitted in first and second batch in Shridev Suman Subharti Medical College, Dehradun to other medical colleges of the State. As per the said order the students had to be transferred in accordance of merit, i.e. most meritorious of the students were to be accommodated in the three Government Colleges first and thereafter in the two private Medical Colleges.

Accordingly, the State transferred the students to the other medical colleges of the State. Thereafter, the said writ petition came to be disposed of by the Hon'ble Supreme Court on 07.03.2019.

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However, some of the students who were admitted under the reserved category, in the said medical college, were transferred to private medical college, wherein, the fee charged was much higher than what they were paying in Sridev Suman Subharti Medical College, Dehradun.

The above said reserved category students, who were transferred to other private medical colleges and hence were liable to pay much higher fee, moved an application bearing M.A. No. 534/2019 in W.P. (C) No. 571/2018. The said application was listed before the Hon'ble Supreme Court on 14.03.2019. The Hon'ble Supreme Court vide order dated 14.03.2019, directed that the students of 2016-17 and 2017-18 batches of Sridev Suman Subharti Medical College, Dehradun are required to be shifted to 03 Government Medical Colleges of the State of Uttarakhand instead of 05 Medical Colleges of the State of Uttarakhand.

The Board of Governors noted that the shifting of 300 students of Sridev Suman Bharti Medical College, Dehradun in 03 Government Medical Colleges would mean that additional facilities of human resources, infrastructure and other physical resources available for the sanctioned intake capacity of students already admitted in these Institutes would be seriously affected. It would mean an additional intake of 100 students in each of these 03 Government Medical Colleges of the State of Uttarakhand and would seriously compromise the studies of already admitted students. The consequences of overloading these Institutions with an additional intake of 100 students without requisite resources would be disastrous and would lead to production of Doctors with compromised training.

The Board of Governors also noted that Dr. Jagat Narain Subharti Charitable Trust has filed WP (C) No. 2535/2019 before the Hon'ble High Court of Delhi wherein it had sought direction for the MCI to treat the Form A & B for the purpose of conducting inspection for third renewal dated 21.08.18 as an application for the purpose of conducting inspection First Year for academic year 2019-2020 and the bank Guarantee of Rs. 9.5 crore and Essentiality Certificate already submitted in 2016 be considered for the same. The Board of Governors noted that on the one hand, the students are being directed to be shifted to Government Medical Colleges while on the other hand the Management and the College which has created such situation has got scot free and has gone ahead and filed Petition seeking to re-start the College. The Board of Governors are of the view that the Trust should be assessed for third renewal only as per its original application and if it is found to be meeting the norms laid down by the Council all these 300 students should be made to undertake their studies in that Institution only.

The Board of Governors after taking note of the aforesaid judgments of the Hon'ble Supreme Court decided that the Council Advocate be directed to file an appropriate application before the Hon'ble Supreme Court seeking recall of the Order dated 14.03.19 by the Hon'ble Apex Court.

9. Relaxation for enhancing of age of Senior Resident in Armed Forces Medical Services (AFMS) teaching hospitals:

Read: Agenda Note.

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Decision:

The Board of Governors approved the proposal for relaxation in the age of Senior Residents (Broad speciality) in the Armed Forces from 40 to 45 years. The appropriate amendment to be placed before the Board of Governors at its subsequent meeting for their approval.

The minutes of the meeting were read and approved/confirmed in the meeting itself.

10. Relaxation in bed occupancy norms in broad speciality of Dermatology & Ophthalmology.

Item deferred.

11. Confirmation of eligibility for the post of Professor in the department of Urology in respect of Dr. Satya Prakash Yadav in a medical college.

Item deferred.

12. Medical Education- W.P. No. 20841 filed by Dr. P. Suresh Kumar etc. before High Court of Madras with a prayer to declare the impunged Clause 06 of Schedule- I of Minimum Qualification for Teachers in Medical Institutions Regulations, 1998- Orders of High Court – letter resent - Reg.

Item deferred.

13. Amendment in Medical Council of India Regulations on Minimum Qualification for Teachers in Medical Institutions Regulations, 1998 – reg.

Item deferred.

14. Amendment in Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 with regard to in-house training as experience for appointment of faculty members in newly introduced super specialty courses.

BoG considered the draft notification with regard to in-house training as experience for appointment of faculty members in newly introduced super specialty courses.

Read: Agenda Note.

Decision:

The Board of Governors considered the draft notification with regard to in-house training as experience for appointment of faculty members in newly introduced super specialty courses and approved the same.

The minutes of the meeting were read and approved/confirmed in the meeting itself.

V. K. R.

G. P. R.

15. Migration of Mr. Gadhvi Tejas Sanjaybhai from Geetanjali Medical College & Hospital, Udaipur (Rajasthan) to C.U. Shah Medical College, Surenderanagar (Gujarat).

Item deferred.

16. To improve in procedure for acceptance of application for : Registration of Additional Qualifications, Certificate of IMR, Certificate of Good Standing and Eligibility Certificate.

Item deferred.

17. Grant of registration of Membership of the various Royal Colleges in United Kingdom as additional qualification u/s 26 of the IMC Act, 1956.

Item deferred.

18. Confirmation of eligibility for the post of Associate Professor in the Department of Biochemistry in respect of Dr. Bhagat Sonali Sitaram in a medical College.

Item deferred.

19. Amendment in PGMER, 2000 for animal experimentation in PG courses-Regarding.

Item deferred.

20. Recognition of MD (Pharmacology) qualification of Dr. Jaspreet Kaur Boparai admitted in 1st batch in 2011 in Gian Sagar Medical College.

Item deferred.

21. Retrospective recognition of DM (Neonatology) course w.e.f the time of starting the course in year 1994 at Seth GS Medical College, Parel, Mumbai and L.T.M. Medical College, Sion, Mumbai.

Item deferred.

22. Rejoining of Postgraduate candidates after a gap –regarding

Item deferred.

23. Approval of the proceedings of the Ethics Committee meeting held on 19.03.2019 – regarding.

Read: Agenda Note.

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Decision:

The Board of Governors approved the proceedings of the Ethics Committee meeting held on 19.03.2019.

1. **“स्वतंत्र विचार बनाम मामले के मामले में मामला संघ और भारत संघ। - डब्ल्यू पी संख्या 4678/2016**
 - MCI does not make guidelines for Clinical Practice which includes C-section.
 - Clinicians are expected to follow available guidelines from respective professional bodies, National Governments and professional medical literature.
 - The decision for C-Section is based on case to case basis and no one rule can be made common to all situations.
 - Further the BOG recommends the matter be referred to the Health Technology Assessment in India (HTAII) body in the Department of Health Research for developing appropriate practice guidelines for C-Section.
2. **Appeal dated 12.07.2017 filed by Prashant Mehta & Alok Tripathi, Advocates on behalf of Dr. Narendra Kumar Gupta against order dated 21.06.2017 passed by Delhi Medical Council**
&
News published in Indian Express dated 09.05.2017 regarding Indicted for sexual misconduct, barred in US, doctors sets up practice in NCR
&
Order dated 1.08.2018 passed by the Hon'ble Delhi High Court in W.P. No. 4086/2017 in the matter entitled: Court on its own Motion vs. UOI &Ors”.

The BOG approved the adoption of the guidelines framed by the Indian Psychiatric society and directed that copy of the same be circulated to all the members of the BOG and the same be uploaded on the website for reference by the Registered Medical Practitioners.

The minutes of the meeting were read and approved/confirmed in the meeting itself.

Matter pertaining to the cases referred from MOHFW for reconsideration by the Ethics Committee raised by Dr. B.N. Gangadhar, Chairman, Ethics Committee before the BoG for consideration.

The BoG noted that the MOHFW has been referring cases to MCI for reconsideration of its own decisions, although the same have been cleared by the Ethics Committee and further approved by the BoG/erstwhile Executive Committee.

The BoG noted that for the Doctors MOHFW is the appellate body U/s 24/2 of the Indian Medical Council Act and for such cases the Ministry should decide on the matter without referring it back to MCI.

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24. Revised software enabled assessor selection and assessment at medical colleges for undergraduate and postgraduate courses

Approval of the BoG sought for:

- i. Implementation of first two phases of the new software.
- ii. Development of the assessment.mciindia.org page to serve as a single point of information / contact for institutions to manage their assessment matters.
- iii. Removing the mandate to have co-ordinators in every assessment team. Instead mandating that at least one Assessor in an assessment team should have completed 3 or more assessments. This will increase the pool of the coordinators and also ensure that every assessment team has people with experience of other assessments.
- iv. Increasing the pool of experts so that inspection reports are reviewed by a committee rather than an individual. This will increase objectivity and lead towards standardization.
- v. Strengthening the MCI call centre and logistics arrangement which is currently being handled by a CPSU namely Balmer Lawrie under Ministry of Petroleum and Natural Gas, Government of India.

Read: Agenda Note.

Decision:

The Board of Governors approved the implementation of the revised software enabled assessor selection and assessment at medical colleges for undergraduate and postgraduate courses as mentioned above.

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