

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

MINUTES

Seventeenth meeting of the Board of Governors was held on 11th May, 2019 (Saturday) from 12 Noon 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. Jagat Ram	-	Member
Dr. S. Venkatesh	-	Member

Leave of absence was received from Dr. B.N. Gangadhar and Dr. Balram Bhargava, 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. Report of Dr. Peush Sahni Committee on Journal Listing for publications for faculty promotion criteria

Read: Agenda Note.

The BoG had desired to specify which journals should qualify for publications of the medical teachers for the purpose of promotion. Dr. Peush Sahni, Prof. Of G.I. Surgery, AIIMS and Editor in Chief, National Medical Journals of India and past President of World Association of Medical Editors and President of Indian Association of Medical Journal Editors was requested to submit a report in consultation with Dr. Rakesh Aggarwal, Former Editor, Indian Journal of Gastroenterology & Director, JIPMER, Puducherry ; Dr. Nithya Gogtay, Former Editor, Journal of Postgraduate Medicine & Prof. Deptt. Of Clinical Pharmacology, KEM Hospital, Mumbai; Dr. Sanjay Pai, Executive Editor, Indian Journal of Cancer, Consultant Pathologist and Head of Pathology, Columbia Asia Hospitals, Bengaluru ; Dr. Rajeev Kumar, Editor, Indian Journal of Urology & Prof. Deptt. Of Urology, AIIMS ; and Dr. Rakesh Lodha, Associate Editor, Indian Pediatrics, Indian Journal of Pediatrics & Prof. Deptt. Of Pediatrics, AIIMS, New Delhi. The said report by Dr. Peush Sahni is placed before BoG for consideration.

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Decision:

The Board of Governors decided to accept the recommendations of the Committee. BoG expressed gratitude to Dr P Sahni and the committee members. It was agreed that this Committee, with 2-3 additional members, would continue to provide guidance on the subject for the next three years. Further, it was decided that appropriate comparative table of current and proposed promotion criteria, including other points agreed earlier, be circulated to BoG for concurrence following which the comprehensive regulation be processed. It was also decided that the transition period for implementation of the changed faculty promotion criteria should be 2 years from the date of notification.

2. Rotation of postgraduate (Broad Specialities) students in District Hospitals.

Read: Agenda Note.

Decision:

The Board of Governors approved the proposal in principle and agreed that the same may be forwarded to the MoHFW for comments and formulation of the detailed scheme in consultation with the stakeholders.

3. Re-recognition of 17 AFMS Hospitals as teaching Hospitals.

Read: Agenda Note.

Decisions:

The Board of Governors approved the following proposals :

1. Recognition of the following 17 AFMS hospitals as teaching hospitals

- (i) Command Hospital, Pune
- (ii) Cantonment Gen. Hospital, Pune
- (iii) Military Hospital (Aundh), Pune
- (iv) Military Hospital, Kirkee
- (v) Military Hospital, Jullundhur
- (vi) Military Hospital, Bareilly
- (vii) Military Hospital, Secunderabad
- (viii) Military Hospital, Pathankot
- (ix) Military Hospital, Agra
- (x) Military Hospital, Jabalpur
- (xi) Military Hospital, Ranchi
- (xii) Base Hospital, Udampur
- (xiii) Air Force Hospital, Jorhat
- (xiv) Air Force Hospital, Kanpur
- (xv) Military Hospital, Roorkee
- (xvi) Military Hospital, Meerut

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(xvii) Military Hospital, Srinagar

2. Grant of retrospective teaching recognition for the above 17 hospitals w.e.f. 2003 onwards (the period when the recognition was withdrawn by MCI) This recognition will be applicable only in the specialities where interns are being trained. At present internship involves compulsory 2 months training in Community Medicine; 2 months in Medicine including 15 days Psychiatry, 2 months in Surgery including 15 days Anaesthesia; 2 months in Obst. & Gynae including Family Welfare Planning, 1 month in Orthopaedics including PMR; 15 days ENT, 15 days Ophthalmology, 15 days Casualty. Elective Posting (1x15 days) 15 days – (i) Dermatology and Sexually Transmitted Diseases (ii) Tuberculosis and Respiratory Diseases (iii) Radio-Diagnosis (iv) Forensic Medicine (v) Blood Bank (vi) Psychiatry.

4. PG Research Methodology course.

Read: Agenda Note.

In order to improve the research skills of postgraduate students there should be uniform research methodology course across the country.

Decision:

The Board of Governors approved the following:

- (a) A research methods course will be mandatory for all PGs being admitted from the Academic Year 2019-20.
- (b) All PGs will complete the online basic research methodology course by the end of their 2nd semester.
- (c) The course will be conducted by the National Institute of Epidemiology (ICMR), Chennai. The students will register on the NIE portal and pay online the appropriate fees for the course/ examination directly to NIE/NPTL.
- (d) The BoG approved a committee for coordinating the conduct of this course and finalizing its implementation plans with ICMR/NIE. The BoG also approved the following composition of the committee; Dr. S. Ramji, (Chairman), Dr. Shally Awasthi (Director, KGMC, Lucknow), Dr. Jeeva Shankar (Member, AIIMS, New Delhi) and Director, NIE (Member). It also advised for an Advisory group to be constituted by MCI for this purpose.

5. College of Physician & Surgeons, Mumbai -Recognition of diploma course of CPS, Mumbai – Regarding.

Read: Agenda Note.

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Decision:

The Board of Governors decided that the matter may also be placed before the Member BoG (PG) Dr. S Venkatesh for his opinion. Thereafter the matter be placed before the BoG for consideration at its next meeting.

6. Retrospective recognition of MD (Radiodiagnosis) course at Madurai Medical College, Madurai-reg.

Read: Agenda Note.

The BoG considered letter of Shri. P.K. Bandyopadhyay, Under Secretary to the Government of India, Ministry of Health & Family Welfare dated 29.04.2019 alongwith letter dated 25.03.2019 received from Secretary, Health & Family Welfare Department, Govt. of Tamil Nadu with regard to retrospective recognition of MD(Radiodiagnosis) course at Madurai Medical College, Madurai upto the admissions made from 1999-2000.

Decision.

The Board of Governors approved to grant retrospective recognition for the MD (Radiodiagnosis) course at Madurai Medical College for the 4 batches admitted during 1996-97, 1997-98, 1998-99, 1999-2000.

7. Maharashtra University of Health Sciences, Nashik - Recognition of MD(General Medicine) qualification against increased Intake from 4 to 6 seats in respect of students being trained at Mahatma Gandhi Institute of Medical Sciences, Sevagram, Wardha.

Read: Agenda Note.

The BoG considered the reply of show cause letter dated 16.06.2017 received from the the Dean/Principal Mahatma Gandhi Institute of Medical Sciences, Sevagram, Wardha alongwith previous assessment reports (18.09.2017, 16.03.2017 & 12.08.2016) with regard to recognition of MD(General Medicine) qualification against increased intake from 4 to 6 seats in respect of students being trained at Mahatma Gandhi Institute of Medical Sciences, Sevagram, Wardha with regard to 2 batches admitted during 2017-18 and 2018-19.

Decision:

The Board of Governors approved to grant recognition for the increased intake from 4-6 seats for MD (General Medicine) for the batches admitted during 2017-18 and 2018-19 at MGIMS, Sevagram.

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8. **Recognition of MD (Emergency Medicine) qualification for 02 seats in respect of students being trained at Govt. Medical College, Surat.**

Read: Agenda Note.

The BoG considered the matter with regard to recognition of MD (Emergency Medicine) qualification for 02 seats in respect of students being trained at Govt. Medical College, Surat.

Decision:

The Board of Governors approved the grant of recognition for 2 seats of MD (Emergency Medicine) at Govt Medical College, Surat when granted on or after 2017.

9. **Recognition of two(02) seats in MD Radio Diagnosis & four seats)04) in DMRD course instead of 01 seat in MD Radio Diagnosis and 01 seat in DMRD course in respect of students being trained at Rajendra Institute of Medical Sciences, Ranchi.**

Read: Agenda Note.

The BoG considered the matter with regard to recognition for two(02) seats in MD Radio Diagnosis & four seats)04) in DMRD course instead of 01 seat in MD Radio Diagnosis and 01 seat in DMRD course in respect of students being trained at Rajendra Institute of Medical Sciences, Ranchi from retrospective effect i.e. 1981 for MD (Radio Diagnosis) & 1980 for DMRD course.

Decision:

The Board of Governors approved the grant of recognition for 2 seats of MD (Radiodiagnosis) when granted on or after 1981 and 4 seats in DMRD when granted on or after 1980 for students being trained at RIMS, ranchi.

10. **Change of affiliating university from Bhupendra Narayan Mandal University, Madhepura (Bihar) to Mata Gujri University, Kishanganj in respect of Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj.**

Read: Agenda Note.

It is stated that the Council office has received a letter dated 23.02.2019 from the Principal, Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj informing therein that the Govt. of Bihar vide notification no. 15/M1-164/2015-463 dated 20.02.2019 and Bihar Gazette Extra ordinary publication number Patna – 267 dated 22nd February 2019 has granted permission to Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj for establishment and operation of Mata Gujri University, Kishanganj (Bihar).

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In view of above, the Principal, Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj has requested to consider the proposal for change of affiliation of Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj from Bhupendra Narayan Mandal University, Madhepura (Bihar) to Mata Gujri University, Kishanganj (Bihar) for students admitted from the academic year 2018-19. The Principal has informed that the batches admitted earlier till academic year 2017-18 will continue with Bhupendra Narayan Mandal University, Madhepura (Bihar).

In this connection, it is pointed out that MBBS degree granted by B.N. Mandal University in respect of Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj is a recognized medical qualification for the purposes of the IMC Act, 1956.

Decision:

The Board of Governors BoG approved change of affiliating university from Bhupendra Narayan Mandal University, Madhepura (Bihar) to Mata Gujri University, Kishanganj in respect of Mata Gujri Memorial Medical College & Lions Seva Kendra Hospital, Kishanganj for students admitted from the academic year 2018-19. The batches admitted earlier till academic year 2017-18 will continue with Bhupendra Narayan Mandal University, Madhepura (Bihar).

11. Migration of Mr. GadhviTejasSanjaybhai from Geetanjali Medical College & Hospital, Udaipur (Rajasthan) to C.U. Shah Medical College, Surenderanagar (Gujarat).

Read: Agenda Note.

Decision:

The Board of Governors decided to approve the request for migration of Gadhvi Tejas Sanjaybhai from Geetanjali Medical College & Hospital, Udaipur (Rajasthan) to C.U. Shah Medical College, Surenderanagar (Gujarat).

12. Proposed amendment in the Postgraduate Medical Education Regulations, 2000 to prescribe feeder qualifications for super speciality courses.

Read: Agenda Note.

The BoG considered the matter of amendment in the Postgraduate Medical Education Regulations, 2000 to prescribe feeder qualifications for super speciality courses and decide to approve the prior qualification of the following courses for admission in DM/M.Ch. courses as under-

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S.No.	Name of Course	Proposed Prior qualification (entry level)
1	DM Critical Care Medicine	MD Emergency Medicine/MD General Medicine/MD Respiratory Medicine/MD Anaesthesia/MD Paediatrics
2	DM Virology	MD Microbiology
3	DM Geriatric Mental Health	MD Psychiatry
4	M.Ch. Hand Surgery	MS General Surgery/MS Orthopaedics
5	DM Neuro Anaesthesia	MD Anaesthesia
6	DM Paediatric Oncology	MD Paediatrics
7	DM Organ Transplant Anaesthesia & Critical Care	MD Anaesthesia
8	DM Paediatric Nephrology	MD Paediatrics
9	DM Paediatric & Neonatal Anaesthesia	MD Anaesthesia
10	DM Paediatric Hepatology	MD Paediatrics
11	DM Medical Genetics	MD General Medicine; MD/MS OBG; MD Paediatrics

Decision:

The BoG considered and approved the proposal contained in this item regarding prior qualification for post PG courses.

13. Change in the eligibility qualification for admission to D.M. (Clinical Haematology) course.

Read: Agenda Note.

Decision:

The Board of Governors considered the matter and decided to approve the change of eligibility qualification for DM (Clinical Haematology) to only M.D. Medicine/Pediatrics and exclude MD Pathology/Biochemistry.

14. Consideration of Report of Committee of Subject Experts to consider issues relating to Academic Qualifications and Teaching Experience for the Department of Nuclear Medicine in the Minimum Qualifications for Teachers in Medical Institution Regulations, 1998

Read: Agenda Note.

Decision:

The BoG considered the report of the Sub-Committee and requested that details of the availability of personnel with existing qualifications for Nuclear Medicine faculty be provided including the number of seats under the DNB scheme. Thereafter the matter may be placed before the BoG for its consideration.

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15. Confirmation of eligibility of Dr. Shailesh Kumar for the post of Professor in General Surgery in Medical College.

Read: Agenda Note.

Decision:

The Board of Governors considered the matter with regard to considering eligibility of Dr. Shailesh Kumar for the post of Professor in the Deptt. of Gen. Surgery and decided to approve his recognition as Professor In Department of Gen Surgery.

16. Consideration of teaching experience gained at higher designation to compensate for shortfall while working at lower designation as per TEQ.

Read: Agenda Note.

Decision:

The BoG considered the matter and decided to accord approval to the proposal that one may consider the years of experience as a teacher (provided that they meet other eligibility criteria such as publication etc. which are issued from time to time) in the higher designation they are currently working in if they fall short for the specified years in the lower designations as per TEQ.

17. Proposal regarding revision in norms for Transition Period for Recruitment of Faculty in New Disciplines introduced in the Postgraduate Medical Education Regulations, 2000.

Read: Agenda Note.

It is submitted that the Minimum Qualification for Teachers in Medical Institution Regulations, 1998 [TEQ Regulations] in respect of a new discipline provides that the faculty with postgraduate degree [MD/MS/DM/M.Ch] with special training in new discipline can be appointed for a transition period of 10 years. This transition period is counted from the date of inclusion of the discipline in TEQ Regulations. The addition of a new discipline is first made in the Schedule to the Postgraduate Medical Education Regulations, 2000 [PGMER] and thereafter corresponding changes regarding faculty is made in the TEQ Regulations.

Existing provision in TEQ Regulations – The academic qualification for any new broad specialty or super specialty shall be the one shown at the time of notifying the new specialty. Persons appointed on the basis of the entry level qualification shall be entitled for promotion to the higher posts. However, only the academic qualification of that Specialty will be the required academic qualification for appointment to the post of teaching faculty after the expiry of period of 10 years from the date of notification of that specialty.

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However, on examination of the intake in various PG Courses (both Broad & Super Speciality) it can be seen that even after 10 years of starting of the courses, the annual intake is still very low. Therefore, following proposal may be considered for substitution of above, as it provides the Authorities to review the position on the basis of requirement of faculty periodically.

Decision:

The Board of Governors considered the proposal and decided to approve the continuation of eligibility of faculty members with postgraduate degree with 2 years special training, as well as the recently introduced provision of three years of in-house training, in the new PG course (Broad as well as Super Specialty) for being appointed as teachers as per the TEQ till such time that the total annual intake of students is at least 100 for three consecutive years in the country, irrespective of the duration since the start of the course.

18. Regarding 6 year M.Ch. Neuro-Surgery course.

Read: Agenda Note.

Decision:

The BoG considered the proposal and decided that if necessary changes in NEET can be made for offering options for 6 yrs M.Ch. (Neurosurgery) during its counselling for broad specialities, this request could be considered.

19. Approval of the proceedings of the Ethics Committee meeting held on 21st December, 2018, 9th & 10th January, 2019, 18th February, 2019, 19th February, 2019, 20th February, 2019, 25th February, 2019, 26th February, 2019, 27th February, 2019 & 24th April, 2019- reg

The Board of Governors approved the proceedings of the Ethics Sub-Committee meetings held on 21st December, 2018, 9th & 10th January, 2019, 18th February, 2019, 19th February, 2019, 20th February, 2019, 25th February, 2019, 26th February, 2019, 27th February, 2019 & 24th April, 2019.

20. Internship Issues

- (a) **Stipend for interns in private medical colleges.**
- (b) **Timing of NEET Exam/Exit Exam**

Item deferred.

21. Regulation of fees for UG and PG courses in Non-Govt. Institutions.

Item deferred

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22. ATR on PMO Minutes of 9th April, 2019.

<u>Proposal</u>	<u>Issues for MCI</u>	<u>Action by MCI</u>
Leveraging Dentists to fill present gaps of doctor shortage in the system	Examination of the proposal	MCI will participate with DCI and MOHFW to review the curriculum of BDS courses and then examine the feasibility of the proposal.
Creating a Cadre Nurse Practitioner in India	A Committee could be set up at NITI Aayog to convene all stake holders for drafting appropriate act	NITI Ayog will coordinate the activity and MCI will participate as required.
Scaling up course on B.Sc. – Community Health	Recognition of B.Sc. (CH) by UGC.	No action required at MCI level.

Decision:

The Board of Governors was informed and approved of the above ATR.

23. To conduct All India State and DNB PG counselling as a single counselling at the National Level.

Read: Agenda Note.

Decision:

The Board of Governors considered the matter and observed that since it was a complex issue decided that it was not feasible at this point in time.

24. Consideration of the minutes of the PG Expert Group with regard to starting/ increase of seats/ Recognition/ Renewal of recognition of Postgraduate courses – approval regarding.

The Board of Governors considered the recommendations of the BoG, Members (Incharge PG), duly approved by the Chairman, BoG, in 132 cases (95+36- 10A cases and 01 [11(2) cases] submitted for ratification by the BoG. The Board of Governors approved the recommendations of the BoG, Members, In-charge PG.

25. Disciplinary Proceedings against Sh. Babu Ram Manuwal, Assistant Secretary – reg.

Read: Agenda Note

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Decision:

The BoG considered the disciplinary proceedings against Sh. Babu Ram Manuwal, Assistant Secretary and recorded its decision in the relevant file.

26. Disciplinary Proceedings against Dr. Davinder Kumar, Joint Secretary (U/S) in the matter relating to migration of Sh. Harmanjot Singh- reg.

Read: Agenda Note

Decision:

The BoG may consider the observations of CVO in respect of Dr. Davinder Kumar, Joint Secretary (U/S) in the matter relating to migration of Sh. Harmanjot Singh and recorded its decision in the relevant file.

27. Grant of temporary permission in respect of foreign doctors u/s 14(1) of the IMC Act, 1956 who possess "Doctor of Osteopathic Medicine" qualification.

Read: Agenda Note

Decision:

The BoG considered the matter of granting temporary permission u/s 14(1) of the IMC Act, 1956, in respect of doctors who possess Doctor of Osteopathic Medicine qualification and decided not to grant such permission.

28. Representation of Dr.Parul Goel, Dy. Secretary.

Read: Agenda Note

Decision:

The BoG considered the request for resignation of Dr.Parul Goel, Dy. Secretary, Ethics and decided to accept her resignation and relieve her on 31.05.2019 after adjustment of earned leave for the remaining notice period.

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

29. Compliance of the order dated 07.02.2019 by the Central Administrative Tribunal(CAT), Principal Bench, New Delhi in OA No. 1373/2012, Vidya Bhusan Vs. U.O.I. & MCI.

Read: Agenda Note

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Decision:

The BoG considered the order dated 07.02.2019 by the Central Administrative Tribunal (CAT), Principal Bench, New Delhi in OA No. 1373/2012, Vidya Bhusan Vs. U.O.I. & MCI and approved the reasoned and speaking order and directed to communicate the same to Shri Vidya Bhusan Kaushik.

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

30. **Starting of MS(Obstetrics & Gynaecology) course at Kamineni Academy of Medical Sciences and Research Centre, Hyderabad under Kaloji Narayana Rao University of Health Sciences, Warangal U/s 10(A) of the IMC Act, 1956 for the academic year 2019-20.**

Read: Agenda Note

The BoG considered the matter with regard to starting of MS(Obstetrics & Gynaecology) course at Kamineni Academy of Medical Sciences and Research Centre, Hyderabad under Kaloji Narayana Rao University of Health Sciences, Warangal U/s 10(A) of the IMC Act, 1956 for the academic year 2019-20.

Decision.

The BoG decided that the members in charge PG should review the request and the same may be placed before BoG for its consideration.

31. **Proposal regarding accepting MD (Physiology) qualification awarded by University of Madras in respect of Dr. ALM Postgraduate Institute of Basic Medical Sciences, Chennai**

Read: Agenda Note

The BoG in view of MD (Physiology) qualification awarded by the Dr. ALM Postgraduate Institute of Basic Medical Sciences, Chennai (earlier name PG Institute of Basic Medical Sciences, Chennai) may accept as Recognition of Medical Qualification. The letter dated 10.01.2018 and 17.05.2018 issued by TEQ and PG Section be withdrawn and Dr. Shobitha be considered as eligible to continue as teaching faculty.

Decision:

The BoG decided to consider Dr. Shobitha as eligible to continue as teaching faculty.




32. Qualifications required to perform “Echocardiography”

Read: Agenda Note

The BoG considered the matter whether an MBBS degree holder can perform “Echocardiography” and the minimum qualifications that are required for a person to perform Echocardiography.

Decision:

The BoG decided that opinion of Dr Balram Bhargava, Member, BoG in this matter may be sent to Council Advocate for submission before the High Court at Calcutta.

33. Consideration as to whether Diploma Holders can be included in the Definition of Senior Residents in the Minimum Qualification for Teachers in Medical Institution Regulations, 1998

Read: Agenda Note

The BoG considered including the word “Diploma” after “DNB” in the above definition, to provide career advancement opportunity to Diploma holders. However, the entry level qualification requirement for any teaching post shall remain unaltered.

Decision:

The Board of Governors approved the proposal to include the word “Diploma” after “DNB” in the definition of Senior Residents in the Minimum Qualification for Teachers in Medical Institution Regulations, 1998.

34. Recognition sought under section 11(2) of the IMC Act for MD(General Medicine), MD (Psychiatry), MD(Paediatics) & MS(ENT) qualification- Hearing to Sikkim Manipal Institute of Medical Sciences (SMIMS), Gangtok-reg.

Read Agenda Note.

Decision:

The Board of Governors noted that W.P (C) No. 12 of 2019 has been filed by the Sikkim Manipal University before the Hon'ble High Court of Sikkim in which the college has sought direction for recognition of MD(General Medicine), MD(Paediatics), MS(ENT) & MD(Psychiatry). The case was listed for hearing on 09.05.2019 and Hon'ble High Court has directed as under:-

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"Learned Senior Counsel for the Petitioners submits that vide communication bearing No.MCI-292(22)/2019-Med./110421, dated 08-05-2019, addressed to the Respondent No.2 (Board of Governors in supersession of Medical Council of India), has decided as follows;

"5. In view of the above, the Board of Governors decided to:-

Firstly, recommend to the Central Govt. to recognize the MD (General Medicine) MD (Paediatrics), MD(Psychiatry) and MS (ENT) qualifications awarded by Sikkim Manipal University of Health & Tech. Sciences for the batches admitted in the academic year 2012-13, 2013-14, 2014-15 and 2015-16;

Secondly, recommend to the Central Govt. to recognize the MD (Psychiatry) qualifications awarded by Sikkim Manipal University of Health & Tech. Science for the batches admitted in the Academic Year 2013-14, 2014-15 and 2015-16.

Thirdly, in respect of batches admitted in the academic year 2017-18 only compliance verification assessment shall be carried out to assess the availability of clinical material, infrastructure and human resources available in the medical college to impart medical education; and

Fourthly, in view of the persisting deficiencies in all these four courses, the college is restrained from making any fresh admissions."

That, the communication supra partly satisfies the prayers made by the Petitioner-University in view of the recognition accorded to the batches for the academic year 2012 through 2016.

Learned Senior Counsel for the Petitioners further submits that it is evident from the communication supra that MD (General Medicine) and MS (ENT) are infact fully compliant despite which the Petitioner-University is restrained from making and fresh admission to these courses as well.

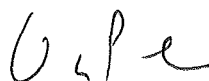
In view of these circumstances, it is prayed that necessary steps may be taken by the Respondent No.2 before 13-05-2019 which is the last date for forwarding of the list of students by the Respondent No.3-State of Sikkim for counselling for this academic session.

Considered.

The communication supra placed before this Court reveals that the Board of Governors-Respondent No.2 had considered the letter of the Respondent No.1, dated 25-01-2019, but follow up was evidently lackadaisical.

In view of the above circumstances, let Respondent No.1 and Respondent No.2 take steps on or before 13-05-2019 on which date the matter shall be taken up by this Court.

With regard to recognition for the 2017-18 and subsequent batches, the matter shall be considered subsequently.

List on 13-05-2019"

In pursuance of the orders passed by the Hon'ble High Court, the Board of Governors considered the issue as to whether the college can be permitted to make admission for the coming academic year i.e. 2019-20. In order to decide upon the issue, it is important to recapitulate the following developments subjectwise:-

MD(General Medicine)

- The request for recognition was received in 11.02.2014.
- Thereafter, inspection was conducted on 22.04.2014 and the PG Committee at its meeting held on 10th & 11th July, 2014 decided as under:-

"The Postgraduate Committee considered the assessment report (22.04.2014) on the standard of examination and other teaching facilities for Recognition of MD(General Medicine) qualification at Sikkim Manipal Institute of Medical Sciences, Gangtok granted by Sikkim Manipal Univ. of Health, Medical & Tech. Scs. and decided to seek clarification from the Dean that how many faculty members are employees of the State Medical Services and obtain their appointment orders. The matter is deferred till receipt of same."

- The matter alongwith compliance dated 26.08.2014 was placed before PG Committee and decided as under:-

"The Postgraduate Medical Education Committee considered the compliance along with Assessment Report (22.04.2014) on the standard of examination and other teaching facilities for Recognition of MD(General Medicine) qualification for 2 (Two) seats at Sikkim Manipal Institute of Medical Sciences, Gangtok granted by Sikkim Manipal Univ. of Health, Medical & Tech. Sciences and decided to verify compliance by way of Assessment."

- Subsequently, the compliance verification assessment was carried out on **23.02.2015** and these deficiencies were noted and communicated to the college:-

*"...1. Average bed occupancy in ICCU is 65 %.
2. No details of faculty & Residents of IV Unit are given.
3. Specialty clinics like Haematology & Neurology clinics are not run.
4. Other deficiencies as pointed out in the Assessment Report..."*

- Compliance verification assessment was carried out on **22.06.2015** and these deficiencies were noted and communicated to the college:-

*"...1. In reconstituted Units, Unit-III has only 2 Assoc. Professor.
2. Dr. P.M. Chettri, Assoc. Professor, who was earlier shown in Unit-III has been shifted to Unit-IV. Consequently, Unit-III is incomplete and cannot be considered as a Teaching Unit.
3. It is not specified, which Units are working in STNM Hospital."*

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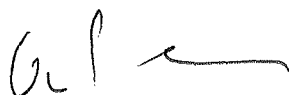
4. Other deficiencies as pointed out in the Assessment Report..."

- Compliance verification assessment was carried out on **29.08.2016** and these deficiencies were noted and communicated to the college:-

"The Postgraduate Medical Education Committee considered the Assessment Report (29.08.2016) and previous assessment reports (June, 2015) (Feb.2015) & (April, 2014) and Court order dated 25.07.2016 Hon'ble Supreme Court of India and letter dated 03.06.2016 received from Registrar, Sikkim Manipal University alongwith Court order dated 25.05.2016 of Hon'ble High Court of Sikkim, Gangtok and decided that certain clarifications regarding appointment/ promotion orders and service conditions of faculty working in STNM Hospital and their MoU with State Government are required for which the Dean may be called to clarify. Till then item is deferred.

MD(Paediatrics)

- The request for recognition was received in 11.02.2014.
- Thereafter, inspection was conducted on 26.04.2014 and these deficiencies were noted and communicated to the college:-
 1. There is only 1 Unit in the hospital owned by the college against requirement of 2 Units as per Regulations. The second Unit is in STNM Hospital which is a Govt. Hospital which is 7 km. Away.
 2. The designation of Head of Unit 2, Dr. Ruth Yonzon, is "In charge" which is not an accepted nomenclature. She possesses academic qualification of only M.B;B.S. and hence not eligible for any faculty post ; resultantly, faculty complement of Unit 2 is not complete. (P. 16)
 3. Average daily OPD at own hospital of college is only 63 which is inadequate.
 4. There is no separate PICU. It is a part of MICU. MICU staff looks after PICU.
 5. Thalassemia management clinic is not available.
 6. Other deficiencies pointed out in the assessment report."
- Subsequently, the compliance verification assessment was carried out on **26.06.2015** and these deficiencies were noted and communicated to the college:-
 - 1. Occupancy in PICU was only 2 out of 5 beds (40%) on day of assessment which is inadequate.
 - 2. There is no Senior Resident in the Unit in their own hospital.
 - 3. There is no faculty table attached in the report. A wrong SAF has been used and information supplied is incomplete.
 - 4. Other deficiencies as pointed out in the Assessment Report.
- Compliance verification assessment was carried out on 29.08.2016 and these deficiencies were noted and communicated to the college:-

- "The Postgraduate Medical Education Committee considered the Assessment Report (29.08.2016) and previous assessment reports (June, 2015) (Feb.2015) & (April, 2014) and Court order dated 25.07.2016 Hon'ble Supreme Court of India and letter dated 03.06.2016 received from Registrar, Sikkim Manipal University alongwith Court order dated 25.05.2016 of Hon'ble High Court of Sikkim, Gangtok and decided that certain clarifications regarding appointment/ promotion orders and service conditions of faculty working in STNM Hospital and their MoU with State Government are required for which the Dean may be called to clarify. Till then item is deferred.

MD(Psychiatry)

- The request for recognition was received in 20.11.2014.
- Thereafter, inspection was conducted on 27.04.2015 and these deficiencies were noted and communicated to the college:-
 - 1.1. OPD on day of assessment is only 22 which is grossly inadequate. Daily average as claimed by institute is 40 which is inadequate.
 2. Shortage of Senior Resident: 1.
 3. Bed occupancy on average is 60 – 75 %.
 4. Details of Senior Resident are not provided in the faculty table.
 5. Speciality clinic like Memory clinic, Psychomotor clinic are not run.
 6. SAF Part-III, which pertains to Conduct and Standard of Examination has been left incomplete.
 7. Other deficiencies as pointed out in the Assessment Report.
- Subsequently, the compliance verification assessment was carried out on **28.03.2016** and these deficiencies were noted and communicated to the college:-
 1. Dr. C.L. Pradhan, Asso. Prof. is an Honorary faculty & cannot be considered.
 2. Out of 3 Senior Residents, 2 are Honorary & cannot be considered.
 3. OPD attendance on day of assessment was 43 which is inadequate.
 4. Bed occupancy was only 26.67 % on day of assessment.
 5. Last ECT was given on 08/08/2015. There is no Pre ECT, Post ECT Resuscitation facility.
 6. Other deficiencies as pointed out in the Assessment Report.
- Compliance verification assessment was carried out on 29.08.2016 and these deficiencies were noted and communicated to the college:-

"The Postgraduate Medical Education Committee considered the Assessment Report (29.08.2016) and previous assessment reports (June, 2015) (Feb.2015) & (April, 2014) and Court order dated 25.07.2016 Hon'ble Supreme Court of India and letter dated 03.06.2016 received from Registrar, Sikkim Manipal University alongwith Court order dated 25.05.2016 of Hon'ble High Court of Sikkim,

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Gangtok and decided that certain clarifications regarding appointment/ promotion orders and service conditions of faculty working in STNM Hospital and their MoU with State Government are required for which the Dean may be called to clarify. Till then item is deferred.

MS(ENT)

- The request for recognition was received in 11.02.2014.
- Thereafter, inspection was conducted on 26.04.2014 and these deficiencies were noted and communicated to the college:-

"The Postgraduate Committee considered the Council assessor's report (26.04.2014) and decided to recommend to the Central Govt. not to recognize MS(ENT) qualification granted by Sikkim Manipal Univ. of Health, Medical & Tech. Scs in respect of students being trained at Sikkim Manipal Institute of Medical Sciences, Gangtok because of the followings:-

- (i) *Operative workload is inadequate, Daily average of Major operations is only 1.*
- (ii) *Dr. Samsy Denzongpa, Associate Professor, Dr. Ongen Gyatso, Asso. Prof. & Dr. C.S. Rai, Asst. Prof. Are employees of Govt. Of Sikkim and not of the institute.*
- (iii) *Promotion of Dr. Abhijeet Bhatia as Asso. Prof. Is not as per Regulations as he has been promoted with experience of 3 y as Asst. Prof.*
- (iv) *Resultantly, there is shortage of Senior Residents: 2.*
- (v) *Total 30 beds are shown but they are distributed as 24 beds at college's own hospital & 6 beds at STNM Govt. Hospital; hence none of the hospital has full complement of 30 beds in the Unit.*
- (vi) *Other deficiencies pointed out in the assessment report."*

- Subsequently, the compliance verification assessment was carried out on **26.02.2016** and these deficiencies were noted and communicated to the college:-
- 1. O.T. in own hospital is run only once a week. Total Major operations in CRH (i.e. own hospital) in January 2016 is only 24 implying daily average of < 1. For February 2016 till day of assessment (i.e. 26/02/2016), it is only 10 implying daily average of 0.5. Thus operative workload at CRH (own hospital) which is inadequate.
- 2. O.T. in Govt. hospital is run only twice a week. Total Major operations in STNM Hospital (i.e. Govt. hospital) in January 2016 is only 16 implying daily average of 0.6. For February 2016 till day of assessment (i.e. 26/02/2016), it is only 10 implying daily average of 0.5. Thus operative workload at STNM Hospital (Govt. Hospital) is also inadequate.
- 3. OPD attendance at CRH (own hospital) for January 2016 is around 50/day which is bare minimum just to start PG course.
- 4. Bed occupancy is 61% on day of assessment. Even if both hospitals are taken, it is only 63%.

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- 5. After 2009, the department has not participated in National Programme for Prevention & Control of Deafness.
- 6. Dr. Subhashish Mukerjee, Asso. Prof. is absent on day of assessment; resultantly faculty complement in the only Unit is inadequate & it cannot be considered as PG Unit. His promotion is not as per Regulations. His experience at some of the Hospitals which are not in the recognized list, cannot be counted.
- 7. In the compliance, on P. 5, it is stated that Dr. Kriti Bhjel has been appointed as Senior resident on 24/06/2015. On P. 19 in the faculty table, she is shown as Asst. Prof. from August 2014 till date. This dichotomy needs to be clarified.
- 8. There is no Senior resident.
- 9. Number of beds in STNM Hospital not provided.
- 10. Other deficiencies as pointed out in the Assessment Report.
- Compliance verification assessment was carried out on 29.08.2016 and these deficiencies were noted and communicated to the college:-

"The Postgraduate Medical Education Committee considered the Assessment Report (29.08.2016) and previous assessment reports (Feb., 2016), (Feb., 2015) & (April, 2014) and Court order dated 25.07.2016 Hon'ble Supreme Court of India and letter dated 03.06.2016 received from Registrar, Sikkim Manipal University alongwith Court order dated 25.05.2016 of Hon'ble High Court of Sikkim, Gangtok and decided to recommend not to recognize MS(ENT) qualification granted by Sikkim Manipal Univ. of Health, Medical & Tech. Scs in respect of students being trained at Sikkim Manipal Institute of Medical Sciences, Gangtok because of the following facts:-

(A) Central Referral Hospital: (Own Hospital)

1. At item § 28 of Summary on P. 10, 2 Associate Professors are shown. However in the faculty table in Part II Departmental Information, on P. 16-17, no Associate Professor is shown in the only Unit. This discrepancy needs to be clarified. Resultantly faculty complement in the only Unit is incomplete & it cannot be considered as PG Unit.
2. Average Bed occupancy of randomly selected days is 70 %.
3. There was only 1 Major Operation on day of assessment against requirement of minimum 3. Average of randomly selected days is only 2 which also is inadequate.
4. Total workload of Major Operations in 2015 was only 160 implying daily average of 0.53 which is grossly inadequate.
5. Workload of BERA investigation was only 61 in 2015 implying daily average of 0.2.
6. Workload of Speech Therapy was only 154 in 2015 implying daily average of 0.51.
7. Workload of Direct Laryngoscopy, Foreign Body Removal, Myringotomy is NIL during preceding last 3 years.
8. Investigative facilities like Nerve Conduction, EMG are not available.
9. MRI workload on day of assessment is only 06.

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10. The college got first LOP to start MBBS course on 31.8.2001. Prof. & HOD, Dr. Suvamoy Chakraborty has been given teaching experience from November, 2000 when the college was not in existence. Resultantly, he was Asstt. Prof. for 4 years 2 months and his promotion is not as per regulations.
11. As per faculty table, there is no Assoc. Professor.
12. Faculty table is not signed by any faculty member.
13. Three years clinical material given in table-8, summary and table 10 SAF part II do not tally with each other. All parameters are different. This indicates that data is non-genuine.
14. Academic para-meters last year Journal Club only-8, which is inadequate.

On perusal of agenda note, the Board of Governors noted that compliance verification assessment in the subject of MD (General Medicine), MD (Psychiatry), MS (ENT) & MD (Paediatrics) has till date been carried out four times in MD (General Medicine) & MS (ENT) and three times MD (Psychiatry) and MD (Paediatrics).

Despite grant of repeated opportunities college has failed to comply with the norms laid down by the Council for running Postgraduate Medical Courses. The college has in its response dated: 24.01.2019 received through Central Govt. letter dated: 25/01/2019 and 24.01.2019 has merely repeated the same points. The training of postgraduate medical students cannot be comprised. Accordingly, the college is restrained from making any further admissions in MD (General Medicine), MD (Psychiatry), MS (ENT) & MD (Paediatrics).

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

35. Consideration of recommendations of the BoG members Incharge (UG) in respect of UG cases for ratification by the Board of Governors.

The BoG considered the observations/remarks of the members of the Undergraduate Expert Group appointed by BoG/Consultant (UG) on the assessment reports in respect of the medical college submitted for ratification by the BoG. The Board of Governors approved the recommendations in respect of 73 medical colleges (42 – 10A cases and 31 -11(2) cases except 01 case i.e. Varun Arjun Medical College and Rohilkhand Hospital, Shahjahanpur, UP.

36. Review of suspension of Dr. Davinder Kumar, Joint Secretary (U/s) w.e.f. 11.06.2019.

Read: Agenda Note

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Decision:

The Board of Governors approved the minutes of the Review Committee meeting dated 11.05.2019 to continue the suspension of Dr. Davinder Kumar, Joint Secretary (U/s.) for a further period of 90 days w.e.f. 11.06.2019.

The minutes of the above item were read out, approved and confirmed in the meeting itself.

37. Review of suspension of Dr. Davinder Kumar, Joint Secretary (U/s) w.e.f. 28.05.2019.

Read: Agenda Note

Decision:

The Board of Governors approved the minutes of the Review Committee meeting dated 11.05.2019 to continue the suspension of Dr. Davinder Kumar, Joint Secretary (U/s.) for a further period of 90 days w.e.f. 28.05.2019.

The minutes of the above item were read out, approved and confirmed in the meeting itself.

38. Review of suspension of Dr. Anshu Sethi Bajaj, Deputy Secretary (U/s) w.e.f. 07.06.2019.

Read: Agenda Note

Decision:

The Board of Governors approved the minutes of the Review Committee meeting dated 11.05.2019 to continue the suspension of Dr. Anshu Sethi Bajaj, Deputy Secretary (U/s.) for a further period of 90 days w.e.f. 07.06.2019.

The minutes of the above item were read out, approved and confirmed in the meeting itself.

39. Any other item with the permission of the Chair.

- (a) Review of functioning of DMMP I & II – BoG was apprised about the functioning of DMMP I & II. The decision to be recorded in the file on the subject.
- (b) BoG was apprised about vacancies in various positions in MCI. BoG advised to put up proposal for filling up the posts including deputation from organised services and amendments in Recruitment Rules for consideration of BoG.

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- (c) Status of contractual officers and staff – BoG was apprised about status of contractual officers and staff working in MCI. It was decided to extend the contractual appointment of Dr. M. Rajalakshmi (Academic Cell), Shri Jai Bhagwan Hooda, Consultant (Accounts & Finance), Shri Ram Pal Singh (Consultant Engg/Maintenance) and Shri S.P. Singh, (Hindi Consultant). Prevailing rate of D.A. will be paid to the consultants working on Pay minus pension formula.

The meeting ended with vote of thanks to the Chair.

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