

Steno2/word/Minutes/EC Minutes/ECMN 30.12.04/December 30, 2004

No.MCI-5(2)/2004-Med./

MEDICAL COUNCIL OF INDIA

EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on Thursday, the 30th December, 2004 at 11.30 a.m. in the Council Office, Aiwan-E-Galib Marg, Kotla Road, New Delhi –2 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, New Delhi and]Member, Adhoc Committee]appointed by the Hon'ble Supreme]Court
Dr.D.K. Sharma	]Former Prof. & Head]Deptt. of Paediatrics]LLRM 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. Ajay Kumar	]Consultant Urologist,]Palm View Hospital,] Ambedkar Path,] Patna
Dr. G. B. Gupta	]Professor & HOD of Medicine]Pt. J.N.M. Medical College]Raipur - 492001 (Chattisgarh)
Dr. Bhagabati Charan Das	]Director,]State Institute of Health &]Family Welfare,]Govt. of Orissa, Nayapalli]Bhubaneswar
Lt.Col. (Retd.) Dr. A.R.N. Setalvad	- Secretary

Apologies for absence of leave were received from Prof. N. Rangabashyam & Dr. S. Kantha, Members, Adhoc Committee and Dr. Nitin Vora & Dr. J.R. Kher, members of the Executive Committee.

At the outset the members of the Adhoc Committee and of the Executive Committee decided that some more points like research papers, publications in the indexed journals etc. should be included in the declaration form and further directed the office to communicate the same to all the colleges.

1. **Minutes of the Executive Committee meetings held on 21st September 2004 – Confirmation of.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council confirmed the minutes of the meeting of the Executive Committee held on 21st September, 2004.

2. **Minutes of the last meetings of the Executive Committee – Action taken thereon.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the action taken by the office on the various item included in the agenda of the Executive Committee meeting held on 21st September, 2004 with the following observations/modifications:-

Item No.5: **Re-allotment of seats given as free seats in Govt. quota.**

Page 10, 4th line: ".....80% by calling upon them" be read as "....50% by calling upon them.....".

3. **Pending Items arising out of the decisions taken by the Executive Committee.**

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the pending items and decided as under:-

1. All the pending inspections should be held at the earliest.

2. EC held on 3.2.04

Item No.26: **Comprehensive Act on "Tele-Medicine" and "Tele-Health" proposal.**

The members of the Adhoc Committee and of the Executive Committee of the Council decided that the Sub-Committee constituted for Tele-Medicine & Tele-Health should be expanded and suggested that Dr. Sneha Bhargava, Ex-Director of A.I.I.M.S., New Delhi and Dr. Sunil Shroff, Head of Department of Urology, Sri Ramachandra Medical College & Research Instt., Porur, Chennai may also be included as members of the Sub-Committee. The Committee directed the Office of the Council to convene the meeting of the Sub-Committee at the earliest.

4. **To consider the letter dt. 04th August, 2004 received from Principal-cum-Chief Superintendent, Silchar Medical College, Silchar with regard to late admission after 31st July, 2004 in respect of the nominee under Central Pool and N.E.C. quota.**

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dt. 04th August, 2004 received from Principal-cum-Chief Superintendent, Silchar Medical College, Silchar with regard to late admission after 31st July, 2004 in respect of the nominee under Central Pool and N.E.C. quota.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 4th August, 2004 received from the Principal-cum-Chief Superintendent, Silchar Medical College, Silchar and decided that as per the regulations of the Council notified in the Gazette of India, no penalty can be levied for admissions made before 30th September and no admissions can be permitted after 30th September of every year.

5. **Continuance of recognition of MBBS degree in respect of students being trained in the medical college in the State of Bihar.**

(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to continuance of recognition of MBBS degree in respect of students being trained in the medical college in the State of Bihar.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the whole matter and decided to obtain the latest status/position of the following medical colleges from the Health Secretary/State Government of Bihar for further consideration in the matter:

- (a). Patna Medical College
- (b). Nalanda Medical College, Patna
- © JLN Medical College, Bhagalpur
- (d). Darbhanga Medical College, Lehriasarai
- (e). Sri Krishna Medical College, Muzaffarpur

6. **To consider the reports of the local enquiry committee with regard to the teaching staff and infrastructural available in the Medical Colleges in the state of Maharashtra received from the Registrar, Maharashtra University of Health Sciences, Nashik.**

(Deferred item of the EC meeting held on 21st September 2004)

Read: The reports of the local enquiry committee with regard to the teaching staff and infrastructural available in the Medical Colleges in the state of Maharashtra received from the Registrar, Maharashtra University of Health Sciences, Nashik.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 11.6.2004 from the Registrar, Maharashtra University of Health Sciences, Nashik and decided to request the Registrar of the University to scrutinize the report of the local enquiry committee with regard to teaching staff and infrastructural facilities available in the Medical College in the State of Maharashtra at their own level and to take appropriate action thereunder and approach the Council through the Central Government, Ministry of Health & F.W. It was further decided to conduct inspections of those colleges, which have not been inspected by the Council Inspectors for continuance of recognition or u/s 10A in academic year 2004-05 or 2005-06.

7. **Conducting of DNB courses in Postgraduate Medicine in Govt. Medical Colleges by utilising the surplus capacity available vis-à-vis MCI norms – reg.**

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 17th August, 2004 received from the Director, Government of India, Ministry of Health and Family Welfare with regard to Conducting of DNB courses in Postgraduate Medicine in Govt. Medical Colleges by utilising the surplus capacity available vis-à-vis MCI norms – reg.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 17th August, 2004 from the Director, Govt. of India, Ministry of Health & F.W. and decided to place this letter before the next meeting of the General Body of the Council

The members of the Adhoc Committee and of the Executive Committee of the Council further decided that regarding starting of DNB courses already approved by MCI, a Sub-Committee may be constituted to go through in detail about the academic fall-out of the decision.

8. Consideration of grant of Permanent Registration to Sh. Niranjan Rao Chetty and the similar candidates u/s. 13(3) of the IMC Act, 1956-reg.
(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to grant of Permanent Registration to Sh. Niranjan Rao Chetty and the similar candidates u/s. 13(3) of the IMC Act, 1956-reg.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that any internship training undertaken by the candidate within a period of 6 months immediately before or 6 months immediately after the validity period of provisional registration certificate may be considered favourably by the Council for grant of permanent registration to such candidates. Any internship beyond the period of either 6 months immediately before and 6 months immediately after the validity of the provisional registration certificate would require to be repeated after the validity of the provisional registration is extended accordingly. It was further decided that this decision may be applied to all the candidates who have been similarly placed u/s 13(3) of the IMC Act, 1956 and it was also decided that registration certificates may be issued immediately to all such candidates who become eligible for registration.

9. Consideration of Grant of Permanent Registration to Ms. Rinku Elizabeth Cherian and other similar candidates u/s. 23 of the IMC Act, 1956 and other similarly placed candidates.
(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to Grant of Permanent Registration to Ms. Rinku Elizabeth Cherian and other similar candidates u/s. 23 of the IMC Act, 1956 and other similarly placed candidates.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that any internship training undertaken by the candidate within a period of 6 months immediately before or 6 months immediately after the validity period of provisional registration certificate may be considered favourably by the Council for grant of permanent registration to such candidates. Any internship beyond the period of either 6 months immediately before and 6 months immediately after the validity of the provisional registration certificate would require to be repeated after the validity of the provisional registration is extended accordingly. It was further decided that this decision may be applied to all the candidates who have been similarly placed u/s 23 of the IMC Act, 1956 and it was also decided that registration certificates may be issued immediately to all such candidates who become eligible for registration.

10. Appropriate action to be taken by the Council for endorsing declarations containing misstatement and also false Statement-Explanation of the Deans/Principals in response to MCI letter dated 27/05/2004.
(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to action to be taken by the Council for endorsing declarations containing misstatement and also false Statement-Explanation of the Deans/Principals in response to MCI letter dated 27/05/2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 24th and 25th June, 2004 and decided to place the same before the next General Body of the Council.

"The Ethics Committee considered the cases of the following 16 Deans/Principals who were present before the Ethics Committee:-

1. Dr.T.M.V.Prasad Rao, Dean, Narayana Medical College, Nellore.
2. Dr.Glorine Gnanathakom, Principal, Dr.Sommervel MCSI, Karakonam.
3. Dr.A.V.Krishnan Raju, Principal, Rangaraya Medical College, Kakinada.
4. Dr.C.Madhava Rao, Principal, Pinnamaneni Siddhartha Instt. Chinoutpalli.

5. Dr.G.Surender Reddy, Dean, Medicity Instt. of Med. Sciences, Ghanpur.
6. Dr.Sheela G.Nayak, Principal, KVG Medical College, Sullia.
7. Dr. C.Sadasivan Pillai, Principal, MES Med.College, Perintalmanna.
8. Dr. M.Ganapathy, Dean, Konaseena Instt. of Med. Sciences, Amalapuram.
9. Dr. D.L. Ramchandra, Principal, PES Instt. of Med.Sciences, Kuppam
10. Dr. M.Shantharan Shetty, Dean, K.S. Hegde Med.Academy, Mangalore.
11. Dr. T.A.V. Narayana Raju, Principal, Maharaja Instt.of Med.Sciences, Nellimarla
12. Dr.P.Venkata Rama Raju, Principal, Alluri Academy of Med.Sciences, Eluru.
13. Dr.A. Rama Mohana Rao, Dean, GSL Med. College, Venkatapuram
14. Dr.K.V.Raghav Rao, Principal, MNR Medical College, Sangareddy.
15. Dr.(Mrs.)L.V. Swarnan, Principal, Amala Instt. of Med. Sciences, Thrissur.
16. Dr. M.S. Subhadra, Principal, Co-operative Med.College, Kochi.

The Ethics Committee after detailed deliberation found that Professional negligence in the part of the following Principals could not be substantiated. Hence, Ethics Committee decided unanimously that they have not violated professional Conduct Etiquette & Ethics Regulation 2002 and no further action is required at this end in respect of the following Principals:-

1. Dr.Glorine Gnanathakom
2. Dr.A.V.Krishnan Raju
3. Dr.Sheela G. Nayak
4. Dr. M.Shantharan Shetty
5. Dr. (Mrs.) L.V.Swarnan
6. Dr.M.S. Subhadra

In case of the following Principals/Deans (P), the Ethics Committee observed that there is wanting of some documents/papers and till those documents are received. In view of this, the Ethics Committee decided that their cases may be kept pending and may be considered in the subsequent meeting of the Ethics Committee after obtaining those papers.

1. Dr. C.Madhava Rao
2. Dr. C.Sadasivan Pillai
3. Dr. M.Ganapathy
4. Dr.K.V. Raghav Rao

After deliberation of the oral statement as well as scrutiny of the papers, it was found that the following Principals/Deans (F) have committed professional negligence as per Sections 1.1.1, 1.1.2 & 8.1 of the professional Conduct Etiquette Ethics Regulation 2002 , the Ethics Committee recommends their names may be erased for a period of three years from the Indian Medical Register:-

1. Dr.T.M.V. Prasad Rao
2. Dr.G.Surender Reddy
3. Dr. T.A.V. Narayana Raju
4. Dr. P.Venkata Rama Raju
5. Dr.A. Rama Mohana Rao
6. Dr. D.L. Ramchandra

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”

"The Dean of the college by virtue of his position is expected to be an emulative role model. In the instant case being conscious of the fact that he has gone ahead with certifying details pertaining to the faculty and he had knowledge that they were incorrect. The knowledge of

the wrong deterrents ought to be willful, with full knowledge in the back drop that he also must have known that the same is avoidable by conscious intervention of his /her. As such, the nature and gravity of the wrong that stands committed by him is more than the one which has been committed by the teacher in terms of his singular declaration. It is for this reason the penalty needs to be exemplary in character so as to act as a deterrent for others".

After detailed deliberations, the Ethics Committee is of the unanimous opinion that (1) Dr.T.M.V. Prasad Rao (2) Dr.G.Surender Reddy (3) Dr. T.A.V. Narayana Raju (4) Dr. P.Venkata Rama Raju (5) Dr.A. Rama Mohana Rao have committed professional negligence as per Sections 1.1, 1.1.1, 1.1.2 and 8.1 of the Professional Conduct (Etiquette and Ethics) Regulations, 2004. In view of above, the Ethics Committee recommends that her name may be erased for a period of 3 years from Indian Medical Register.

This may be placed before the Executive Committee and General Body of the Council for approval."

11. Removal of the name of deceased person from the Medical Registrar.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 10th August, 2004 from the Registrar, Rajasthan Medical Council intimating that Santokh Singh Thind (Registration No. 5922, dated 09/10/1976) has expired on 02nd May, 2004 and his name has been removed from the Register of Registered Medical Practitioners.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter received from the Registrar, Rajasthan Medical Council intimating that Dr. Santokh Singh Thind (Registration No. 5922, dated 09/10/1976) has expired on 02nd May, 2004 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.

12. Approval of Minutes of the meeting of the Teachers' Eligibility Qualification Committee held on 19-06-2004.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The minutes of the Teachers' Eligibility Qualification Committee held on 19-06-2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Teachers' Eligibility Qualification Committee held on 19-06-2004 except item no. 24- *Appointment of person to the post of Professor in the department of Paediatrics*. The Committee directed the office to verify the records after obtaining clarification in respect of Dr. A.K. Malhotra, Prof. & Head, Deptt. of Paediatrics, Mahatma Gandhi National Institute of Medical Sciences, Sitapur, Jaipur.

13. The recognition of Indian institutions by Kuwait authorities-reg.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 09-06-2004 received from Sh, Swashpawan Singh, Ambassador of India, Kuwait with regard to recognition of Indian institution by Kuwait Authorities.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and noted that the request has come from Ambassador of India, Kuwait, and not from the Govt. of Kuwait and decided to intimate the authorities to send the request through the Central Government, Ministry of Health & F.W. for further action in the matter.

14. Recognition of MBBS degree of Lord Buddha Educational Academy's Nepalgunj Medical College u/s 12 of the IMC Act, 1956.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter 16-06-2004 received from the Central Govt., Ministry of Health & F.W., New Delhi with regard to Recognition of M.B.B.S degree of Lord Buddha Educational Academy's Nepalgunj Medical College, Kathmandu Nepal.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and noted that the request letter dated 17.5.2004 has come from Royal Nepalese Embassy and not from the Government of Nepal and decided to intimate the authorities to send the request through the Central Government, Ministry of Health & F.W. for further action in the matter.

15. Recognition of MBBS degree of the College of Medical Sciencies, Bharatpur, Chitwan (Dist.) Nepal u/s 12(2) of the I.M.C.Act, 1956.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 08.08.2003 received from the Central Govt., Ministry of Health & F.W., New Delhi with regard to recognition of MBBS degree of the College of Mediocal Sciencies, Bharaatpur, Chitwa (Dist.) Nepal u/s 12(2) of the I.M.C. Act, 1956.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and noted that the request has come from International Society for Medical Education Pvt. Ltd. and not from the Government of Nepal and decided to intimate the authorities to send the request through the Central Government, Ministry of Health & F.W. for further action in the matter.

16. Recognition of MBBS degree of SSR Medical College, Mauritius in Second Schedule (Section 12) of IMC Act, 1956.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 05.01.2004 received from the Central Govt., Ministry of Health & F.W., New Delhi with regard to recognition of MBBS degree of SSR Medical College, Mauritius in Second Schedule (Section 12) of IMC Act, 1956.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 5th January, 2004 from the Central Government, Ministry of Health & F.W. and decided to approach Govt. of India regarding the recognition of Indian degrees prescribed under the various regulations u/s 12 of the Act and to defer consideration in the matter till then.

17. Recognition of various UG and PG courses under section 12 of IMC Act, 1956 in University of Seychelles – American Instt. of Medicine (USAIM).

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 01.07.2004 received from the Central Govt., Ministry of Health & F.W., New Delhi with regard to recognition of various UG and PG courses under section 12 of IMC Act, 1956 in University of Seychelles – American Instt. of Medicine (USAIM).

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and noted that the request letter dated 20.5.2004 has come from President, USAIM and not from the Government of Seychelles and decided to intimate the authorities to send the request through the Central Government, Ministry of Health & F.W. for further action in the matter.

18. To note the change of name of District Hospital, Meerut to P.L. Sharama Hospital, Meerut.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 13.08.2004 from CMO, P.L. Sharma Hosital, Meerut with regard to change of name of District Hospital, Meerut to P.L. Sharma Hospital, Meerut.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and noted the letter dated 13.8.2004 from CMO, PL Sharma Hospital, Meerut wherein he has informed the changed name of District Hospital, Meerut to P.L. Sharma Hospital, Meerut.

19. Permission to the part time/Honorary teachers to discharge all functions of a full time teacher.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dt. August, 2004 received from the Registrar, Maharashtra University of Health Sciences, Nashik with regard to permission to the part time/Honorary teachers to discharge all functions of a full time teacher.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter and decided that part time/honorary teachers cannot be considered as full time teachers and they cannot discharge all functions of full time teachers.

20. Common Minimum Programme – Legislation to make provision of mandatory immunization services.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The letter dated 31.8.2004 received from the Deputy Commissioner, CH, Govt. of India, Ministry of Health & F.W. seeking comments of the Council with regard to enactment of Legislation to make immunization services mandatory for all medical organization.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council agreed with the proposal and endorsed the letter dated 31st August, 2004 received from the Deputy Commissioner (CH), Govt. of India, Ministry of Health & F.W. for making mandatory provision for all medical organizations and establishments whether public or private to render immunization services.

21. Constitution of a Committee to review the curriculum of the proposed Hospital Preparedness for Emergency (HOPE) course in India.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The O.M. dated 26.8.2004 with regard to review the curriculum of the proposed Hospital Preparedness for Emergency(HOPE) course in India.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 26th August, 2004 received from the Deputy Secretary, Govt. of India, Ministry of Home Affairs and decided to communicate to the Govt. of India that MCI being the regulatory authority for all curriculum, course contents etc., it is desirable to have a representative of the MCI in the Expert Committee.

22. **Condonation of delay period for applying for Permanent Registration u/s 23 of the IMC Act, 1956 in respect of Mr. Chelikani Pardha Saradhi and Mr. Simant Baliar Singh – Requesting regarding.**
(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to Condonation of delay period for applying for Permanent Registration u/s 23 of the IMC Act, 1956 in respect of Mr. Chelikani Pardha Saradhi and Mr. Simant Baliar Singh.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter and decided to condone the delay period of over 5 years in applying for permanent registration u/s 23 of the Indian Medical Council Act, 1956 in respect of Mr. Chelikani Pardha Saradhi, Mr. Simant Baliar Singh and all such similarly placed candidates. It was further decided that registration certificates may be issued immediately to all such candidates who become eligible for registration.

23. **Status report of the cases considered by the Ethics Committee.**
(Deferred item of the EC meeting held on 21st September 2004)

Read: The status report of the cases considered by the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the matter and appreciated the work done by the Ethics Committee and further decided to find out some methodology to reduce the backlog of the Ethical Section.

24. **Complaint against Dr. Purnima Nath as alleged by Mr. Gadadhar Das(F.No.174/2003).**
(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to Complaint against Dr. Purnima Nath as alleged by Mr. Gadadhar Das.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 26th - 28th August, 2004 and decided to place the same before the next General Body of the Council:-

"The Ethics Committee considered the matter with regard to complaint against Dr. Purnima Nath as alleged by Mr. Gadadhar Das and noted the decision of the Orissa Medical Council in respect of Dr. Purnima Nath wherein Dr. Nath was warned in future guidance. The same may be noted in IMR subject to the approval of the Executive Committee and General Body of the Council."

25. **Indian Medical Council (Professional conduct, Etiquette and Ethics)(Amendment) Regulations, 2004.**
(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to Indian Medical Council (Professional Conduct, Etiquette and Ethics)(Amendment) Regulations, 2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council taking into consideration the recent developments in the field of Medicine, Genemics, Tissu-transplantation etc., authorized the President (Acting) to constitute a Sub-Committee for reviewing the present regulations viz. Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002.

26. Complaint against Dr. Sunita Aggarwal, Aggarwal Hospital as alleged by the Registrar, Sri Lanka Medical Council, Colombo.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to complaint against Dr. Sunita Aggarwal, Aggarwal Hospital as alleged by the Registrar, Sri Lanka Medical Council, Colombo.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 26-28th August, 2004:-

"After perusal of all the documents available before the Ethics Committee it was clear that lapse have occurred on the part of the organizers of the free Eye camp in Colombo. They should have ensured that Dr. Sunita Aggarwal obtain the temporary registration with the Sri Lanka Medical Council before the start of the free camp. For this lapse Dr. Sunita Aggarwal could not be had guilty. More over Sri Lanka Govt. has expressed its regret over this lapse.

The Ethics Committee however felt that as a responsible doctor Dr. Sunita Aggarwal must be aware that all necessary legal formalities like temporary registration must be completed before starting any medical practice in any foreign country even if it is free. Therefore, the Ethics Committee has decided to issue a letter of caution Dr. Sunita Aggarwal asking her to be more careful in future and to ensure that all the necessary formalities has been carried out before practicing in any foreign country so that credibility of Indian doctors giving service in different countries, more so in SAARC countries, does not suffer. A copy of the letter may be sent to Sri Lanka Medical Council.

This may be placed before the Executive Committee of the Council for approval."

27. Articles in the National Medical Journal of India on the Ethics of "Live Operative Workshops."

(Deferred item of the EC meeting held on 21st September 2004)

Read: The matter with regard to Articles in the National Medical Journal of India on the Ethics of "Live Operative Workshops.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee as under:

"The Ethics Committee considered the matter with regard to articles in the National Medical Journal of India on the Ethics of "Live Operative Workshops" deliberated on this issue and decided to defer the matter to the next meeting."

In this context, the matter was considered by the Ethics Committee at its meeting held on 26th to 28th August, 2004 and it was decided as under:-

"The Ethics Committee deliberated in detail about the issue raised by Mr. B. S. Padmanabhan, Freelance journalist based in New Delhi (Ph- 011-22712311) regarding 'Live Operative Workshop' and articles published in the National Medical Journal on the Ethical issues involved in 'Live operative workshops'.

It has discussed the issue also in conjunction with the matter of Dr. Sunita Agarwal. (Agenda Item No. 76) and has decided as under :-

GUIDELINES

A General guideline be drawn to cover all such situations of Indian doctors going to foreign countries and foreign doctors coming to India for teaching, training and treatment purposes.

The guidelines (placed below) may be sent to Executive Committee for necessary appraisal and action.

Guidelines to be followed by Doctors for medical practice in India and abroad.

Introduction:- *It has been seen that in recent times there has been lot of exchanges in the field of medical education training and practice between India and Foreign countries. A good number of doctors are coming to India for taking part in various teaching assignments, conferences, seminars, CME's where examination and treatment of live patients are carried out and "Live Operative Workshops" are also being conducted involving both cadavers and live patients. Further, foreign doctors, NRI doctors, doctors of Indian*

Origin are coming to India to attend organized charitable treatment camps. Sometimes, some of the hospitals both in the Govt. and Private Sectors are organizing such programmes both as a charitable work or for monetary gains also. Foreign doctors are being brought in for some specialized surgery to be conducted in the medical institutions which is not easily available in our country. Various professional bodies are also organizing "live operative workshop" in our country.

Lot of foreign students both at the undergraduate level and postgraduate level are coming/being brought for internship and training in both medical and surgical subjects. Under these circumstances, the proper guidelines should be needed so that the doctors, Indian doctors going abroad and foreign doctors coming to India can do so ethically, thereby to increase the scope of medical interaction and progress.

Guidelines to be followed by Doctors for medical practice in India and abroad.

Indian doctors (citizen) going to foreign countries.

Indian doctors who are of Indian citizenship and who go to various foreign countries for teaching, training and for providing treatment including invasive investigation and surgery in foreign countries shall have to ensure that –

- (i) They are fully registered in India under IMC Act, 1956 both for undergraduate, postgraduate and additional qualifications.*
- (ii) They must strictly comply with all the rules and regulations of the country and the Medical Council of that country or such registering bodies of that foreign country where they are going to serve. All necessary permissions, registration must be obtained by them, well before the start of actual practice. This is necessary not only as a ethical matter but also to uphold the good name and reputation of Indian doctors working abroad.*

Foreign doctors coming to India

- (a) All foreign doctors coming to India to attend any scientific seminars/demonstrations/CME where examination and treatment of live patient be involved; who would take part in "Live Operative Workshops" involved both cadaver & living patient; must obtain temporary permission to practice medicine in India. Such facility is already available which Medical Council of India and it shall be the duty of Indian sponsoring organization who invited such doctors to India to obtain prior permission by applying to the Registrar, Medical Council of India/State Medical Council by filling up necessary form and by paying necessary fee.*
- (b) Foreign doctors/NRI's doctors of Indian Origin including spouses and children of Indian doctors who are also themselves doctors can also apply under section 14(1) of Indian Medical Council Act, 1956 by filling the form of foreigners for permission to practice medicine in India.*
- (c) Doctors who are foreign citizens and who render specialized medical/surgical treatment in different medical institutions in India coming to this country for a short visit must obtain necessary permission under Section 14(1) of the IMC Act, 1956 or any other relevant clause. The organizer of such treatment involving foreign doctors must also comply with all the laws of the land and must take steps to obtain necessary permission for the foreign doctors before they are brought to the country.*
- (d) Students who come to this country for internship training after obtaining the basic medical degree in both medical and surgical subject including Obst. & Gynae. shall have to obtain temporary registration in this country. The law is not very clear at this point of time. Hence, all necessary steps must be taken by MCI to bring this to the attention of the Ministry of Health & F.W., Govt. of India so that the lacuna is removed.*
- (e) Undergraduate students of Medical Sciences coming to this country for practical experience who would not be treating patients or would not be conducting any procedure on patients in this country may not require temporary registration but the Institution who have such students can inform the State Medical Councils/Medical Council of India and the respective State and Central Ministries regarding training, particularly the name of such undergraduate students. The MCI shall bring this aspects also to the notice of the Union of India Govt.*

Q: *Whether foreign surgeons performing surgeries in India are required to get temporary license for their surgeries:*

Answer : be drafted to Mr. B. S. Padmanabha, who may be contacted over phone at the number given, his address obtained and reply sent. The queries raised by Dr. B. S. Padmanabha can be replied as under :-

- a) 'Live Operative workshops' held under proper conditions and organised by competent professional bodies, medical institutions with the intention of demonstration of technique /training and such associated work and not for personal monetary gain are admissible under "IMC Act" and "The IMC (Professional Conduct, Etiquette & Ethics) Regulations, 2002". Foreign doctors can participate in it. There is an already laid down procedure with*

application forms for Foreign visitors for temporary permission to practice medicine in India. The sponsoring agency which has invited such foreign doctors, has to apply with a non refundable fee of Rs. 500/- to the Registrar, MCI/State Medical Council 15 days prior to

- b) the visit in the prescribed form. A copy of the application is also to be sent to the Secretary to the Govt. of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.*
- c) Foreign surgeons can perform surgeries in India only as above – demonstration technique/training for which their sponsors/they must obtain prior temporary permission to practice medicine in India. In such cases, there must be a properly qualified Indian counterpart who shall be a Registered Medical Practitioner in India and will be responsible for all the Medicolegal aspects concerned with the practice of medicine by the foreign visitors.*
- Alternatively, a foreigner (Doctor) can seek permission to practice medicine in India u/s 14(1) of the Indian Medical Council Act, 1956. Here also, the foreign doctor can only engage in teaching, research or charitable work and not for personal gain. Applications are made to MCI in prescribed forms.*
- d) Yes*
- e) They should*

The Ethics Committee of MCI is aware of the issue and is actively considering various aspects."

28. Complaint against doctors of Dr. Arora's Vijay Memorial Hospital, City Heart Clinic & Medical Centre and Sir Ganga Ram Hospital.
(Deferred item of the EC meeting held on 21st September 2004)

Read: The decision of the Ethics Committee on the complaint against doctors of Dr. Arora's Vijay Memorial Hospital, City Heart Clinic & Medical Center and Sir Ganga Ram Hospital.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and decided to refer this matter back to the Ethics Committee for reconsideration.

29. Appropriate action to be taken by the Council for endorsing declarations containing misstatement and also false statement. Explanation of the Deans/Principals in response to MCI letter dated 27.05.2004.
(Deferred item of the EC meeting held on 21st September 2004)

Read: The decision of the Ethics Committee on the appropriate action to be taken by the Council for endorsing declarations containing misstatement and also false statement. Explanation of the Deans/Principals in response to MCI letter dated 27.05.2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approve the following decision of the Ethics Committee taken at its meeting held on 2/3rd September, 2004 and decided to place the same before the General Body of the Council.

"The Ethics Committee considered the cases of following three Deans/Principals, who were present before the Ethics Committee and heard all of them. All of them were given sufficient time and ample opportunity to submit their explanations:

- 1. Dr. B. Mallikarjun*
- 2. Dr.(Mrs.) Madhav Kalyani*
- 3. Dr. P. Subanullah*

The Ethics Committee after detailed deliberations found that Dr. B. Mallikarjuna, Principal, MR Medical College, Gulbarga and Dr. P.Subanullah, Principal, KBN Medical College, Gulbarga have not committed any professional negligence. Hence, the Ethics Committee unanimously decided that no action is to be taken in these two cases.

It appears from records and statement of Dr.(Mrs.) Madhav kalyani that she has joined NRI Medical College on May, 2003 and joined as Principal in the same institute on 21st August,2003. This is according to her signed statement given before the Ethics Committee. This shows that she had become the Principal only on the next day of the 2nd inspection. But she had signed the declaration forms of the staff as Principal of NRI Medical College for the inspection. This shows that she had given a false statement before the Ethics Committee. Hence her statement that she had recently joined and not aware of the selection procedure and the staff of the college appears to be untenable. It was seen that out of 7 staff, 6 have joined between 1.7.2003-14.7.2003 – that is less then a month before the 1st inspection at 24-25th July, 2003 and one joined at 1.8.2003, that is

after 1st but before 2nd inspection. These facts show the complicity of the Principal in the whole process of false certification, falsification of records of medical teachers with an intention to mislead Medical Council of India inspectors. Further she states that after receipt of MCI letter no. 34(C)/2004 - MC/12972 dated 13.08.2004, it came to her notice that 7 members of her staff were found to be working in other medical colleges and out of them 5 doctors were terminated. However, in case of 2 doctors namely Dr. Rama Mohan and Dr. Venugopal Sharma, the Principal has stated that they are still in service and are not terminated because they could produce their relieving orders from the previous institute which were satisfactory in her opinion. However, the Principal did not produce copies of any such relieving orders in the Ethics Committee. It appears that these relieving orders (if they exist at all) were obtained after date of MCI inspection. This only shows that the Principal is trying to condone the wrong committed by two of her staff members.

The Dean of the College by virtue of his position is expected to be an emulative role model. In the above 2 cases it appears that the Principal have condoned/ accepted declarations of the doctors which are incorrect. This amounts to perpetuating some mistakes or willful commissions on the part of the Principal. Such unwanted actions can only be willful and with full knowledge in the backdrop that she must also have known that the same is avoidable by conscious intervention of her. As such, the nature and gravity of the wrong that stands committed by her is more than the one which has been committed by the teacher in terms of her singular declaration. It is for this reason the penalty needs to be exemplary in character so as to act as a deterrent for others.

After detailed deliberations, the Ethics Committee is of the unanimous opinion that Dr. Madhav Kalyani, Principal, NRI Medical College, Guntur has committed professional negligence as per Sections 1.1, 1.1.1, 1.1.2 and 8.1 of the Professional Conduct (Etiquette and Ethics) Regulations, 2004. In view of above, the Ethics Committee recommends that her name may be erased for a period of 3 years from Indian Medical Register.

This may be placed before the Executive Committee and General Body of the Council for approval."

30. Recommendation of D.P.C. regarding confirmation of officials of the Council.

(Deferred item of the EC meeting held on 21st September 2004)

Read: The recommendation of D.P.C. regarding confirmation of officials of the Council.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Departmental Promotion Committee held on 6.9.2004 with regard to confirmation of officials of the Council:-

"As such, the probation completion report in respect of said officers by the then Secretary is not on record, however, the Annual Confidential Reports available on record reflect their performance to be "Good".

In view of the same, the Committee recommends that Dr. Prem Kumar be treated as "deemed confirmed" to the post of Deputy Secretary from the date of completion of his probation i.e. 18.11.1999, Shri A.K. Ahluwalia be treated as "deemed confirmed" to the post of Accountant from the date of completion of his probation i.e. 29.5.1997 and Shri Anupam Dhua be treated as "deemed confirmed" to the post of Computer Programmer from the date of completion of his probation i.e. 28.9.2001"

31. Approval of S.V.S. Medical College, Mehboobnagar for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada.

Read: The Council Inspectors report (18th & 19th Nov., 2004) carried out to assess the undergraduate teaching and training facilities available at S.V.S. Medical College, Mehboobnagar along with standard of examination held under NTR University of Health Sciences, Vijayawada for approval of the college for the award of MBBS degree.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (18th & 19th Nov., 2004) and decided to recommend that S.V.S. Medical College, Mehboobnagar be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada with an annual intake of 100 (one hundred) students annually.

32. Approval of Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada.

Read: The Council Inspectors report (18th & 19th Nov., 2004) carried out to assess the undergraduate teaching and training facilities available at Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda along with standard of examination held under NTR University of Health Sciences, Vijayawada for approval of the college for the award of MBBS degree.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (18th & 19th Nov., 2004) and decided to recommend that Kamineni Instt. of Medical Sciences, Narketpally, Nalgonda be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada with an annual intake of 100 (one hundred) students annually.

33. Establishment of New Medical College at Vikarabad (A.P.) by Bhagwan Mahavir Memorial Trust, Hyderabad U/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (02nd & 03rd Dec., 2004) for Establishment of New Medical College at Vikarabad (A.P.) by Bhagwan Mahavir Memorial Trust, Hyderabad U/s. 10(A) 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 considered the Council Inspectors report (2nd & 3rd Dec., 2004) and noted the following deficiencies:-

1. a. On the day of inspection 184 new and old cases attended in the OPD upto 11.00 a.m. A good number of patients attending the OPD where the students from near by college in Vikarabad, without any obvious illness.
b. There are no patients in the ICU, NICU, PICU, on the day of inspection.
2. All the OPD's have adequate number of cubicles and waiting area for the patients, however most of the cubicles are not being regularly used and the necessary instruments for examination are not available. The teaching areas in each OPD are available with 12 chairs each, however the black board, and X-ray view boxes are not available. There is a earmarked audiometric room which is not sound proof and functional.
3. Resuscitation equipment in the Central Casualty needs to be proper. There is no defibrillator and pulse oxymeter in the Central Casualty Service. Casualty OT does not have OT light.
4. Separate ICCU is not available.
5. Hospital kitchen/dietician are not available.
6. The construction of the college building needs to be completed.
7. The department of Anatomy, Physiology and Biochemistry are not yet functional.
8. Other deficiencies/remarks are 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 recommend to the Central Govt. not to issue Letter of Intent for establishment of medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad u/s 10A of the IMC Act, 1956.

34. Establishment of New Medical College {Arogyavaram Medical College, Arogyavarm, Chittor Distt. (A.P.)} by CSI Arogyavaram Medical Centre u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (25th & 26th Nov., 2004) for Establishment of New Medical College {Arogyavaram Medical College, Arogyavarm, Chittor Distt. (A.P.)} by CSI Arogyavaram Medical Centre u/s. 10(A) 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 considered the Council Inspectors report (25th & 26th Nov., 2004) and noted the following deficiencies:-

1. The Dean is not yet appointed. Dr. Wesley, MBBS with 24 years of administrative experience in Mission Hospital is the Director. He does not have any teaching experience.
2. The Professor & Head of Department of Anatomy and Physiology are non-medical.
3. On the day of inspection, OPD attendance was around 400 as verified by the inspection team. The overall bed occupancy was in range of 50 to 60%.
4. The Medical Superintendent having experience as per MCI rules & regulations is not available. Dr. Wesley is the Director is only MBBS with 24 years experience in the Mission Hospital.
5. 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 recommend to the Central Govt. not to issue Letter of Intent for establishment of medical college (Arogyavaram Medical College, Arogyavaram, Chittor Distt.(A.P.) by CSI Arogyavaram Medical Centre u/s 10A of the IMC Act, 1956.

35. Establishment of New Medical College at Pandara (Hi-Tech Medical College and Hospital, Pandara, Bhubaneswar) by Vigyan Bharati Charitable Trust, Bhubaneswar u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (16th & 17th Dec., 2004) for Establishment of New Medical College at Pandara (Hi-Tech Medical College and Hospital, Pandara, Bhubaneswar) by Vigyan Bharati Charitable Trust, Bhubaneswar u/s. 10(A) 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 considered the Council Inspectors report(16th & 17th Dec., 2004) and noted the following deficiencies:-

1. The applicant-trust is in possession of 28.2 acres of land in a unitary plot of land. However, the land is not an agricultural land and hence conversion to NA is not available and not verified.
2. The approach road to the college from the National Highway-5 is kachha road for about ½ km. Another approach road from the city of about 3 km. is also kachha road. These roads need to be converted into wide pakka road for mobilisation of the patients and the students.
3. The hospital building is also under construction and all areas of OPD and wards are not yet completed. The construction work is progressing but delayed as per the time bound programme submitted by the Trust.
4. The Hi-Tech Hospital i.e. hospital of the medical college is having 305 beds. There is over-crowding in all the wards. Some of the departments like Ophthalmology, ENT, Orthopaedics do not have separate wards and the beds are accommodated in Medicine, Paediatrics & Surgery.
5. Some OPD rooms have been provided for General Medicine, General Surgery, Orthopaedics, Gynaecology & Obstetrics, Paediatrics, Ophthalmology. Facilities available in these rooms are not adequate. Apart from male and female dressing room, no other facilities existed in the OPD. The minor OT is not established. The audiometry room is available but neither airconditioned nor sound proof. The rooms were labeled as Demo room but after opening the lock were found to be empty.
6. Facilities like doctor duty room, nurse duty room, nursing station, pantry, examination/procedure room, teaching area and side laboratory are non-existent in some of the wards. There is provision of space for seminar halls in some of the major departments. There are no audio visual and other teaching aids.

7. The OPD attendance on the day of inspection is around 300. The average bed occupancy is about 30 to 40%. The number of laboratory investigations do not match with the number of patients in OPD and IPD.
8. Septic labour room is established but not functional.
9. Blood bank infrastructure is available but not functional. License is awaited.
10. Pharmacy is non-functional.
11. CSSD is non-functional.
12. EPABX facility has not been installed.
13. Central laundry is not in operational.
14. Kitchen and Canteen are non-existent.
15. Incinerator has not been installed. The college has entered into a contract for disposal of Bio-medical waste with a local agency.
16. Paramedical technical and nursing staff are inadequate.
17. The college building is under construction. The departments of Anatomy, Physiology and Biochemistry are non-existent.
18. (a) Shortage of teaching staff required for Letter of Intent is more than 5% as under:-
Associate Professor-1 (Biochemistry-1)
(b) The tutors in the departments of Anatomy, Physiology and Community Medicine are of the age of 59 years and above.
19. 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 recommend to the Central Govt. not to issue Letter of Intent for establishment of medical college at Pandara (Hi-Tech Medical College and Hospital, Pandara, Bhubaneswar) by Vigyan Bharati Charitable Trust, Bhubaneswar u/s 10A of the IMC Act, 1956

36. Establishment of New Medical College {Christian Medical College, Dhamtari} by Mennonite Medical Board, Dhamtari, Chhatisgarh u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (02nd & 03rd December, 2004) for Establishment of New Medical College {Christian Medical College, Dhamtari} by Mennonite Medical Board, Dhamtari, Chhatisgarh u/s. 10(A) 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 considered the Council Inspectors report(2nd & 3rd Dec., 2004) and noted the following deficiencies:-

1. (a) The shortage of teaching faculty is more than 20% as under:-
i) Associate Professor :2 (Biochemistry-1, Physiology-1)
(b) Most of the faculty has joined on the day of inspection and left on the same day.
2. A total of 286 beds are available in the affiliated hospital, which is not as per MCI norms. The qualifying criteria pertaining to having a functional hospital of minimum 300 beds is not fulfilled.
3. The wards are not divided into units. Most beds are paid beds. The bed arrangement in most wards is overcrowded.
4. Clinical material is inadequate as under:-

	Daily Average	Day of Inspection
O.P.D. attendance	250	180
Casualty attendance	20	04
60	49	39
<u>Operative work</u>		
Number of major surgical operations	08	04
Number of minor surgical operations	12	0
Number of normal deliveries	03	02
Number of caesarian Sections	02	0
<u>Radiological Investigations</u>		
X-ray	20	10
Ultrasonography	25	06
Special Investigations	07	02
C.T. Scan	01	-
<u>Laboratory Investigations</u>		
Biochemistry	110	04
Microbiology	03	05
Serology	23	0
Parasitology	05	0
Haematology	300	20
Histopathology	-	-
Cytopathology	-	-
Others	-	-

5. ENT OPD runs once a week only. Space for teaching area is not available in the OPDs of major departments like Medicine, Surgery, Paediatrics, Obstetrics & Gynaecology and Orthopaedics. The OPDs are small, have little space, and are not as per MCI norms. The Paediatric OPD has only one room. There is no X-ray view box in this OPD.
6. TV with camera attachment is not available in OT. Resuscitation and monitoring equipment is shared by the different OTs.
7. There is no central oxygen, nitrous oxide and central suction available in OTs.
8. There is no separate septic Labour room.
9. There is combined ICCU with 6 beds. No Medical ICU, no surgical ICU, Paediatric ICU with 6 beds and Neonatal ICU with 20 beds are available.
10. There are two lecture theatres in the hospital and there is no lecture theatre for students in the college. Both lecture theatres in the hospital are not of gallery type. They are not equipped with audio-visual aids. Acoustics are not in place. Clinical demonstration rooms are not available in OPD and wards.
11. Nurses hostel is not available. They are residing on the 1st & 2nd floor of the girls hostel.
12. Other deficiencies/remarks are in the report.

In view of above, whereby it has been found that the applicant has failed to fulfill the mandatory and statutory pre-condition laid down in the Establishment of Medical College Regulations, 1999 of having a functional hospital of 300 beds, 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 medical college (Christian Medical College, Dhamtari} by Mennonite Medical Board, Dhamtari, Chhatisgarh u/s 10A of the IMC Act, 1956.

37. Establishment of Agartala Medical College, Agartala, Tripura by Govt. of Tripura u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (02nd & 03rd December, 2004) for Establishment of Agartala Medical College, Agartala, Tripura by Govt. of Tripura u/s. 10(A) 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 considered the Council Inspectors report (2nd & 3rd December, 2004) and decided to recommend to the Central Government to issue letter of intent for establishment of new medical college at Agartala by Govt. of Tripura u/s. 10(A) of the IMC Act, 1956 with an annual intake of 100 (one hundred) students for the academic session 2005-06.

38. Govt. Mohan Kumaramangalam Medical College, Salem – Increase of seats in 1st MBBS course from 75 to 150 u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (02nd & 03rd Dec., 2004) for increase of seats in Ist MBBS course from 75 to 150 at Govt. Mohan Kumaramangalam Medical College, Salem.

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(2nd & 3rd Dec., 2004) and noted the following deficiencies:-

1. Shortage of teaching faculty is 31.2% (39 out of 125) is as under:-

Professors-10 (Physiology-1, Pharmacology-1, Pathology-1, Microbiology-1, Community Medicine-1, General Medicine-1, Paediatric-1, Psychiatry-1, General Surgery-1, Anaesthesia-1)

Associate Professors-8 (Anatomy-2, Pharmacology-1, Pathology-1, Microbiology-1, Forensic Medicine-1, Community Medicine-1, Radiology-1)

Assistant Professors-15 - (Anatomy-3, Physiology-2, Pathology-3, Forensic Medicine-1, Community Medicine-4, TB & Chest-1, Radiology-1)

Tutors-6 (Biochemistry-1, Pharmacology-3, Pathology-1, Forensic Medicine-1)

2. The affiliated teaching hospital is located 13 kms. away from the college.
3. Space provided in the OPD is grossly inadequate. Patients facilities like shelter, benches are not provided. The size of the consultation chamber is inadequate. The audiometry room is not air-conditioned.
4. Wards are not made properly. The space between the two beds is not adequate. The beds are arranged in a crowded manner. There are no bedside lockers in majority of the wards. The teaching area is not adequate in most of the wards.
5. Central laboratory has inadequate space.
6. There is no intercom facility.
7. CSSD services are not upto the mark
8. Central workshop facilities do not exist.
9. Kitchen facility is not provided. Dietician is not available.
10. Blood Bank is not under the control of the Pathology department even though it was pointed out in the earlier inspection.
11. Incinerator is available but non-functional as permission has not been obtained from the Government. The waste disposal is carried out on contract basis.
12. The hostel accommodation for students is inadequate as it is available for 402 students as against the requirement of 500.
13. No hostel is provided for interns and residents. Accommodation has been provided only for 21 postgraduate students.
14. Staff quarters are not available.
15. The number of journals available are only 62 i.e. 46 Indian and 16 foreign as against the requirement of 100 journals.
16. Statistical unit is established but no Statistician is attached to the unit.
17. 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 recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 75 to 150 at Govt. Mohan Kumaramangalam Medical College, Salem u/s 10A of the IMC Act, 1956.

39. Govt. Kilpauk Medical College, Chennai – Increase of seats in 1st MBBS course from 100 to 150 u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (02nd & 03rd Dec., 2004) for increase of seats in Ist MBBS course from 100 to 150 at Govt. Kilpauk Medical College, Chennai.

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(2nd & 3rd Dec., 2004) and noted the following deficiencies:-

1. Shortage of teaching faculty is more than 5% as under:-

Professors-2 (Anatomy-1, Forensic Medicine-1)

Assoc. Professors-10 (Anatomy-3, Physiology-2, Biochemistry-1, Pharmacology-1, Forensic Medicine-1, Community Medicine-1, Radiology-1.

Asstt. Professors-15 (Anatomy-4, Physiology-3, Pharmacology-2, Forensic Medicine-1, Community Medicine-2, Lecturer in Epidemiology-1, Lecturer in Statistic-1, Lecturer in Biophysics-1)

Tutors-9 (Anatomy-3, Physiology-1, Biochemistry-2, Pharmacology-2, Forensic Medicine-1)

2. Total land available is 21 acres which is divided into two parts by the public road. On one side of the road, 6 acres of plot where Kilpauk Medical College is housed. On the opposite side of the road, 15 acres and 17 ground plot of Kilpauk Medical College Hospital is housed. This land is located in the Taluk Egmore, District Chennai.
3. OPD space is inadequate as compared with the number of patients attending the OPD. Most of the chambers in the OPD are having incomplete wooden partitions or curtains and there is no privacy to the patients. In certain specialities the clinical rooms are having incomplete partitions and are very small.
4. Most of the wards are not having proper nursing station. There is no separate duty doctor room, Duty nurse room, Examination room, treatment room and pantry. In most of the wards the space between two cots is inadequate. There is over crowding of the beds. Most of the patients are not provided bed side lockers.
5. There is no central oxygen supply and central suction in the casualty. Colour doppler is not available.
6. The equipment in Pathology section is inadequate.
7. CSSD is not available. Only autoclaves is provided in each OT.
8. There is no scientific method of disposal of biomedical hospital waste in the hospital. The hospital waste is collected in one yard and cleared by the corporation.
9. Lecturer with postgraduate qualification is not available at RHTC and UHC.
10. The number of books in the departmental library of TB & Chest, Skin & VD, Psychiatry, Orthopaedics, ENT, Radiology and Paediatrics are inadequate.
11. Resident hostel is not available.
12. Hostel accommodation for students is inadequate. The total accommodation is available for 380 students as against 550 required as per norms.
13. Accommodation for interns is inadequate.
14. Residential quarters are not available for any category in the campus of the hospital.
15. 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 recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 100 to 150 at Govt. Kilpauk Medical College, Chennai u/s 10A of the IMC Act, 1956.

40. Govt. Medical College, Kota– Increase of seats in 1st MBBS course from 50 to 100 u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (09th & 10th Dec., 2004) for increase of seats in Ist MBBS course from 50 to 100 at Govt. Medical College, Kota.

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(9th & 10th Dec., 2004) and noted the following deficiencies:-

1. (a) The shortage of teaching faculty is more than 20% (i.e. 29 out of 120) as under:-

i) Professor : 4 (Community Medicine-1, Peadiatrics -1, Radio-therapy -1, Dentistry -1)

i) Associate Professor : 4 (Ophthalmology-1, Physiology-1, General Surgery -2)

ii) Assistant Professor : 10 (Anatomy -3, Physiology-2, Pharmacology-1, Community Medicine -2, Ophthalmology -2)

iii) Tutor : 11(P Physiology-3, Pharmacology-3, Community Medicine)-5
- (b) The shortage of Resident is more than 30%(i.e. 27 out of 75)
- i) Sr. Resident : 6

ii) Jr. Resident : 21
2. The hospital in the campus is under construction. The affiliated teaching hospital located 12 kms. away from the college.
3. Clinical material is adequate. However, separate statistics are not available as O.P. and I.P for X-ray & laboratory investigation. There is over crowding in Paediatrics ward. In the departments like Medicine, Surgery, Paediatrics, Obst. & Gynaec., bed occupancy is only 50% on the day of inspection.
4. Although 581 teaching beds are available, as per Council norms there is a shortage of 12 beds in pediatrics and 4 beds in Orthopedics as under:

Speciality	Required Beds	Present Beds	Deficiency if any
Medicine & Allied Specialities			
Paediatrics	60	48	-12 beds in paediatrics
Orthopaedics	60	56	-4 beds in Orthopaedics.

5. There is a combined ICCU with 8 beds which is common to all specialities. Pediatric ICU with 8 beds and neonatal ICU with 6 beds are available. NICU and PICU are not upto the mark.
6. In the hospital, each ward is not provided with doctor room and nurse duty room.
7. Nursing station, pantry and examination/procedure room, teaching area and side laboratory is not available in most of the wards.
8. Indoor registration counter is not cross-linked with outdoor registration numbers.
9. There is a medical record department, which is not computerized. It does not have adequate staff. ICD X classification of diseases is not followed for indexing.
10. Total 20 beds are available in casualty area. Central oxygen supply, central suction, defibrillator, pulse oximeter is not available.
11. CSSD does not exist. The receiving and distribution points are same inside the OT complex
12. The availability of para medical staff & nursing staff is inadequate
13. Facilities for experimental work and minor surgical procedures are not available in the Animal House. There is no Veterinary Officer appointed.
14. The paramedical staff in the library is inadequate. The number of Journals are only 33 - i.e. not Indian Journals but Foreign Journals, which is inadequate.
15. No lecturer cum medical officer having MD (PSM) is available in RHTC. The senior faculty from the department is not posted in rotation.
16. There is no hostel and staff quarter available in the RHTC. It does not have any landline telephone connection. Lecture hall cum seminar room is not available. No audiovisual aids have been provided and they are brought by the PSM department at the time of the visit. Indoor facilities are not available. X-ray and ECG are not available in RHTC.

- 17. No lecturer cum medical Officer having MD (PSM) is posted at UHC. Obstetrics facilities are not available in the UHC.
- 18. Other deficiency/remarks are 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 recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 50to 100 at Govt. Medical College, Kota u/s 10A of the IMC Act, 1956.

41. Mahatama Gandhi Mission’s Medical College, Aurangabad– Increase of seats in 1st MBBS course from 100 to 150 u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (09th & 10th Dec., 2004) for increase of seats in Ist MBBS course from 100 to 150 at Mahatma Gandhi Mission’s Medical College, Aurangabad.

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(9th & 10th Dec., 2004) and noted the following deficiencies:-

- 1. The shortage of teaching staff is more than 10% as under:-
 - (a) Faculty 14.2% (i.e.20 out of 141) as under:-
 - i) Associate Professor :6(Forensic Medicine-1, TB & Chest-1, Anatomy-1, Physiology-1, Pharmacology -1 & Dentistry-1)
 - ii) Assistant Professor :13 (Forensic Medicine -1, PSM-3, Paediatrics-1, Anatomy-4, Physiology-2, Dentistry-1, Obst. & Gynae.-1)
 - iii) Tutor : 1(Anatomy-1)
 - (b) The shortage of resident is more than 20% (i.e. 20 out of 84) as under:-
 - i) Sr. Resident : 1(Skin & VD -1)
 - ii) Jr. Resident : 19 (Peadiatrics -4, Skin & VD-3, Psychiatry-3, Gen. Surgery-3, Orthopaedics-4, Ophthalmology-2)
 - (c) The ratio of non-medical staff in Microbiology department is 50% against the maximum permissible norm of 30%
- 2. Clinical material in terms of OPD attendance, operative work and X-ray investigations is inadequate as under:-

	Daily Average	Day of Inspection
O.P.D. attendance	430 to 520	575
Casualty attendance	15 to 20	017
Bed occupancy	70 to 90	086
<u>Operative work</u>		
Number of major surgical operations	5 to 7	6
Number of minor surgical operations	10 to 12	8
Number of normal deliveries	1 to 2 per day	2
Number of caesarian Sections	3 to 4 per day	2
<u>Radiological Investigations</u>		
X-ray	65 to 75	70
Ultrasonography	40 to 50	32
Special Investigations	3 to 4	2
C.T. Scan	4 to 5	2

<u>Laboratory Investigations</u>		
Biochemistry	120 to 135	153
Microbiology	30 to 40	23
Serology	10 to 12	12
Parasitology	6 to 8	05
Haematology	100 to 110	119
Histopathology	3 to 7	07
Cytopathology	2 to 6	06
Others	40 to 50	35

- 3. ICCU and Paediatrics ICU are not available.
- 4. Central laundry and Central kitchen have been given to private agencies on contract basis. Hence these facilities are not handled by the institution.
- 5. The accommodation for students is inadequate, as it is available only for 300 students.
- 6. There are no separate hostel facilities available for residents/PG/Interns & Nurses. Nurses have been accommodated in one wing of the girls hostel.
- 7. Staff quarters are not constructed and available within the campus of the institution. As per the Principal of the Institution the college has taken residential houses on rental lease for their staff. The precise number and location was not provided.
- 8. The examination hall is furnished at the time of examination, at other times when no examinations are there the hall is used for other purposes.
- 9. Central photographic cum audio-visual units are not equipped. Dark room facility is not available.
- 10. Indoor and outdoor registration work is conducted manually. OPD computers are not cross linked with any other computer.
- 11. In the OPD area each speciality is provided one room for examination of patients and accommodation for the doctors.
- 12. There is no separate injection room for male and female and no dressing room.
- 13. The Microbiology laboratory is not presently functional in the central laboratory. All investigations of microbiology are carried out in the department in college.
- 14. Catalogues are available in the Anatomy department but not well maintained. Models and bone skeleton are inadequate.
- 15. Other deficiencies/remarks are 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 recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 100 to 150 at Mahatma Gandhi Mission’s Medical College, Aurangabad u/s 10A of the IMC Act, 1956.

42. Mahatma Gandhi Mission’s Medical College, Navi Mumbai – Increase of seats in 1st MBBS course from 100 to 150 u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (09th & 10th Dec., 2004) for increase of seats in Ist MBBS course from 100 to 150 at Mahatma Gandhi Mission’s Medical College, Navi Mumbai.

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(9th & 10th Dec., 2004) and noted the following deficiencies:-

- 1. (a) The shortage of teaching faculty is more than 20% i.e. (36/147) as under:-
 - i) Professor :1(Deramatology)
 - ii) Associate Professor :11 (Physiology -2, Anatomy -1, Pathology-1, Microbiology-1, Forensic Medicine - 1, General Medicine-2, Ophthalmology-1, Anaesthesia-1, Radiology-1)

- iii) Assistant Professor : 14 (Anatomy -4, Pathology -3, General Medicine-2, Paediatrics-4, Lect.-Stat.-1)
- iV) Tutor : 10 (Anatomy-2, Pathology-3, Microbiology-3, Community Medicine-2)

(b) The shortage of Residents is more than 80% (i.e. 70/84) as under:-

- i) Sr. Resident : 20(General Medicine -4, TB & Chest -1, Dermatology -1, Psychiatry-1, General Surgery-4, Orthopaedics-2, Ophthalmology-1, Anaesthesia -3, Radiodiagnosis-3)
- ii) Jr. Resident : 50 (General Medicine-12, TB & Chest -3, Dermatology-2, Psychiatry-3, General Surgery-12, Orthopaedics-6, Ophthalmology-3, ENT -3, Paediatrics -6)

- 2. MGM Medical college has two affiliated hospitals Kamothe (400) and Kalamboli (120) with total bed strength of 520 beds. Kamothe hospital is equipped to cater to all specialities except Gynaec. & Paediatrics which are located in Kalamboli hospital. The hospitals are functional since 1989. The hospitals are owned and managed by the trust.
- 3. Clinical material is grossly inadequate as under:-

	Daily Average	Day of Inspection
O.P.D. attendance	562	203
Casualty attendance	48	04
Bed occupancy %	78.5	39
<u>Operative work</u>		
Number of major surgical operations	17	05
Number of minor surgical operations	05	03
Number of normal deliveries	06	04
Number of caesarian Sections	04	02
<u>Radiological Investigations</u>		
X-ray	123	35
Ultrasonography	24	06
Special Investigations	9.6	02
C.T. Scan	6	nil
<u>Laboratory Investigations</u>		
Biochemistry	500	32
Microbiology	61	04
Serology	152	nil
Parasitology	53	nil
Haematology	268	45
Histopathology	42	nil
Cytopathology	145	nil
Others	32	nil

- 4. OPD services are run daily in one session. Space for teaching area is not available in OPDs of major departments like Medical Surgery, Paediatrics, Obstetrics, Gynaecology & Orthopaedics.
- 5. Central laundry is having one bulk washing machine, one hydro extractor, no rolley steam press, one Drier and no pressing machine. Daily volume of work is 50-100 kg. The laundry is located in a small room of the size 10x12 Sq. ft. the

- equipment is old and needs to be upgraded. There is no separation of contaminated and soiled linen.
6. There is no separate hospital kitchen. A make shift kitchen is located in the canteen run by a contractor who runs the canteen. It is gas type, vegetarian food is supplied at a charge of Rs. 30/- per patient per day. There is provision to supply special diet as recommended by Physician. Service of dietician are available.
 7. The nursing staff is not as per MCI norms.
 8. There is no lecture theatre in the hospital.
 9. Clinical demonstration rooms are not available in the OPD but are available in the wards.
 10. MRD & OPD registrations are not computerised. ICD classification of diseases is not being followed.
 11. Boys hostel is out side the Campus at a distance of 1 Km. Girls, Residents & Nurses hostels are located with in the Campus in the Hospital building but accommodation is inadequate as total accommodation available is only for 150 students.
 12. Accommodation for residents, nurses is inadequate as 3 residents are accommodated in one room.
 13. Research laboratory in the Anatomy department is not available.
 14. There is no separate ICCU.
 15. In the CSSD there are no separate receiving and distribution points. There is no separate staff, but is managed by the Nursing staff of the operation theatre.
 16. There is no bowl sterilizer and no Glove inspection machine in the Central sterilization department.
 17. Other deficiencies/remarks are 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 recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 100 to 150 at Mahatma Gandhi Mission's Medical College, Navi Mumbai u/s 10A of the IMC Act, 1956.

43. Continuance of recognition of MBBS degree granted by Ranchi University, Ranchi in respect of students being trained at Rajendra Institute of Medical Sciences, Ranchi.

Read: The compliance verification inspection report 04th & 05th Nov., 2004 along with the previous inspection report for continuance of recognition of MBBS degree granted by Ranchi University, Ranchi in respect of students being trained at Rajendra Institute of Medical Sciences, Ranchi.

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 04th & 05th Nov., 2004 along with the previous inspection report and decided to issue show cause notice as to why steps should not be initiated to recommend to the Central Government to derecognise the institution for the award of MBBS degree granted by Ranchi University u/s 19 of the Indian Medical Council Act, 1956. The Committee further decided to give one-month time to the institution to respond to the show cause notice failing which action will be initiated as decided. The Committee also decided that copies of the letter may be marked to the Chief Secretary/Secretary (Health), Govt. of Bihar, Director of Medical Education of the State, Registrar of the University, Central Government and member of the Council representing the State Govt.

44. Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at M. S. Ramaiah Medical College, Bangalore.

Read: The compliance verification inspection report 28th & 29th Nov., 2004 along with the previous inspection report for continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at M.S. Ramaiah Medical College, Bangalore.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the compliance verification inspection report 28th & 29th Nov., 2004 along with the previous inspection report and decided to give 6 months time to rectify the deficiencies pointed out in the inspection report for further consideration in the matter.

45. Continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Jawaharlal Nehru Medical College, Belgaum.

Read: The compliance verification inspection report 26th & 27th Oct., 2004 along with the previous inspection report for continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at J.N. Medical College, Belgaum.

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 26th & 27th Oct., 2004 along with the previous inspection report and decided to give 6 months time to rectify the deficiencies pointed out in the inspection report for further consideration in the matter.

46. Admission of 1st year MBBS students made by various Medical Colleges/Institutions in excess of 50% Management Quota, for the academic year 2004-05.

Read: The matter with regard to admission made by the various medical colleges in excess of the 50% Management Quota, in the Ist MBBS course for the academic session 2004-05.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council perused the names of the Medical Colleges/Institutions those have admitted students in excess of its 50% management quota and after detailed deliberations decided that suitable communication be sent to concerned State Governments for the respective medical colleges/institutions where the admissions have been made by them in excess of their management quota for the academic year 2004-05 by calling upon them to correspondingly reduce the admissions in the management quota for those medical colleges for the academic year 2005-06 and for corresponding increased allocation of the free seat candidates by the concerned State Govt., for the academic year 2005-06 in those medical colleges/institutions so as to set-off the undue advantage gained by those medical colleges/institutions by making excess admissions in the management quota for the academic year 2004-05. The State Governments be also requested to consider filing an appropriate application(s) before the Hon'ble Supreme Court against such erring medical colleges/institutions for non-compliance with the judgement and order dated 14.08.2003 passed by the Constitution Bench of the Hon'ble Supreme Court in the case of Islamic Academy of Education by such colleges.

47. Role of Principal and the role of Medical Superintendent in managing a medical college and attached hospital complex and arrangement between medical college and attached hospital when the hospital is owned and managed by a different authority.

Read: The letter dt. 27/10/2004 seeking clarification with regard to role of Principal and the role of Medical Superintendent in managing a medical college and attached hospital complex and arrangement between medical college and attached hospital when the hospital is owned and managed by a different authority.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the Regulation B.1.1 of Minimum Standard Requirements for the Medical College, 1999 as under:

"All the teaching hospitals shall be under the academic, administrative and disciplinary control of the Dean/Principal of the medical college."

The Committee further noted the clause 2(5) of the Qualifying Criteria under Establishment of Medical College Regulations, 1999 as under:-

"The hospital of not less than 300 beds with necessary infrastructural facilities has to be owned and managed by the medical college."

In view of above, the Committee decided that all the teaching hospitals shall be under the academic, administrative and disciplinary control of the Dean/Principal of the medical college.

48. Reservation of seats for persons with Disabilities in admission to medical courses.

Read: The letter dt. 16th Sept., 2004 received from the Govt. of India, Ministry of Health & F.W. referring to a letter from the Chief Commissioner of Persons with Disabilities with regard to amendment in the Council letter dt. 14/07/2003 to cover persons with disabilities in lower limbs between 40% to 70% to be eligible for undergoing courses in Medicine.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and decided to obtain legal opinion in the matter.

49. Examination papers in Entrance Tests seeking admission into higher education be given in their respective regional language instead of English language only.

Read: The letter received from the Central Board of Senior Secondary Examination seeking views and suggestions of the Council with regard to provide the question papers of the all India pre-medical examination in regional language.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and approved that entrance tests seeking admission into higher education should be in their respective regional language instead of English language only.

50. Restoration of admission to the MBBS course in five Govt. medical colleges in the State of Madhya Pradesh.

Read: The matter with regard to Restoration of admission to the MBBS course in five Govt. medical colleges in the State of Madhya Pradesh.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter with regard to restoration of admission to the MBBS course in five Govt. medical colleges in the State of Madhya Pradesh and as 1½ months time as granted by this Committee for taking further action for discontinuation of recognition of MBBS degree is over by now, the Committee decided to carry out the inspection of the following medical colleges in Madhya Pradesh:-

1. G.R. Medical College, Gwalior
2. Gandhi Medical College, Bhopal
3. MGM Medical College, Indore
4. NSCB Medical College, Jabalpur
5. SS Medical College, Rewa.

51. **To consider the compliance report submitted by the authorities of J.N. Medical College, Swangi, Wardha on the observations made in the inspection report (March, 2004) carried out for renewal of permission for admission of 2nd batch of MBBS students during 2004-05 against the increased intake i.e. 100-150.**

Read: The compliance report submitted by the authorities of J.N. Medical College, Swangi, Wardha on the observations made in the inspection report (March, 2004) carried out for renewal of permission for admission of 2nd batch of MBBS students during 2004-05 against the increased intake i.e. 100-150.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the compliance report submitted by the authorities of J.N. Medical College, Swangi, Wardha on the observations made in the inspection report (March, 2004) and decided that the same should be verified alongwith the regular inspection for renewal of the permission for the academic year 2005-06.

52. **Complaint against Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and Others.**

Read: The complaint made against the Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and Others along with the decision of the Ethical Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following decision of the Ethics Committee taken at its meeting held on 26th to 28th August, 2004 and decided to place the same before the next General Body of the Council:-

"The Ethics Committee considered the matter with regard to complaint against Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and others and noted the decision of the Bihar Medical Council in the complaint case against Dr. Shiv Kumar Agarwal as alleged by Mr. Abhishek and others wherein they have awarded strict warning to Dr. S.K. Agarwal. The Ethics Committee recommended that this may be noted into the IMR subject to the approval of the Executive Committee and General Body of the Council. The same may be communicated to the complainant also and the file may be treated as closed."

53. **Recognition of Amrita Institute of Medical Sciences & Research Institute, Cochin for Compulsory Rotating Internship Training.**

Read: The Council Inspectors report (26th Oct., 2004) for recognition of Amrita Institute of Medical Sciences & Research Institute, Cochin for Compulsory Rotating Internship Training.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (26th Oct., 2004) and decided to recognise Amrita Institute of Medical Sciences & Research Institute, Cochin for Compulsory Rotating Internship Training for two(2) seats each in the subject of Medicine, Surgery, Obst. & Gynae and Paediatrics.

54. **Recognition of District Civil Hospital, Ropar (Punjab).**

Read: The Council Inspectors report (28th August, 2004) for recognition of District Civil Hospital, Ropar (Punjab) for compulsory rotating Internship Training

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (28th August., 2004) and decided to recognise District Civil Hospital, Ropar (Punjab) for Compulsory Rotating Internship Training for 2 seats each in Medicine, Surgery, Orthopaedics, Obst. & Gynae., Paediatrics, Ophthalmology & ENT.

55. Continuance of recognition of St. Maratha's Hospital, Bangalore for Compulsory Rotating Internship Training.

Read: The Council Inspectors report (Sept., 2004) for purpose of continuance of recognition of St. Maratha's Hospital, Bangalore for Compulsory Rotating Internship Training.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (September., 2004) and decided to continue recognition of St. Maratha's Hospital, Bangalore for Compulsory Rotating Internship Training.

56. Minutes of the Registration & Equivalence Committee Meeting held on 22/11/2004 – Approval of.

Read: The minutes of the Registration & Equivalence Committee Meeting held on 22/11/2004.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council directed the office to submit a comprehensive note on the minutes of the meeting of Registration & Equivalence Committee held on 22/11/2004 and decided to defer the consideration of the matter till then.

57. Minutes of the Finance Committee Meeting held on 01/12/2004 – Approval of.

Read: The minutes of the Finance Committee Meeting held on 01/12/2004.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the minutes of the Finance Committee meeting held on 1.12.2004.

58. Annual Report of the Medical Council of India for the year 2003-2004.

Read: The Annual Report of the Medical Council of India for the year 2003-2004.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council and decided to approve the Annual Report of the Council for the year 2003-04.

59. Resignation of Dr. Shahnawaz Khan as Zonal Inspector of the MCI.

Read: The resignation of Dr. Shahnawaz Khan as Zonal Inspector of the MCI.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council accepted the request for resignation of Dr. A. Shaw Nawaz Khan, Zonal Inspector of the Council due to personal family problems.

60. To relieve Mrs. Kavita Harish, L.D.C. on deputation for the post of Stenographer at C.E.C.

Read: The matter with regard to relieve Mrs. Kavita Harish, L.D.C. on deputation for the post of Stenographer at C.E.C.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to relieve Mrs. Kavita Harish, L.D.C. on deputation for the post of Stenographer at C.E.C. initially for a period of one year in the pay scale of Rs. 4000-100-6000.

61. Consideration of grant of registration to the candidates having MBBS qualification obtained from medical Colleges/ Universities in Pakistan.

Read: The matter with regard to grant of registration to the candidates having MBBS qualification obtained from medical Colleges/ Universities in Pakistan.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council deliberated the matter at length and also noted the letter dated 22nd July, 2004 received from the Secretary, Pakistan Medical & Dental Council, Islamabad giving the registration status of the doctors and decided to grant registration to doctors from Sl.No. 2 to 24 (mentioned in letter dated 22nd July, 2004 of Pakistan Medical & Dental Council, Islamabad) whose registration certificates have been verified by the Pakistan Medical & Dental Council. It was further decided to refer the case of one Dr. Amolakh Das in whose case it has been certified by Pakistan Medical & Dental Council that Registration number 3212-S which has been certified as 'fake', an FIR be lodged with the Police authorities.

62. Removal of the name of deceased person from the Indian Medical Register.

Read: The letter dt. 25/10/2004 from the Registrar, Rajasthan Medical Council intimating that that Dr. B.R. Maheshwari (Registration No. 714 dt. 13/09/1960) had expired on 24/10/2004 as per the News published in Daily Rajasthan Patrika dated 25/10/2004 and his name has been removed from the Register of Registered Medical Practitioners.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dated 25.10.2004 received from the Registrar, Rajasthan Medical Council intimating that Dr. B.R. Maheshwari (Registration No. 714 dt. 13/09/1960) had expired on 24/10/2004 as per the News published in Daily Rajasthan Patrika dated 25/10/2004 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.

63. Removal of the name of deceased person from the Indian Medical Register.

Read: The letter dt. 03/11/2004 from the Registrar, Rajasthan Medical Council intimating that that Dr. S.N. Kakkar (Registration No. 457 dt. 11/05/1961) had expired on 02/11/2004 as per the News published in Daily Rajasthan Patrika dated 03/11/2004 and his name has been removed from the Register of Registered Medical Practitioners.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dated 3.11.2004 received from the Registrar, Rajasthan Medical Council intimating that Dr. S.N. Kakkar (Registration No. 457 dt. 11/05/1961) had expired on 02/11/2004 as per the News published in Daily Rajasthan Patrika dated 03/11/2004 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.

64. Establishment of new Medical college (Konasema Institute of Medical Sciences & Research Foundation by Mother Theresa Educational Society, Amalapuram) u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (15th & 16th Dec., 2004) for establishment of new Medical college (Konasema Institute of Medical Sciences & Research Foundation by Mother Theresa Educational Society, Amalapuram).

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 (15th & 16th Dec., 2004) and decided to recommend to the Central Govt. to issue letter of permission for establishment of new medical college (Konasema Institute of Medical

Sciences & Research Foundation, Amalapuram) by Mother Theresa Educational Society, Amalapuram u/s. 10(A) of the IMC Act, 1956 with an annual intake of 150 (one hundred and fifty) students for the academic session 2005-06.

65. Establishment of New Medical College (Theni Government Medical College, Tamil Nadu) by Govt. of Tamil Nadu u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (16th & 17th Dec., 2004) for establishment of new Medical college (Theni Government Medical College, Tamil Nadu) by Govt. of Tamil Nadu.

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 (16th & 17th Dec., 2004) and decided to recommend to the Central Govt. to issue letter of intent for establishment of new medical college (Theni Government Medical College, Tamilnadu) by Govt. of Tamilnadu u/s. 10(A) of the IMC Act, 1956 with an annual intake of 100 (one hundred) students for the academic session 2005-06.

66. Establishment of New Medical College (Bhaskar Medical College, Hyderabad) by Joginpally B.R. Educational Society u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (25th & 26th Nov., 2004) for establishment of new Medical college (Bhaskar Medical College, Hyderabad) by Joginpally B.R. Educational Society.

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 & 26th Nov., 2004) and decided to recommend to the Central Government to issue letter of permission for establishment of new Medical college (Bhaskar Medical College, Yenkappaly, Hyderabad) by Joginpally B.R. Educational Society, Hyderabad u/s 10(A) of the IMC Act, 1956 with an annual intake of 150 (one hundred & fifty) students for the academic session 2005-06.

67. Establishment of New Medical College (Shri Ram Murti Samarak Institute of Medical Sciences, Bareilly) by Shri Ram Murti Samarak Trust, Bareilly u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (25th & 26th Nov., 2004) for establishment of new Medical college (Shri Ram Murti Samarak Institute of Medical Sciences, Bareilly) by Shri Ram Murti Samarak Trust, Bareilly.

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 & 26th Nov., 2004) and decided to recommend to the Central Govt. to issue letter of intent for establishment of new medical college (Shri Ram Murti Samarak Institute of Medical Sciences, Bareilly) by Shri Ram Murti Samarak Trust, Bareilly u/s. 10(A) of the IMC Act, 1956 with an annual intake of 100 (one hundred) students for the academic session 2005-06.

68. Establishment of New Medical College (Shadan Institute of Medical Sciences, Research Centre and Teaching Hospital, Andhra Pradesh by Shadan Educational Society u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (25th & 26th Nov., 2004) for establishment of new Medical college (Shadan Institute of Medical Sciences, Research Center and Teaching Hospital, Andhra Pradesh by Shadan Educational Society.

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 & 26th Nov., 2004) and decided to recommend to the Central Govt. to issue letter of permission for establishment of new medical college (Shadan Institute of Medical Sciences, Research Center and Teaching Hospital, Andhra Pradesh by Shadan

Educational Society u/s. 10(A) of the IMC Act, 1956 with an annual intake of 150 (one hundred and fifty) students for the academic session 2005-06.

69. Establishment of Raja Rajeshwari Medical College, Bangalore by Moogambigai Charitable and Educational Trust, Bangalore u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (16th & 17th December 2004) for establishment of new Medical college Raja Rajeshwari Medical College, Bangalore by Moogambigai Charitable and Educational Trust, Bangalore.

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 (16th & 17th December 2004) and decided to recommend to the Central Govt. to issue letter of intent for establishment of new medical college (Raja Rajeshwari Medical College, Bangalore) by Moogambigai Charitable and Educational Trust, Bangalore u/s. 10(A) of the IMC Act, 1956 with an annual intake of 100 (one hundred) students for the academic session 2005-06.

70. Krishna Institute of Medical Sciences, Karad – Increase of seats in 1st MBBS course from 100 to 150 u/s 10(A) of the IMC Act, 1956.

Read: The Council Inspectors report (9th & 10th December 2004) for increase of seats in Ist MBBS course from 100 to 150 at Krishna Institute of Medical Sciences, Karad.

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 (09th & 10th Dec., 2004) and noted the following deficiencies:

1. (I) Shortage of teaching faculty is more than 5% as under:
 - (a) Professors-2 (Biochemistry-1, Dental-1)
 - (b) Assoc.Prof.-2 (Biochemistry-1, Pharmacology-1)
 - (c) Asstt. Profs./Lecturer-11 (Anatomy-3, Biochemistry-1, Forensic Medicine-1, Medicine-1, Surgery-1, Lecturer Biophysics-1, Epidemiologist Lecturer-1, RHTC-1)
 - (d) Tutor-1 (Biochemistry-1)
- (II) Shortage of Residents is more than 25% as under:

Sr. Residents-18

Jr. Residents-3 (ENT-1, Obst. & Gynae-1, Psychiatry-1)
- (III) All the teachers in the Biochemistry department are non-medical except two tutors. In respect of three lecturers, the degree certificate given by the University do not mention whether it is from faculty of medicine or not.
2. 500 beds are available with unit distribution as per MCI norms for 100 admissions. Only 50 beds which have been added for increase of admissions are all kept in a big ward. There were no patients on these beds. All these beds which have been kept have been located are Medicine-15 beds, Surgery-15 beds and Obst. & Gynae.-20 beds.
3. Available clinical material is grossly inadequate as under:

	On the day of inspection i.e. 9.12.04	
OPD attendance	293	
X-ray	IP 39	OP 07
Laboratory Investigations		
Biochemistry	155	
Microbiology	18	
Serology	15	

Parasitology	07
Haematology	57
Histopathology	06
Cytopathology	02
Others clinical Path/Bone Marrow	42/2

4. Space and facilities for teaching in the OPD is not adequate of major departments like Medicine, Surgery, Paediatrics, Obstetrics & Gynaecology and Orthopaedics. Treatment room and ECG room are not available in the OPD. Teaching area is not available in Paeditric, Skin & VD, Surgery, Ophthalmology and Obst. & Gynae. OPD.
5. There is a combined ICU of 6 beds. Separate ICU for Medical, Surgical and Burns are not available.
6. Only 2 static units of 500 mA each are available in the x-ray department. This is not as per MCI norms.
7. Kitchen is not available.
8. Boys hostel is located at a distance of 2 km. from the college. The college road is not packka road.
9. Auditorium is not available.
10. Examination hall is not available. Indoor Badminton hall is used for examination and also for Gymnasium. It did not have furniture on the date of inspection.
11. Common rooms for boys and girls are not available.
12. Operation theatre is not available in the animal house.
13. Office accommodation is not available.
14. The RHTC affiliated to the college-Kale is under the control of DHO of Govt. of Maharashtra. No consultant from the college visits the RHTC. The RHTC is not having hostel or teaching facilities for undergraduate and interns. Only male Medical Officer from the college has been posted and he is helping in seeing the patient alongwith the State Health Doctors. Only a general OPD are available in UHC.
15. Laboratory facilities are not available in Skin & VD OPD.
16. Dressing room and colour coding facilities are not available.
17. Audiometry room is neither sound proof nor air-conditioned. Audiometry room technician is not available.
18. The OPD and indoor is manual and not computerized.
19. There is no separate medical record department but it is located in the same room as in OPD registration.
20. There is no computerization in medical record section. There is no trained medical record officer.
21. Only 4 beds are available in a room in casualty. Other 10 beds are lying in the open varanda and three beds in a passage way having one cloth curtain. No central oxygen supply, central suction and pulse oxymeter are available in the casualty. On the day of inspection, there was no patients in the casualty.
22. There are only four horizontal autoclaves in the CSSD. No other equipment is available.
23. 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 recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 100 to 150 at Krishna Institute of Medical Sciences, Karad u/s 10A of the IMC Act, 1956.

71. G.S.L. Medical College, Rajahmundry – renewal of permission for admission of 3rd batch of MBBS students for the academic session 2005-2006.

Read: The Council Inspectors report (9th & 10th December 2004) for renewal of permission for admission of 3rd batch of MBBS students at G.S.L. Medical College, Rajahmundry for the academic session 2005-2006.

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 (16th & 17th December 2004) and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch of 150 (one hundred and fifty) MBBS students for the academic session 2005-06 at G.S.L. Medical College, Rajahmundry.

72. National Plan of Action for the implementation of National Policy for the Empowerment of Women (NPEW) – Reg.

Read: The point No. 8 of the enclosed extract from the Addl. Eco. Adviser, DGHS with regard to make mandatory for Medical Students in both Government and Private Medical Colleges to go to designated rural areas for service for a period of 12 months after they complete one year of residency but before their final degree is awarded.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter of Govt. of India dated 24th September, 2004 and deliberated the matter at length on point number 8 of the extract from Draft National Plan of Action of Implement NPEW. The Committee was of the unanimous opinion that one year posting in designated rural areas for service after they complete internship before their final degree is awarded is not feasible.

73. Applications received for establishment of new medical colleges/increase of MBBS seats u/s. 10(A) of the IMC Act, 1956 – request received to defer the inspection after 31st Dec., 2004 beyond the date prescribed in the Regulations for sending the recommendations of the Council to the Ministry for grant of LOI.

Read: The matter with regard to defer the inspection for establishment of new medical colleges/increase of seats applications of which have been received u/s. 10(A) of the IMC Act, 1956 after 31st Dec., 2004 beyond the date prescribed in the Regulations for sending the recommendations of the Council to the Ministry for grant of LOI.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the request received from the authorities of the following medical colleges and noted that as per the time schedule prescribed for processing the applications by the Central Government/MCI, the Council has to send its recommendations for grant of Letter of Intent to the Central Government by 31st December. The Committee further noted that the authorities of the medical colleges have requested to postpone the inspection after 31st December 2004 beyond the last date prescribed for sending the recommendation of the Council to the Ministry:-

- (i) Establishment of Sri Manakula Vinayagar Medical College & Hospital, Kalitheerthal Kuppam, Pondicherry.
- (ii) Establishment of Sree Gokulam Medical College & Research Foundation by Foundation of Non-Resident Indians, Trivandrum.
- (iii) Padamshree Dr. DY Patil Medical College, Navi Mumbai (Increase of MBBS seats from 100-150).
- (iv) Santosh Medical College, Ghaiaabad (increase of MBBS seats from 50-100)
- (v) Govt. Medical College, Rajkot (increase of MBBS seats from 50-100)
- (vi) Govt. Medical College, Bhavnagar (increase of MBBS seats from 50-100)
- (vii) Govt. Medical College, Surat (increase of MBBS seats from 120-150)

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 return the applications to the Central Government recommending disapproval of the scheme.

74. Minutes of the Migration Sub-Committee Meeting held on 12/10/2004 – approval of.

Read: The Minutes of the Migration Sub-Committee Meeting held on 12/10/2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the minutes of the Migration Sub-Committee Meeting held on 12/10/2004.

75. To follow the standard Trauma Protocols by the all Medical Practices registered before the MCI including all the hospital as suggested by Human Development Resource and Research Centre, Kollam, Kerala.

Read: The letter received from the Secretary, Human Development Resources and Research Center with regard to follow the standard Trauma Protocols by the all Medical Practitioners registered before the MCI including all the hospital along with the recommendations of the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the following decision of the Ethics Committee taken at its meeting held on 1st & 2nd November, 2004:-

"The Ethics Committee considered the letter dated Nil from the Secretary, Human Development Resource and Research Center, Kollam, Kerala with regard to follow the standard Trauma Protocols by the all the Registered Medical Practitioners.

The Ethics Committee was of the unanimous opinion that there is a real necessity of a standard Trauma Protocol and the Medical Council of India may take the lead in this matter.

In view of above, the matter may be placed before the Executive Committee with the request to consider this case."

76. Order passed by the Punjab Medical Council on the complaint of Dr. O.P.S. Kande against Dr. Sumeet Sofat and Dr. Sumita Bedi of Sofat Infertility & Women Care centre, Ludhiana.

Read: The order dated 12/10/2004 passed by the Punjab Medical Council on the complaint of Dr. O.P.S. Kande against Dr. Sumeet Sofat and Dr. Sumita Bedi of Sofat Infertility & Women Care center, Ludhiana along with the recommendations of the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the following decision of the Ethics Committee taken at its meeting held on 1st & 2nd November, 2004 and decided to place the same before the General Body of the Council:-

'The Ethics Committee noted the order passed by the Punjab Medical Council on the complaint of Dr. O.P.S.Kande against Dr. Sumeet Sofat and Dr. Sumita Bedi of Sofat Infertility & Women Care Centre, Ludhiana. The Ethics Committee noted that the names of both the above mentioned doctors have been erased from the register of the Punjab Medical Council.

In view of above, their names may be erased from the Indian Medical Register till further notice until further information comes from the Punjab Medical Council. This may be placed before the Executive Committee and General Body of the Council for their approval."

77. Complaint against Dr. Amjad Khan as alleged by Mr. Faquir Chand.

Read: The complaint of Mr. Faquir Chand against Dr. Amjad Khan along with the recommendations of the Ethics Committee.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted and approved the following decision of the Ethics Committee taken at its meeting held on 1st & 2nd November, 2004 and decided to place the same before the General Body of the Council:-

"The Ethics Committee noted that Bihar Medical Council had re-registered Dr. Amjad Khan vide Registration no. 32614 dt. 31.03.2001 for a period of one month.

In view of above, the Ethics Committee decided that his name must be erased for one month from IMR also. This may be placed before the Executive Committee and General Body of the Council for their approval."

78. **Proposal to obtain written declaration from the applicant at the time of registration with the Council.**

Read: The Proposal to obtain written declaration from the applicant at the time of registration with the Council.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following format of Declaration to obtain written declaration from the applicant at the time of registration with the Council.

"It is provided in “The Indian Medical Council (Professional Conduct Etiquette and Ethics) Regulations, 2002” that each applicant, at the time of making an application for registration under the provisions of the Act, shall be provided a copy of the declaration and shall submit a duly signed Declaration as provided in the Appendix I.

The relevant portion of the Regulations is cited below:-

Chapter I
1. Code of Medical Ethics
A. Declaration

Each applicant, at the time of making an application for registration under the provisions of the Act, shall be provided a copy of the declaration and shall submit a duly signed Declaration as provided in the Appendix 1. The applicant shall also certify that he/she had read and agreed to abide by the same.

A format of Declaration as given in the Regulations vide ‘Appendix – I’ is as under:-

APPENDIX 1
A DECLARATION

At the time of registration, each applicant shall be given a copy of the following declaration by the Registrar concerned and the applicant shall read and agree to abide by the same.

- 1. I solemnly pledge myself to consecrate my life to service of humanity.
- 2. I will maintain the utmost respect for human life.
- 3. I will not permit considerations of religion, nationality, race, party politics or social standing to intervene between my duty and my patient.
- 4. I will practice my profession with conscience and dignity.
- 5. The health of my patient will be my first consideration.
- 6. I will respect the secrets, which are confined in me.
- 7. I will maintain by all means in power, the honour and noble traditions of medical profession.
- 8. I will treat my colleagues with all respect and dignity.
- 9. I shall abide by the Code of Medical Ethics as enunciated in the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002.

I make these promises solemnly, freely and upon my honour.

Signature.....
Name.....

Place.....
Address.....
Date.....

It is therefore proposed that the Council Office may implement the above provisions as given in the “The Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002” and obtain signed declaration from each applicant at the time of their permanent registration with the Medical Council of India."

79. **Request for grant of Permanent Registration by Ms. Salina Rahman and Ms. Papia Biswas – Consideration of the legal opinion of Council Advocate – Reg.**

Read: The legal opinion of the Council Advocate with regard to grant of Permanent Registration to Ms. Salina Rahman and Ms. Papia Biswas – Consideration of the legal opinion of Council Advocate – Reg.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to refer the matter to Registration & Equivalence Committee for its consideration.

80. Admission of 1st year MBBS students made by various Medical Colleges/Institutions in excess of its intake capacity.

Read: The matter with regard to admissions made by various Medical Colleges/Institutions in the Ist MBBS course in excess of sanctioned intake by the MCI for academic session 2004-2005.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to obtain take legal opinion in those colleges which have claimed that excess admissions have been made pursuant to the judgment of the Hon'ble Supreme Court or Hon'ble High Court and further directed the Office to act in accordance with the legal opinion so obtained.

It was further decided that show cause notice as per the Regulations be issued to those colleges where excess admissions have been made by the colleges without any court order.

81. Admission of 1st year MBBS students made by various Medical Colleges/Institutions after the cut off date i.e. 30/09/20004, for the academic year 2004-05.

Read: The matter with regard to admissions made by the various Medical Colleges/Institutions in the Ist MBBS course during the academic session 2004-2005 after the cut off date i.e. 30th September prescribed in the Regulations of the Council.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to obtain take legal opinion in those colleges which have claimed that excess admissions after cut off date have been made pursuant to the judgment of the Hon'ble Supreme Court or Hon'ble High Court and further directed the Office to act in accordance with the legal opinion so obtained.

It was further decided that show cause notice as per the Regulations be issued to those colleges where excess admissions after cut off date have been made by the colleges without any court order.

82. Information in respect of Medical Colleges those have not submitted the list of students admitted in Ist year MBBS course for the academic year 2004-2005.

Read: The matter with regard to non-submission of list of students admitted in Ist MBBS course during the year 2004-2005.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted that the information regarding the list of students admitted in Ist year MBBS course for the academic year 2004-05 in respect of Govt. Medical College, Yavatmal and Guntur Medical College, Guntur have been received after the agenda of the Executive Committee was circulated.

83. Excess admissions made by the Deccan College of Medical Sciences, Hyderabad for the academic session 2004-05.

Read: The matter with regard to Excess admissions made by the Deccan College of Medical Sciences, Hyderabad for the academic session 2004-05.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to take appropriate action as per Section 10B of the Indian Medical Council Act, 1956.

84. Admission of 1st year MBBS students under the category of NRI/ Foreign/PIO at Kasturba Medical College, manipal in the Academic Year 2004-2005.

Read: The matter with regard to Admission of 1st year MBBS students under the category of NRI/ Foreign/PIO at Kasturba Medical College, manipal in the Academic Year 2004-2005.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council were of the opinion that the facts should be brought before the Hon'ble Supreme Court and decided to obtain legal opinion in the matter.

85. Katuri Medical College, Guntur – renewal of permission for admission of 4th batch of students for the academic year 2005-2006.

Read: The Council Inspector's report (23rd & 24th December, 2004) renewal of permission for admission of 4th batch of students at Katuri Medical College, Guntur for the academic session 2005-06.

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 (23rd & 24th Dec., 2004) and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of 100 (one hundred) MBBS students for the academic session 2005-06 at Katuri Medical College, Guntur.

86. Sree Balaji Medical College & Hospital, Chennai – renewal of permission for admission of 3rd batch of students for the academic year 2005-2006.

Read: The Council Inspector's report (21st & 22nd Dec., 2004) for renewal of permission for admission of 3rd batch of students at Sree Balaji Medical College & Hospital, Chennai for the academic session 2005-06.

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 (21st & 22nd Dec., 2004) and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch of 100 (one hundred) MBBS students for the academic session 2005-06 at Sree Balaji Medical College & Hospital, Chennai

87. Establishment of new Medical college at Vellore by Govt. of Tamilnadu u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspector's report (22nd & 23rd December, 2004) for establishment of new Medical college at Vellore by Govt. of Tamilnadu.

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 (22nd & 23rd Dec., 2004) and decided to recommend to the Central Govt. to issue letter of intent for establishment of new medical college at Vellore by Govt. of Tamilnadu u/s. 10(A) of the IMC Act, 1956 with an annual intake of 100 (one hundred) students for the academic session 2005-06.

88. Excess admissions made by the Govt. Medical College, Aurangabad in the academic session 2003-2004.

Read: The matter with regard to Excess admissions made by the Govt. Medical College, Aurangabad in the academic session 2003-2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to obtain legal opinion in the matter.

89. **Unscrupulous practice of Medical Professionals.**

Read: The matter with regard to unscrupulous practice of Medical Professionals.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the matter and decided to authorize the President (Acting) to constitute a Sub-Committee to go into the details of unscrupulous practice of medical professionals.

90. **Guidelines to be issued so that admission to medical courses are streamlined from the next academic year.**

Read: The matter with regard to Guidelines to be issued so that admissions to medical courses are streamlined for the next academic year.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the following guidelines already notified in the Gazette of India, dated 25th February, 2004 under which Regulation 7(6) of the Graduate Medical Education has been substituted, which states as under: -

"(6) The Universities and other authorities concerned shall organize admission process in such a way that teaching in first semester starts by 1st of August each year. For this purpose, they shall follow the time schedule indicated in APPENDIX - E."

"The Regulations 6A and 6B have also been inserted by the same notification, which states as under: -

"(6A) There shall be no admission of students in respect of any academic session of any academic session beyond 30th September under any circumstance. The Universities shall not register any students admitted beyond the said date.

(6B) The Medical Council of India may direct, that any student identified as having obtained admission after the last date for closure of admission be discharged, from the course of study, or any medical qualification granted to such a student shall not be a recognised qualification for the purpose of the Indian Medical Council Act, 1956.

The Institution which grants admission to any student after the last date specified from the same shall also be liable to face such action as may be prescribed by MCI including surrender of seats equivalent to the extent of such admission made from its sanctioned intake capacity for the succeeding academic year."

In view of the above and in accordance with the Gazette of India Notification and that the directions of the Hon'ble Supreme Court in Madhu Singh's case, the following guidelines, which have been incorporated in APPENDIX-E, may be reiterated so that the admission process is streamlined and no delay takes place.

It has further suggested that these guidelines may be circulated well in advance of the commencement of the academic year so that each authority has sufficient time to implement these guidelines."

Appendix E
Time Schedule for completion of the Admission process for first MBBS course

Schedule for Admission	Seats filled up by Central Government through All India Entrance Examination	Seats filled up by the State Govts/Institutions
Conduct of entrance examination	Month of May	Month of May
Declaration of Result of Qualifying Exam./Entrance Exam.	By 5 th June	By 15 th June
Ist round of counseling/admission	To be over by 30 th June	To be over by 25 th July
Ist date for joining the allotted College and Course	Within 15 days from the date of allotment of seat@@	31 st July
2 nd round of counseling for allotment of seats from waiting list.	To be over by 8 th August	Upto 28 th August
Last date for joining for candidates allotted seats in and round of counseling from the waiting list	Within 15 days from the date of allotment of seat.	31 st August

	(seats vacant after 22 nd August will be surrendered back to the States/Colleges)	
Commencement of academic session		Ist of August
Last date upto which students can be admitted		30 th September
Against vacancies arising due to any reason		

Note: @@Head of the colleges should intimate the vacancies existing after the last date for joining the course by the candidate concerned in respect of the All India Quota of seats to the DGHS within seven days and latest by 23rd of July.

The Committee decided that the above guidelines be placed before the Hon'ble Supreme Court through its Council Advocate.

91. **N.R.I. Academy of Sciences, Chinakakani, A.P. – renewal of permission for admission of 3rd batch of students for the academic year 2005-2006.**

Read: The Council Inspector’s report (27th & 28th Dec., 2004) for renewal of permission for admission of 3rd batch of students at N.R.I. Academy of Sciences, Chinakakani, A.P. for the academic session 2005-06.

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(27th & 28th Dec., 2004) and noted the following:-

1. N.T.R. University of Health Sciences, Vijayawada has not yet granted affiliation for admission during the academic year 2005-2006.
2. (a) The shortage of teaching faculty is as under:-

(Associate Professor - 2(1TB & Chest, 1 Radio-Diagnosis),
Assistant Professor - 1(1Physiology), Tutor -2(1Physiology, 1
Biochemistry)

b) Assistant Professors/lecturers at the time of appointment are not having 3 years of teaching experience, As there is no residency system in the Andhra Pradesh.

c) In view of above the deficiency of teaching faculty is more than 5% .

d) Shortage of residents is more than 20% as under:-

(Medicine-6, Paediatrics - 3, T.B. & Chest- 1, Dermatology-1,
Psych.- 1, General Surgery - 6, Ortho.- 2, E.N.T.- 1,
Ophthalmology -1, Obst. & Gynae.-3.)
3. Other deficiencies/remarks are 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 recommend to the Central Govt. not to renew the permission for admission of 3rd batch of MBBS students for the academic session 2005-2006 at N.R.I. Medical College, Chinakakani, Guntur.

92. **Establishment of new Medical college at Davangere by Bapuji Educational Association, Devangere u/s. 10(A) of the IMC Act, 1956.**

Read: The Council Inspector’s report (27th & 28th Dec., 2004) for establishment of new Medical college at Davangere by Bapuji Educational Association, Devangere.

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(27th & 28th Dec., 2004) and noted the following deficiencies:-

1. The Medical college and Hospital buildings were in various phases of construction at the time of inspection. The infrastructure for Anatomy, Physiology and Biochemistry is ready but not furnished. The lecture theatres are under construction. Some departments in OPD block are to be shifted to newly constructed blocks.
2. Principal's office, accounts academic & establishment sections are available as temporary make shift arrangement in hospital building.
3. Dr. S.G. Jayaraj who is the Medical Superintendent has no teaching and administrative experience.
4. OPD attendance on the day of inspection is around 350. the average bed occupancy was 20-30%. The number of laboratory investigations do not match with the number of patients in OPD and IPD.
5. Though OPD rooms have been provided for General medicine, General Surgery, Orthopaedics, Gynaecology & Obstetrics, Paediatrics, Ophthalmology and Oto-Rhino-Laryngology but facilities available in these rooms are not adequate. Teaching space is available in some OPDs. No other facilities existed in the OPD. The minor OT is established but is not functional. There is no plaster room. The audio-metry is not available.
6. Intensive Care not available.
7. Labour room not available.
8. Radiological facilities like CT Scan and MRI not available.
9. In the Blood Bank infrastructure is available. It is not functional. The permission letter is awaited.
10. Central Sterilization department has not yet been established or made functional.
11. Central laundry not in operation.
12. Kitchen not in existence.
13. Canteen not in existence.
14. Incinerator has not been installed. The college has run into a contract for disposal of bio-medical waste with a local agency.
15. Animal house not in existence.
16. Central Library not in existence.
17. Central photography cum audio-visual units is not in existence.
18. No Central Work shop facilities has so far been created it is yet to be constructed in college building.
19. The construction of proposed hostel buildings for boys, girls residents, interns and nurses and residential quarters for teaching and non-teaching faculty has just begun.
20. Residential quarters is not in existence. The construction of the proposed residential quarters has not yet begun.
21. Sports and recreation facilities are not in existence. The space has been earmarked for sport and play grounds.
22. Other deficiencies/remarks are 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 recommend to the Central Govt. not to issue Letter of Intent for establishment of medical college at Davangere by Bapuji Educational Association Davangere u/s 10A of the IMC Act, 1956.

93. Establishment of new Medical college at Nandyal, A.P by Shafa Educational Society, Kurnool. u/s. 10(A) of the IMC Act, 1956.

Read: The Council Inspector's report (27th & 28th Dec. 2004) for establishment of new Medical college at Nandyal, A.P. by Shafa Educational Society, Kurnool.

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 (27th & 28th Dec., 2004) and decided to recommend to the Central Govt. to issue letter of intent for establishment of new medical college at Nandyal, A.P by Shafa Educational

Society, Kurnool u/s. 10(A) of the IMC Act, 1956 with an annual intake of 100 (one hundred) students for the academic session 2005-06.

94. Continuance of recognition of MBBS degree granted by Ranchi University in respect of students being trained at M.G.M. Medical College, Jamshedpur.

Read: The Council Inspector's report(27th & 28th Dec., 2004) for continuance of recognition of MBBS degree granted by Ranchi University in respect of students being trained at M.G.M. Medical College, Jamshedpur.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspector's report(27th & 28th Dec., 2004) and decided to issue show cause notice as to why steps should not be initiated to recommend to the Central Government to derecognise the institution for the award of MBBS degree granted by Ranchi University u/s 19 of the Indian Medical Council Act,1956. The Committee further decided to give one-month time to the institution to respond to the show cause notice failing which action will be initiated as decided. The Committee also decided that copies of the letter may be marked to the Chief Secretary/Secretary (Health), Govt. of Bihar, Director of Medical Education of the State, Registrar of the University, Central Government and member of the Council representing the State Govt.

95. Approval of Dr. Rajendra Prasad Govt. Medical College, Tanda for the award of MBBS degree granted by Himachal Pradesh University.

Read: The letter dated 29th December, 2004 received from the Central Government, Ministry of Health & F.W. for approval of Dr. Rajendra Prasad Govt. Medical College, Tanda.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the letter dated 29th December received from the Central Government, Ministry of Health & F.W. and letter from Joint Secretary to the Govt. of Himachal Pradesh dated 17th December, 2004 and the undertaking given by the Secretary, department of Health, Govt. of Himachal Pradesh dated 30th December, 2004 in which it has been stated as under:

- (a) The second boys hostel of Dr. Rajendra Prasad Govt. Medical College, Tanda is completed and shall be put to functional by 16th January, 2005 after duly inauguration by Hon'ble Chief Minister
- (b) The progress of auditorium is also in advanced stage and shall be functional very shortly. The progress in construction of Auditorium is satisfactory and ready to use very shortly.
- (c) In reference to the construction of hospital, the Govt. of India has already extended time till 2006. The construction of the hospital is almost in final stage and shall be functional before given time.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that in view of the above deficiencies which are remaining are all very minor nature and in view of the undertaking given by the Govt. of Himachal Pradesh and letter from Govt. of India decided to approve Dr. Rajendra Prasad Govt. Medical College, Tanda for the award of MBBS degree granted by Himachal Pradesh University with an annual intake of 50 (fifty) admissions. It was further decided that in view of the peculiar facts and circumstances of the case, the approval of the General Body of the Council be obtained by circulation to expedite the process.

96. Minutes of the Building Committee meeting held on 29th December, 2004.

Read: The minutes of the Building Committee meeting held on 29th December, 2004.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Building Committee meeting held on 29th December, 2004.

97. **Cancellation of registration granted to Ms. Nishi Kumari.**

Read: The matter with regard to cancellation of registration granted to Ms. Nishi Kumari.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the decision of the President (Acting) to cancel the permanent registration granted to Ms. Nishi Kumari vide Registration No. 25024 dated 1.9.2003 which was erroneously granted to her as she was not eligible for grant of permanent registration and as she had not passed 10+2 examination at the time of her admission to the medical college in Russia.

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

New Delhi,
dated the 30th December, 2004

A P P R O V E D

(DR. P.C.KESAVANKUTTY NAYAR)
PRESIDENT (ACTING)