

No. MCI-5(3)/2016-Med.Misc./

MEDICAL COUNCIL OF INDIA
NEW DELHI

EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on 30th January, 2016 at 11:00 a.m. in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.

Present:

Dr. Jayshree Mehta	President Medical Council of India, Former Professor of Surgery, Govt. Medical College, Vadodara, Gujarat.
Dr. C.V. Bhirmanandham	Vice-President, Medical Council of India, Former Vice-Chancellor of Dr. M.G.R. Health University, Tamil Nadu
Dr. G.B. Gupta	Vice-Chancellor, Ayush & Health Sciences University, Raipur, Chhattisgarh.
Dr. Radha Madhab Tripathy	Professor and Head, Department of Community Medicine, MKCG Medical College, Berhampur.
Dr. Ravindra H.N.	Kalashree Nilaya, Krishna Nagar, Near Railway Station, Pandavapura Tq., Pandavapur, Mandya Dist., Karnataka.
Dr. Vijay Prakash Singh	Professor & Head, Department Of Gastroenterology, Patna Medical College, Patna, Bihar

Dr. Reena Nayyar, Secretary I/c.

Apology for absence was received from Dr. Anil Mahajan, Dr. K.K. Gupta, Dr. V.N. Jindal and Dr. B.S. Aulakh.

At the outset, the Executive Committee of the Council took the following decision:

- In future all those applications which were deficient in terms of Essentiality Certificate/Consent of Affiliation/Fees/Form-5 regarding land be returned at the level of the Council Office itself and need not be brought before the Executive Committee.*
- The Committee further resolved that once a degree of any university is recognized then for any college under the same university, the assessment to oversee the conduct of examination for that degree is not required; the assessment would be carried out only for verifying facilities available at the institute in terms of faculty, Residents, clinical material, infrastructure of college, hospital, hostels, residential*

quarters, library, etc. and other ancillary and miscellaneous facilities required as per regulations for the purpose of recognition of the degree awarded to the students of the particular college under section 11(2) of IMC Act, 1956. It was decided to place the same before the General Body of the Council for its approval.

1. Minutes of the Executive Committee meeting held on 28th December, 2015 – Confirmation of.

The Executive Committee of the Council confirmed the minutes of the Executive Committee meeting held on 28th December, 2015.

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

The Executive Committee of the Council noted the action taken on the minutes of the Executive Committee meeting held on 28th December, 2015 and further noted the following:

Item No.4: Minutes of TEQ Sub-Committee meeting dated 30.09.2015

Item No.9 Confirmation of eligibility for the post of Assistant Professor/Associate Professor in the department of Peadiatric Oncology in respect of Dr. Nitin C. Joshi in a Medical College.

The Committee noted the explanation submitted by Mrs. Seema Gupta, UDC conveying her apology vide her letter dated 19.01.2016 and directed to issue her warning to complete the task assigned to her in-time and be more careful in future.

Item No.95. Establishment of new medical college at Coimbatore, Tamilnadu by Govt. of Tamilnadu with an annual intake of 100 MBBS students under The Tamilnadu Dr. M.G.R Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee on 28.12.2015 while considering the above matter decided to seek explanation from the Law Officer as to under which provision the opinion had been provided when a valid MoU had not been submitted by the college authorities till date and whether in principal approval can be considered as deemed approval and secondly a 20% reservations had been sought for ESIC for admitting eligible wards of Insured Persons (IPs) in the DO Letter No. 34096/MC.2/2014-16, dated 5.5.2015.

The Committee noted the explanation submitted by the Law Officer vide letter dated 16.1.2016 and observed that the hospital belongs to ESIC which is under the Central Government whereas the applicant is the State of Tamil Nadu. Any in-principle approval between Central and State Government cannot be construed as formal approval. Therefore, the Committee decided to advise the Law Officer that in future any opinion

sought from him or given by him should be based on sound law position to avoid any further litigations or controversy.

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

The Executive Committee of the Council noted the pending items arising out of the decisions taken by the Executive Committee and decided to call for explanation from the section which had prepared the pending items as well as the undergraduate section with regard to item no.67 (JJM Medical College, Davengere) of the present meeting which had been placed before the Executive Committee after a gap of more than one year and had never been mentioned in the pending items since it was first deferred on 20th November, 2014.

4. Establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (29th & 30th December, 2015) and noted the following:

1. Deficiency of faculty is 10.77 % as detailed in the report.
2. Shortage of Residents is 6.52 % as detailed in the report.
3. Bed occupancy was 51.67 % on day of assessment.
4. ICUs: There was NIL patient in NICU & only 2 in ICCU on day of assessment.
5. Hostels: Facilities in recreation Rooms are not adequate.
6. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

5. Establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (29th & 30th December, 2015) alongwith a letter/representation

dated 09/01/2016 from the Dean, Gayatri Vidya Parishad Institute of Health Care and Medical Technology, Vishakhapatnam, A.P. and noted the following:

1. Deficiency of faculty is 9.23 % as detailed in the report.
2. Shortage of Residents is 23.91 % as detailed in the report.
3. Most of Senior Residents are aged and not staying in hostel except during emergency duty.
4. There is no separate ward for Skin & VD. The beds are accommodated in General medicine wards.
5. Wards: Procedure room in General Medicine ward is non-functional & not equipped with emergency drugs. Demonstration Room is not available in some wards. There is no Nursing station in female Surgical ward. Treatment room, Pantry, Demonstration room & Store room are not available in female Surgical ward. Examination room, Demonstration room, Duty room, Store room are not available in Male Orthopaedics ward. Treatment room & Store room are not available in female Orthopaedic ward. Ancillary facilities are not available in Eye & ENT wards.
6. Most of patients admitted in Orthopaedics & Eye wards are not genuine. E.g. patients of Pterygion, Preoperative patients of cataract are admitted in Eye ward. In General Medicine wards, tickets are not completed with diagnosis. Most of the case papers are without proper diagnosis.
7. Radiological & Laboratory investigations workload is inadequate.
8. No Histopathology sample was received till 12:30 p.m. on day of assessment.
9. Casualty: Central O₂ and Central Suction are not available. Crash Cart is not available.
10. ICUs: There were NIL patient in PICU & only 1 patient each in MICU & NICU and 2 patients each in ICCU & SICU on day of assessment.
11. Septic O.T. is not available.
12. PNDT certificate is issued in names of 3 doctors, of whom 2 have left the institute.
13. Speech Therapy is not available.
14. Nursing Staff: 168 Nurses are available against 175 required.
15. Pharmacovigilance Committee: No meeting has been held during the last year.
16. Lecture Theater: E class facility is not available.
17. Central Library: It is partly air-conditioned. Nurses' Hostel: There is overcrowding as 4 or more Nurses are accommodated in a room.
18. Anatomy department: Specimens available are 120.
19. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

6. **Establishment of new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu with an annual intake of 150 MBBS students under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu with an annual intake of 150 MBBS students under

The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (29th & 30th December, 2015) and noted the following:

1. Deficiency of faculty is 46.15 % as detailed in the report.
2. Shortage of Residents is 45.65 % on day of assessment.
3. OPD attendance is 467 on day of assessment against 600 required.
4. Bed occupancy was 30 % on day of assessment.
5. Space between 2 beds is < 1.5 m in some wards.
6. There was NIL Major operation on day of assessment.
7. There was NIL Normal Delivery & Nil Caesarean Section on day of assessment.
8. Histopathology workload is shown as 92 which is not feasible as NIL Major operation was performed on day of assessment.
9. Data of patients in ICCU & ICUs on day of assessment are not provided.
10. Blood Bank license is not available.
11. Students' Hostels: Study room is not air-conditioned.
12. Anatomy department: NIL cadavers are available.
13. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

7. Establishment of new medical college at Pennalur, Kancheepuram Dist., Tamilnadu by Sri Devi Karumariamman Educational Trust, Tamilnadu with an annual intake of 150 MBBS students under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Pennalur, Kancheepuram Dist., Tamilnadu by Sri Devi Karumariamman Educational Trust, Tamilnadu with an annual intake of 150 MBBS students under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (29th & 30th December, 2015) and noted the following:

1. Deficiency of faculty is 40.00 % as detailed in report.
2. Shortage of Residents is 71.73 % as detailed in report.
3. OPD attendance was 430 against requirement of 600 on day of assessment.
4. Bed occupancy was only 10 % on day of assessment.
5. There were only 2 Major & NIL Minor operations for the hospital on day of assessment.
6. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
7. Radiological & Laboratory investigations workload was very low on day of assessment.
8. Casualty: Crash Cart & Ventilator are not available.

9. O.T.: Only 1 O.T. was open against requirement of 4. The rest were locked & reported fumigated.
10. ICUs: There was NIL patient in ICCU or any ICU on day of assessment.
11. One static X-ray machine of 500 mA was not functional on day of assessment.
12. There was no unit stored in Blood Bank on day of assessment. Blood units dispensed in a day are only 0 – 1.
13. Histopathology & Cytopathology investigations are outsourced & not done in the institute.
14. Students' Hostels: They are partially furnished. Hygiene is not satisfactory.
15. Residents' Hostels: They are partially furnished. Hygiene is not satisfactory.
16. Nurses' Hostels: They are partially furnished. Hygiene is not satisfactory.
17. Speech Therapy is not available.
18. Anatomy department: Only 80 specimens are available. NIL cadavers are available.
19. Pharmaco Vigilance Committee is not constituted.
20. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Pennalur, Kancheepuram Dist., Tamilnadu by Sri Devi Karumariamman Educational Trust, Tamilnadu under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

8. Establishment of new medical college at Patancheru, Medak Dist., Andhra Pradesh by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Patancheru, Medak Dist., Andhra Pradesh by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (29th & 30th December, 2015) and noted the following:

1. Deficiency of faculty is 10.76 % as detailed in report.
2. Shortage of residents is 26.08 % as detailed in the report.
3. Wards: Ancillary facilities are not available in wards of Tb & Chest, Psychiatry and Skin & VD as detailed in the report.
4. There was only 1 Major & NIL Minor operation on day of assessment.
5. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
6. Radiological & Laboratory investigation workload is inadequate.
7. Workload of Histopathology & Cytopathology is NIL.
8. Casualty: Ventilator, Disaster Trolley are not available.
9. ICUs: There was NIL patient in MICU, NICU/PICU & only 2 patients each in ICCU & SICU on day of assessment.
10. Blood Bank is not functional.
11. Boys' Common Room does not have attached toilet.
12. Students' Hostels: Available accommodation is 63 against requirement of 113. Hostel for Girls' is not yet completed.

13. Residents' Hostel: Available accommodation is 38 against requirement of 46.
14. Residential Quarters are under construction.
15. Speech Therapy is not available.
16. Anatomy department: Available specimens are only 139. Band Saw is not available.
17. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Patancheru, Medak Dist., Andhra Pradesh by Alleti Shrunitha Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

9. Establishment of new medical college at Datia, M.P. by Government of Madhya Pradesh with an annual intake of 100 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Datia, M.P. by Government of Madhya Pradesh with an annual intake of 100 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (5TH and 6TH January, 2016) and noted the following:

1. Deficiency of faculty is 100 % as detailed in report.
2. Shortage of Residents is 100 % as detailed in report.
3. Dr. R.S. Gupta, shown as Medical Superintendent is working as CMHO of Dantia district & has been given additional charge as Medical Superintendent.
4. The staff of District Hospital are still under State Health Services & not under Dean.
5. Dr. Rajesh Gaur, designated as Dean, is also holding post of Professor of Pathology at Gwalior Medical College.
6. Dean's office is not available.
7. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Shortage
1	Paediatrics	24	20	04
2	Tb & Chest	08	NIL	08
3	Skin & VD	08	NIL	08
4	Psychiatry	08	NIL	08
5	General Surgery	90	82	08
6	Orthopaedics	30	20	10
7	ENT	10	NIL	10

	TOTAL			56
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8. Wards: Distance between 2 beds is < 1.5 m. Nursing Stations do not face the wards and all patients are not visible. Demonstration rooms are not available. Examination cum treatment room, Pantry, Duty room are not available.
9. There were NIL Minor operations in the hospital on day of assessment.
10. MEU, College Council, Pharmacovigilance Committee are not available.
11. Medical Superintendent's office is not available.
12. OPD: Waiting area for patients is not available. Many departments have only 2 consultation rooms each. Enquiry desk is not available. Teaching area is not available. Injection Rooms for males/females, ECG room, Dressing room for male/female, Minor O.T. are not available. There is no OPD for Psychiatry, Skin & VD and Tb & Chest departments.
13. Audiometry & Speech therapy are not available. Specialty clinics facilities are inadequate in Paediatric & O.G. OPD.
14. Radiological & Laboratory investigation workload is inadequate.
15. Histopathology & Cytopathology workload is NIL on day of assessment.
16. MRD is not available.
17. Casualty: Only 3 beds are available against requirement of 10. Separate Casualty for O.G. is not available. Central O₂ & Central Suction, Defibrillator, Ventilator are not available.
18. Central Clinical laboratory is not available.
19. O.T.s: Only 3 major O.T.s are available against requirement of 4. Only 1 Minor O.T. is available against requirement of 2. Preoperative & Postoperative beds are not available.
20. ICUs: ICCU, MICU, SICU are not available. In PICU/NICU, there are no Monitors, Ventilators, ABG Analyzer.
21. Labour Room: Eclampsia room & Septic room are not available.
22. Radiodiagnosis department: Only 1 mobile & 1 static X-ray machines are available against requirement of 2 each. AERB approval is not available.
23. CSSD, Intercom, Laundry, Canteen are not available.
24. Nursing Staff: Only 66 Nurses are available against 175 required.
25. Lecture Theaters, Central Library, Common Rooms for Boys & Girls, Central Photography Section are not available.
26. Students', Residents' & Nurses' Hostels are not available.
27. Residential Quarters for faculty & Non-teaching staff are not available.
28. Paramedical & Non-teaching staff: 84 paramedical & Non-teaching staff are available against 101 required.
29. Preclinical departments of Anatomy, Physiology, Biochemistry are not available.
30. Gender Harassment Committee is not constituted.
31. Website: It is not available.
32. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Datia, M.P. by Government of Madhya Pradesh under Madhya Pradesh Medical Science University, Jabalpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

10. Establishment of new medical college at Peeplabandpur, Distt. Hapur (G.S Medical College & Hospital, Piplabnadpur) by Shri Jaipal Singh Sharma Trust, Ghaziabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

Read: the matter with regard to establishment of new medical college at Peeplabandpur, Distt. Hapur (G.S Medical College & Hospital, Piplabnadpur) by Shri Jaipal Singh Sharma Trust, Ghaziabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

The Executive Committee of the Council considered the letter dated 06/01/2016 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding the representation/compliance dated 22/12/2015 submitted by the Secretary, Shri Jaipal Singh Sharma Trust, Ghaziabad for review.

The Executive Committee observed that the applicant did not possess Essentiality Certificate at the time of submitting the application to the Central Government. This has also been acknowledged by the Central Government in its letter dt. 06/01/2016. It was also observed by the Committee that the Consent of Affiliation was not available at the time of submitting the application as it was issued only on 30/09/2015.

The Committee noted the following relevant portion of the *Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.-*

".....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage...."

The Committee further noted the following relevant portion of the *Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.-*

16. In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:

"(A) Initial assesment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.

(B) Inspection should then be conducted by the Inspectors of the MCI. By very nature such inspection must have an element of surprise. Therefore, sufficient time of about three to four months ought to be given to the MCI to cause inspection at any time and such inspection should normally be undertaken latest by January. Surprise inspection would ensure that the required facilities and infrastructure are always in place and not borrowed or put in temporarily.

(C) Intimation of the result or outcome of the inspection would then be communicated. If the infrastructure and facilities are in order, the concerned Medical College should be given requisite permission/renewal. However if there are any deficiencies or shortcomings, the MCI must, after pointing out the deficiencies, grant to the college concerned sufficient time to report compliance.

(D) If compliance is reported and the applicant states that the deficiencies stand removed, the MCI must cause compliance verification. It is possible that such compliance could be accepted even without actual physical verification but that assessment be left entirely to the discretion of the MCI and the Central Government. In cases where actual physical verification is required, the MCI and the Central Government must cause such verification before the deadline.

(E) The result of such verification if positive in favour of the Medical College concerned, the applicant ought to be given requisite permission/renewal. But if the deficiencies still persist or had not been removed, the applicant will stand disentitled so far as that academic year is concerned."

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process."

In view of above, the Executive Committee of the Council decided to approve the decision of the Council conveyed to the Central Government vide letter dated 19.10.2015 to return the application for establishment of new medical college at Peeplabandpur, Distt. Hapur (G.S. Medical College & Hospital, Piplabandpur, Distt. Hapur, U.P.) by Shri Jaipal Singh Sharma Trust, Ghazibad (U.P.) to the Central Govt. recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

11. Establishment of new medical college at Muzzafarpur, Bihar(J.M. Medical College, Muzaffarpur, Bihar) by J.M. Institute of Speech & Hearing, Muzaffarpur, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

Read: the matter with regard to establishment of new medical college at Muzzafarpur, Bihar (J.M. Medical College, Muzaffarpur, Bihar) by J.M. Institute of Speech & Hearing, Muzaffarpur, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

The Executive Committee of the Council considered the letter dated 06/01/2016 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding the representation/compliance dated 19/12/2015 and 21/12/2015 submitted by President, J.M. Institute of Speech & Hearing, Muzaffarpur, Bihar for review.

The Executive Committee observed that the applicant did not possess Essentiality Certificate and Consent of Affiliation at the time of submitting the application to the Central Government. It was also observed that Consent of Affiliation in the required format is not available even now. This has also been acknowledged by the Central Government in its letter dt. 06/01/2016.

In view of above the applicant has failed to meet the qualifying criteria u/s 2(3) & 2(4) of Establishment of Medical College Regulations, 1999 which read as under:-

2(3) that Essentiality Certificate in Form 2 regarding No objection of the State Government/Union Territory Administration for the establishment of the proposed medical college at the proposed site and availability of adequate clinical material as per the council regulations, have been obtained by the person from the concerned State Government/ Union Territory Administration and

2(4) that Consent of affiliation in Form-3 for the proposed medical college has been obtained by the applicant from a University.

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

".....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage...."

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr.:-

16. In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:

"(A) Initial assesment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.

(B) Inspection should then be conducted by the Inspectors of the MCI. By very nature such inspection must have an element of surprise. Therefore, sufficient time of about three to four months ought to be given to the MCI to cause inspection at any time and such inspection should normally be undertaken latest by January. Surprise inspection would ensure that the required facilities and infrastructure are always in place and not borrowed or put in temporarily.

(C) Intimation of the result or outcome of the inspection would then be communicated. If the infrastructure and facilities are in order, the concerned Medical College should be given requisite permission/renewal. However if there are any deficiencies or shortcomings, the MCI must, after pointing out the deficiencies, grant to the college concerned sufficient time to report compliance.

(D) If compliance is reported and the applicant states that the deficiencies stand removed, the MCI must cause compliance verification. It is possible that such compliance could be accepted even without actual

physical verification but that assessment be left entirely to the discretion of the MCI and the Central Government. In cases where actual physical verification is required, the MCI and the Central Government must cause such verification before the deadline.

(E) The result of such verification if positive in favour of the Medical College concerned, the applicant ought to be given requisite permission/renewal. But if the deficiencies still persist or had not been removed, the applicant will stand disentitled so far as that academic year is concerned."

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process."

In view of above, the Executive Committee of the Council decided to approve the decision of the Council Office conveyed to the Central Government vide letter dated 19.10.2015 to return the application for establishment of new medical college at Muzaffarpur, Bihar (J.M. Medical College) by J.M. Institute of Speech & Hearing, Muzaffarpur, Bihar) to the Central Govt. recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17

12. Establishment of new medical college at Banda, Uttar Pradesh by Government of Uttar Pradesh with an annual intake of 100 MBBS students under King George's Medical University, Lucknow, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Banda, Uttar Pradesh by Government of Uttar Pradesh with an annual intake of 100 MBBS students under King George's Medical University, Lucknow, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

1. Bed occupancy is 50 % on day of assessment.
2. OPD: Space for separate registration counters for males/females & for OPD/IPD is not utilized. Registration counters are partially computerized. Dressing rooms for male/female are not available. In Ophthalmology OPD, Dark Room & Minor Procedure Room are not available. Special clinic facilities are not available in Paediatrics & OG OPD. Rooms are designated as Injection room, ECG room but facilities are not provided therein. OG OPD examination rooms are not functional.
3. Audiometry & Speech therapy are not available.
4. Wards: They are not segregated departmentwise & Unitwise. There is no Psychiatry ward. Nursing stations are not located properly; Nurses cannot have overview of all the patients.
5. Histopathology workload is NIL on day of assessment.
6. MRD: It is partly computerized. ICD X classification of diseases is not followed for indexing.
7. Central Clinical laboratory: It is not fully equipped and fully functional.
8. O.T.s: There are 2 tables in several O.T.s which is not as per norms.
9. ICUs: Intensive Care areas are not functional. There was NIL patient in ICCU or any ICU.
10. Labour Room: No patients are admitted in septic & Eclampsia rooms.

- 11. Radiodiagnosis department: Only 1 mobile & NIL static X-ray machines are available against requirement of 2 each. AERB & PNDT approvals are not available for X-ray/USG machines.
- 12. Blood Bank is not functional.
- 13. CSSD: It is not fully functional. Receiving & Distribution points are not separate.
- 14. Intercom is not available.
- 15. Nursing staff: 158 Nurses are available against requirement of 175.
- 16. Students' Hostels: They are not yet furnished. Visitors' room, A.C. Study room with Computer & Internet & Recreation Room are not available.
- 17. Residents' Hostel: It is not yet furnished. Visitors' room, A.C. Study room with Computer & Internet & Recreation Room are not available.
- 18. Gender Harassment Committee as required as per order of Hon'ble Supreme Court is not yet constituted.
- 19. Anatomy department: Only 70 specimens are available. MRI & CT films are not available.
- 20. Pharmaco Vigilance Committee is not yet constituted.
- 21. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of new medical college at Banda, Uttar Pradesh by Government of Uttar Pradesh under King George's Medical University, Lucknow, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

13. **Establishment of new medical college at Konni, Pathanamthitta, Kerala by Government of Kerala with an annual intake of 100 MBBS students under Kerala University of Health & Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Konni, Pathanamthitta, Kerala by Government of Kerala with an annual intake of 100 MBBS students under Kerala University of Health & Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

- 1. Deficiency of faculty is 77.50 % as detailed in the report.
- 2. Shortage of Residents is 91.10 % as detailed in the report.
- 3. Hospital is under Health department.
- 4. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	72	55	17
2	Paediatrics	24	21	03
3	Tb & Chest	08	NIL	08
4	Skin & VD	08	NIL	08
5	Psychiatry	08	NIL	08

6	General Surgery	90	55	35
7	Orthopaedics	30	NIL	30
8	ENT	10	NIL	10
9	Ophthalmology	10	NIL	10
	TOTAL			129

5. Bed occupancy was 59.40 % on day of assessment.
6. There was NIL Major & NIL Minor operation on day of assessment.
7. USG workload was NIL on day of assessment.
8. Dr. Sajith Kumar, Medical Superintendent has NIL administrative experience and hence not eligible to hold the post.
9. Medical Superintendent's office & Administrative office as required are not available.
10. OPD: Staff for Registration Counters is inadequate. Waiting area is not available. Enquiry desk is not available. Teaching area is not available. Minor O.T. is not available. In Ophthalmology OPD, Refraction room, Dark room, Minor Procedure room are not available. Special clinic facilities are inadequate in Paediatrics & OG OPDs.
11. Audiometry & Speech therapy are not available.
12. Wards: Distance between 2 beds is < 1.5 m. There is no Unitwise distribution. There are no separate beds for Orthopaedics, Eye, ENT wards. Demonstration rooms, Pantry are not available. Duty room is not available in all the wards. In no ward, bed sheet was supplied by hospital.
13. Workload of Microbiology, Histopathology, Cytopathology is NIL.
14. MRD is not available.
15. Casualty: 8 beds are available against requirement of 10. Separate Casualty for OG is not available. Central O₂ and Central Suction are not available. Disaster Trolley is not available. Resuscitation equipment is inadequate.
16. O.T.: All O.T.s are closed for renovation.
17. ICUs: MICU, SICU, NICU/PICU are not available. ICCU has 4 beds against requirement of 5. There were only 2 patients in ICCU on day of assessment. It is not well equipped.
18. Labour Room: Separate room for Eclampsia, Septic Labour are not available.
19. Radiodiagnosis department: 1 Mobile & NIL static X-ray machines are available against requirement of 2 each. 1 USG is available against requirement of 2. AERB/PNDT approval is not available for X-ray/USG machines.
20. CSSD is not available.
21. Laundry: MOU is stated to have been done but no documents were supplied.
22. Canteen is not available.
23. Nursing staff: Only 78 Nurses are available against requirement of 175.
24. Paramedical & Non-teaching staff: Only 13 Paramedical & Non-teaching staff are available against requirement of 101.
25. Dean's office is much smaller (12 sq.m.) than required (36 sq.m.).
26. College Council room is not available.
27. College Council, Pharmaco Vigilance Committee are not constituted.
28. Lecture Theaters: They are not available.
29. Central Library, Common Rooms for Boys & Girls, Central Photography Section are not available.
30. Students', Residents' & Nurses' Hostels are not available.
31. Residential Quarters are not available.

32. Recreational facilities are not available.
33. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
34. Gender Harassment Committee as required as per order of Hon'ble Supreme Court is not yet constituted.
35. Website is not available.
36. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Konni, Pathanamthitta, Kerala by Government of Kerala under Kerala University of Health & Allied Sciences, Thrissur, Kerala to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

14. Establishment of new medical college at Patancheru, Medak Dist., Telangana by St. Augustin Educational Society, Hyderabad, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Patancheru, Medak Dist., Telangana by St. Augustin Educational Society, Hyderabad, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

1. Bed occupancy was 0 % on day of assessment.
2. Deficiency of faculty is 90.76 % on day of assessment.
3. Shortage of Residents is 100 % as detailed in the report.
4. Dr. A.A. Majid, Medical Superintendent has administrative experience of only 01 year 08 months against requirement of 10 years; hence not eligible to hold the post.
5. Audiometry room is not soundproof.
6. OPD attendance was only 80 on day of assessment which is grossly inadequate.
7. There was NIL Major & Minor operation on day of assessment.
8. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
9. Radiological & Laboratory investigation workload was NIL on day of assessment.
10. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
11. Casualty: No doctor was available. Separate Casualty for O.G. is not available. Disaster Trolley, Ventilator are not available.
12. Central Clinical Laboratory is under control of Dean and not under one of the participating departments.
13. ICUs: There was NIL patient in ICCU or any ICU on day of assessment.

14. There was no woman in Labour Room.
15. Only 1 mobile X-ray machine is available against requirement of 2. Only 2 static X-ray machines are available against requirement of 3. AERB approval is not available for 1 of them.
16. Blood Bank is not functional.
17. CSSD is non-functional.
18. No meeting of Pharmaco Vigilance Committee was held during the last year.
19. Lecture Theaters: Only 1 lecture theater out of 2 is of Gallery type against requirement of both of Gallery type.
20. Central Library: Many non-medical popular press periodicals were found on journal racks.
21. Common Rooms for Boys & Girls are smaller than required. Attached toilets are not available.
22. Central Photography Section: Only vacant room is available. There is neither any staff nor any equipment.
23. Students' hostels: They are partially furnished. Only beds with mattresses are available in some rooms. Mess is not available. Visitors' room, A.C. Study room with Computer & Internet & Recreation room are not available.
24. Residents' Hostel: They are partially furnished. Only beds with mattresses are available in some rooms. Mess is not available. Visitors' room, A.C. Study room with Computer & Internet & Recreation room are not available. Presently it is unused.
25. Residential Quarters: One locked & unused building was shown as quarters for faculty & non-teaching staff against requirement of 14 quarters for faculty & 20 for non-teaching staff.
26. Gymnasium, Playground are not available.
27. Anatomy department: Only 95 specimens are available. There were only 2 cadavers who were not kept in formalin. Number of Dissection Tables is less than required. Storage tank is leaking & badly debilitated. No equipment is available in Embalming room.
28. Inside roads – i.e. Hospital to college are not developed.
29. Faculty rooms in all Preclinical departments are partly furnished.
30. Some of faculty & Residents are shown as working in the institute for last several months; however they have not been paid salary / stipend till date.
31. None of Residents are staying in campus.
32. Website: No information as required is posted on website.
33. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Patancheru, Medak Dist., Telangana by St. Augustin Educational Society, Hyderabad, A.P. under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

15. Establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

1. Deficiency of faculty is 96.90 % as detailed in the report.
2. Shortage of residents is 97.80 % as detailed in the report.
3. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	72	48	24
2	Paediatrics	24	16	08
3	Tb & Chest	08	05	03
4	Skin & VD	08	05	03
5	Psychiatry	08	05	03
6	General Surgery	90	60	30
7	Orthopaedics	30	20	10
8	Ophthalmology	10	05	05
9	O.G.	40	20	20
	TOTAL			106

4. OPD attendance was only 35 on day of assessment which is grossly inadequate.
5. Bed Occupancy is 02 % on day of assessment.
6. Radiological & Investigative workload is grossly inadequate.
7. Casualty: Separate Casualty for O.G. is not available.
8. Central Clinical laboratory: Separate sections are not available.
9. ICUs: ICCU & ICUs are yet to be made functional.
10. Labour Room is under construction.
11. OPD: Minor O.T. is yet to be furnished. Special clinics in Paediatrics & OG OPD are not available.
12. Audiometry & Speech therapy are not equipped.
13. Blood Bank is not available.
14. ETO Sterilizer is not available.
15. MRD: ICD X classification of diseases is not followed for indexing.
16. Nursing staff: Only 89 Nurses are available against requirement of 175.
17. Paramedical & Non-teaching staff: 94 Paramedical & Non-teaching staff are available against requirement of 100.

18. College building is under construction.
19. College Council, Pharmacovigilance Committee are not constituted.
20. Lecture Theaters: They are under construction.
21. Central Library is under construction.
22. Students', Residents' & Nurses' Hostels are under construction.
23. Residential Quarters are under construction.
24. Gender Harassment Committee as required by order of Hon'ble Supreme Court is not constituted.
25. Website: it is not available.
26. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
27. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Andhra Pradesh as to how the Essentiality Certificate had been issued when the hospital does not have the requisite number of beds as per Establishment of Medical College Regulations, 1999.

16. Establishment of new medical college at Mittapalli (V), Siddipet (M), Medak Dist. Telangana by Surabhi Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Mittapalli (V), Siddipet (M), Medak Dist. Telangana by Surabhi Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council perused the letter dated 06/01/2016 of the appointed team of the Council assessors and noted the following:

1. The College under consideration for LOP 150 MBBS seats is still under construction including hospital building staff quarters, resident quarters and student hostel, photograph taken during physical verification are enclosed for your reference.
2. We also found that there is only one Registration counter without computer, after verifying manual OP register there were only four (04) patients at 10.20 AM and on 05/01/2016 only 57 out patients were registered.
3. On verifying the laboratory register only 10 investigations were found to be done on 05/01/2016.
4. There were no patients in any of the wards of the hospital including Casualty and waiting area near the OP was found empty up to 11.30 AM.

5. Two OTs. one Labour Room and one sterilization room are found to be under preparation and not functioning at present.
6. There was only one doctor with MBBS qualification claiming to be RMO of the hospital by name Dr. Purushotham Reddy was present at the time of verification.
7. Principal, Medical Superintendent and other faculties are not yet appointed.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Mittapalli (V), Siddipet (M), Medak Dist. Telangana by Surabhi Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Telangana as to how the Essentiality Certificate had been issued when the hospital is still under construction.

17. Establishment of new medical college at Sanath Nagar, Hyderabad, Telangana by ESIC, New Delhi with an annual intake of 100 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Sanath Nagar, Hyderabad, Telangana by ESIC, New Delhi with an annual intake of 100 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (8th and 9th January, 2016) and noted the following:

1. Deficiency of faculty is 100 % as detailed in report.
2. Shortage of residents is 100 % as detailed in report.
3. There is no Dean.
4. OPD: Registration counters are not computerized. Staff at Registration Counters is not adequate. In Ophthalmology OPD, Refraction room, Dark room & Minor Procedure room are not available. Special clinics in Paediatrics & OG OPD are not functional.
5. Audiometry & Speech therapy are not available.
6. Wards: Although a hospital with 390 beds is available, departmentwise & Unitwise distribution of beds is not made so far. Therefore details of services & ancillary facilities cannot be verified.
7. OPD attendance was only 54 on day of assessment which is grossly inadequate.
8. Bed occupancy is NIL on day of assessment. Casualty attendance is NIL on day of assessment.
9. There was only NIL Major & NIL Minor Surgical operations for the whole hospital on day of assessment.
10. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
11. Radiological & Laboratory workload was NIL on day of assessment.
12. MRD: It is manual. ICD X classification of diseases is not followed.

13. Casualty: It is non-functional. There is no equipment.
14. Central Clinical laboratory, O.T.s, ICUs, labour Room, Radiodiagnosis department, Blood Bank, Pharmacy, CSSD, Laundry, Kitchen, Canteen are not functional.
15. Intercom is not available.
16. No arrangements are made for disposal of Bio-medical waste.
17. Nursing staff: Only 3 Nurses are available which is grossly inadequate.
18. Paramedical & Non-teaching staff: Only 4 Paramedical & Non-teaching staff are available which is grossly inadequate.
19. College Council is not yet constituted.
20. Pharmaco Vigilance Committee is not constituted.
21. Lecture Theaters: They are not furnished properly. Audiovisual aids are not available. E class facility is not available.
22. Central Library: It is yet to be furnished. Books & journals are not available. No staff is available.
23. Common Rooms for Boys & Girls are not available.
24. Students' & Residents' Hostels: They are partly furnished.
25. Nurses' Hostel: It is ready but yet to be occupied by Nurses. It is partly furnished.
26. Gender Harassment Committee as required as per order of Hon'ble Supreme Court is not constituted.
27. Preclinical departments of Anatomy, Physiology, Biochemistry are non-functional.
28. Website: it is not available.
29. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Sanath Nagar, Hyderabad, Telangana by ESIC, New Delhi under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

18. **Establishment of new medical college at Khandwa, Madhya Pradesh by Govt. of Madhya Pradesh with an annual intake of 100 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Khandwa, Madhya Pradesh by Govt. of Madhya Pradesh with an annual intake of 100 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (8th and 9th January, 2016) alongwith letter dated 08.01.2016 of the Coordinator (Assessor) and noted the following:

1. Deficiency of faculty is 100 % as detailed in report.
2. Shortage of Residents is 100 % as detailed in report.
3. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Shortage
1	Tb & Chest	08	NIL	08
2	Skin & VD	08	NIL	08

3	Psychiatry	08	NIL	08
4	General Surgery	90	73	17
5	Orthopaedics	30	NIL	30
6	ENT	10	NIL	10
	TOTAL			81

4. OPD: Separate Registration counters for male/female or for OPD/IPD are not available. They are not computerized. Staff for Registration Counters is inadequate. Examination rooms for patients are inadequate. Teaching areas are not available. Waiting area for patient is inadequate. Facilities for Special clinics are inadequate in Paediatrics OPD.
5. Wards: Demonstration rooms, Pantry are not available.
6. There was NIL Major & 2 Minor operations on day of assessment.
7. Workload of Microbiology, Histopathology, Cytopathology investigations is NIL.
8. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
9. Casualty: Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not available. Crash cart is not available.
10. Central Clinical laboratory: Separate sections of Pathology, Microbiology, Biochemistry are not available.
11. O.T.: Central O₂ and Central Suction are not available. Resuscitation equipment is inadequate.
12. ICUs: ICCU & SICU are not available. 4 beds are available in MICU against requirement of 5 beds.
13. Radiodiagnosis department: 1 Mobile & 1 static X-ray machines are available against requirement of 2 each. 1 USG is available against requirement of 2. AERB/PNDT approval is not available for X-ray/USG machines.
14. Blood Bank: License expired on 31/12/2006 but application for Renewal is made only on 03/06/2015 which is in process.
15. CSSD is not available.
16. Nursing staff: 155 Nurses are available against 175 required.
17. Paramedical & Non-teaching staff: 55 Paramedical & Non-teaching staff are available against requirement of 101.
18. Speech Therapy is not available.
19. College building is under construction at foundation level.
20. College Council, Pharmaco Vigilance Committee are not yet constituted.
21. Lecture Theaters are under construction.
22. Central Library, Central Photography section are not available.
23. Students', Residents' Nurses Hostels are not available.
24. Residential Quarters are not available.
25. Website: it is not available.
26. Preclinical departments of Anatomy, Physiology, Biochemistry are not available.
27. SAF Part I is not submitted by Head of Institute.
28. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Khandwa, Madhya Pradesh by Govt. of Madhya Pradesh under Madhya Pradesh Medical Science University,

Jabalpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

19. Establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (7th and 8th January, 2016) alongwith letter dated 08.01.2016 of the Coordinator (Assessor) and noted the following:

1. OPD attendance is 508 on day of assessment against requirement of 600.
2. Bed occupancy is 52.33 % on day of assessment against requirement of 60 %. It appears that some of the patients have been admitted without any serious reason. E.g. in both male & female Surgical wards, about 50 % of patients were admitted without any Surgical disorder requiring hospital admission.
3. Although it has been reported by the institute that there were 58 X-rays done, during round of assessors, at 10:30 a.m., no X-ray machine was found to be engaged with work.
4. ICUs: For ICCU, MICU & SICU, there is only 1 sister i/c. For NICU & PICU there is only 1 sister i/c. There were only 2 patients in SICU on day of assessment.
5. There was no woman in Labour Room during round of assessors at 11:30 a.m.
6. OPD: Half of examination rooms are lying vacant.
7. Wards: In General Surgery & allied wards, 1 Nurse looks after 2 wards.
8. Shortage of Residents is 6.52 % as detailed in the report.
9. It appears that some Residents are not staying in the campus.
10. Central Kitchen: During round, not more than 50 trays could be shown for serving food to patients at 10:45 a.m. when food was not served to patients.
11. Anatomy department: Only 83 specimens are available in the department. MRI & CT films are not displayed in the museum. There is no drainage system in Dissection Hall.
12. Physiology department: Equipment for Human Physiology laboratory has been kept in Amphibian Laboratory & not in Human Physiology laboratory.
13. Residential Quarters: Quarters for faculty are not upto standard for a medical teacher.
14. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

20. Establishment of new medical college at Indore, Madhya Pradesh by Shri Astha Foundation for Education Society, Indore, M.P with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Indore, Madhya Pradesh by Shri Astha Foundation for Education Society, Indore, M.P with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (7th and 8th January, 2016) and noted the following:

1. Deficiency of faculty is 16.90 % as detailed in the report.
2. Shortage of Residents is 34.80 % as detailed in the report.
3. Dr. Siddharth Jain, Asso. Prof. of Surgery was unable to identify the patients admitted in his Unit or give information about patients admitted under his Unit (Unit III) in past 1 week. One of the patient and his relative were unable to identify him as treating doctor.
4. OPD: Only 1 staff was managing registration counter as observed during the round. Flooring is not complete. Basic equipment like B.P. apparatus, Hammer, Plaster Cutter are not available in examination room / plaster cutting room. Teaching areas are not available in some OPDs. Nursing staff was not available in Injection room as well as at most of the places on both days of assessment. Immunization room is not equipped with basic resuscitation equipment.
5. Audiometry is neither air-conditioned nor sound proof.
6. Wards: Male & female wards are common for Psychiatry. Nursing stations are not properly located and are common between some wards. Examination cum Treatment Room & Pantry are not functional in most of the wards. Space between 2 beds is < 1.5 m in some wards which is not as per Regulations.
7. In OPD, no patient was available during round at 10:00 a.m. No faculty / Resident was available upto 10:00 a.m. on 1st day of assessment.
8. Casualty was vacant at time of assessment. There was no Doctor available at time of visit. Proper record of patients is not maintained. Ventilator is not available.
9. Bed occupancy was 34.6 % on day of assessment.
10. Data of Laboratory investigations provided by institute are inflated.
11. Minor O.T. register is not maintained.
12. O.T.s: Equipment like Ventilator & Emergency Drug Tray are not available in Post-operative ward. Nursing staff is inadequate.
13. ICUs: ICCU, MICU & SICU are located in a common facility & share a common Nursing station with 1 Ventilator & 1 Defibrillator.
14. Blood Bank is not available.
15. Nursing staff: About 80 Nurses are available against requirement of 175 on day of assessment.
16. Paramedical & Non-teaching staff: About 50 Paramedical & Non-teaching staff are available against requirement of 101.
17. Central Photography Section: Photographer was not available on day of assessment.
18. Residents' Hostel: Drinking water facility is inadequate. On verification it was found that some Residents are staying only during night duty.
19. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Indore, Madhya Pradesh by Shri Astha Foundation for Education Society, Indore, M.P under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

21. Establishment of new medical college at Kanakamamidi, Telanagana by Ayaan Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Kanakamamidi, Telanagana by Ayaan Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

1. Deficiency of teaching faculty is 67.69 % as detailed in report.
2. Shortage of Residents is 89.13 % as detailed in the report.
3. OPD attendance was 459 on day of assessment against requirement of 600.
4. Bed occupancy was 42.33 % on day of assessment against requirement of 60 %.
5. There was only 1 Major & 2 Minor Surgical operations for the whole hospital on day of assessment.
6. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
7. ICUs: There was NIL patient in PICU/NICU, SICU, 1 patient only in ICCU & only 2 patients in MICU.
8. Hostels for Students, Residents, Nurses: Mess is not available.
9. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Kanakamamidi, Telanagana by Ayaan Educational Society, Hyderabad under Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

22. Establishment of new medical college at Vikarabad, Telangana by BMMT Institute of Education, Vikarabad, Telanagana with an annual intake of 150 MBBS students under Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Vikarabad, Telangana by BMMT Institute of Education, Vikarabad, Telanagana with an annual intake of 150 MBBS students under Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

1. Deficiency of faculty is 9.23 % as detailed in the report.
2. Shortage of Residents is 100 % as detailed in the report.
3. OPD attendance was < 400 on day of assessment against requirement of 600.
4. Bed occupancy was 26 % on day of assessment. Many patients are not genuine.
5. There was NIL Normal Delivery or NIL Caesarean Section on day of assessment.
6. Radiological & laboratory Investigation workload was inadequate on day of assessment. No register is maintained.
7. Histopathology & Cytopathology workload is NIL.
8. Casualty: Separate Casualty for O.G. is not available.
9. O.T.s: equipment like Defibrillator, Infusion Pumps are not available.
10. ICUs: There was NIL patient in PICU/NICU and only 1 patient each in ICCU, SICU & only 2 patients in MICU on day of assessment.
11. Nursing staff: Only 120 Nurses are available against requirement of 175.
12. Paramedical & Non-teaching staff: 79 Paramedical & Non-teaching staff are available against requirement of 112.
13. Central Library: It is not air-conditioned.
14. Students' & Residents' Hostels: They are under construction.
15. There is no separate Nursing Hostel in the campus. Two quarters have been temporarily converted into Nurses' Hostel where furniture is not provided. There is no mess. It is not upto the mark.
16. Anatomy department: Only 120 specimens are available.
17. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Vikarabad, Telangana by BMMT Institute of Education, Vikarabad, Telanagana under Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

23. Establishment of new medical college at Deralakatte, Mangalore, D.K., Karnataka by Kanachur Islamic Education Trust, Mangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Deralakatte, Mangalore, D.K., Karnataka by Kanachur Islamic Education Trust, Mangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (7th and 8th January, 2016) alongwith an email dated 13/01/2016 from the Dean, Kanachur Institute of Medical Sciences, Mangalore and noted the following:

1. Shortage of Residents is 41.30 % as detailed in the report.
2. Deficiency of faculty is 7.69 % as detailed in the report.
3. OPD attendance was 486 on day of assessment against requirement of 600.

4. Bed occupancy was 50.90 % on day of assessment as observed by assessors during the round. Figures provided by institute are highly inflated.
5. Wards: General Medicine & General Surgery wards are split into 2 sections on 2 different sides. But Nursing station is provided on only one side. There is no Nursing Station, No Doctors' Duty room, No Demonstration room, No pantry in another section. Ancillary facilities are not available in many wards.
6. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
7. Casualty: Separate Casualty for O.G. is not available.
8. ICUs: There were only 2 patients each in ICCU & MICU on day of assessment.
9. Physiology department: Audiovisual aids are available only in 1 Demonstration room.
10. There is no lift in OPD or in Hospital.
11. Ward register showed cases but case paper of the patient or the patient himself was not there; this was particularly observed in Male Medical & Male Surgical wards.
12. In Casualty, on 1st day of assessment, most patients came during the period of 08 minutes from 8:12 a.m. to 8:20 a.m. On day 2, there was NIL patient in Casualty.
13. No Histopathology sample was found till 2 p.m. on 1st day of assessment.
14. No register or record was found in Cancer Detection clinic.
15. 15 Senior & Junior Residents as detailed in report do not stay on campus.
16. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Deralakatte, Mangalore, D.K., Karnataka by Kanachur Islamic Education Trust, Mangalore under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

24. Establishment of new medical college at Jabalpur, Madhya Pradesh by Gyanjeet Sewa Mission Trust, Jabalpur with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Jabalpur, Madhya Pradesh by Gyanjeet Sewa Mission Trust, Jabalpur with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (7th and 8th January, 2016) alongwith an email dated 08/01/2016 of the appointed team of Assessors, complaint dated 11/01/2016 from Dr. Ajay Gupta against the college & representation dated 09/01/2016 of Sh. Amandeep Khanna, Managing Trustee, Sukh Sagar Medical College & Hospital, Jabalpur and noted the following:

1. Deficiency of faculty is 36.92 % as detailed in the report.
2. Shortage of Residents is 65.21 % as detailed in the report.
3. Bed Occupancy was 51.33 % on day of assessment.
4. Patients of Backache were found in Eye ward. Most of admitted patients were having vague symptoms & complaints. There was NIL post-operative

- patient in Orthopaedics, Eye & ENT wards & only 1 post-operative patient in General Surgery ward. There was NIL patient in Paediatrics.
5. Casualty patients were not genuine. Casualty admission records were not available after 04/01/2016.
 6. There were only 2 Major & NIL Minor operations on day of assessment.
 7. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
 8. Data of Radiological & Laboratory investigations are grossly exaggerated.
 9. Workload of Microbiology, Histopathology, Cytopathology is NIL.
 10. Casualty: Separate Casualty for O.G. is not available.
 11. ICUs: There was NIL patient in ICCU and in NICU/PICU & only 1 patient in MICU on day of assessment. IN SICU, 5 postoperative patients were kept who did not require intensive care.
 12. There was no woman in Labour Room.
 13. There is deficiency of 1 mobile X-ray machine of 100 mA.
 14. Blood Bank is not available.
 15. Lecture Theaters: There is no E class facility.
 16. Central Library: It is not air-conditioned. Electrification in Staff Reading room is pending.
 17. Students' Hostels: Accommodation available is 112 against requirement of 113. Only Beds are provided; no other item of furniture is available. Visitors' room, Air-conditioned Study room with Computer & Internet and Recreation room are available in Girls' hostel only & not in Boys' hostel.
 18. Residents' Hostel: Only 2 rooms are occupied in Ladies' hostel. Male Residents' hostel was locked. List of occupants was not provided.
 19. Nurses' Hostel: Only beds are available; no other item of furnishing is available. Female Nurses' hostel is of dormitory type. Hygiene is poor.
 20. Residential Quarters: Out of 16 quarters available for faculty, 10 are single room quarters.
 21. Audiometry is not functional. Speech therapy is not available.
 22. Wards: Antenatal & Postnatal ward was locked during morning round. Demonstration rooms are not furnished.
 23. ETO Sterilizer is not available.
 24. Anatomy department: Only 2 cadavers are available.
 25. In Anatomy department, 50 % of faculty is non-medical against requirement of 33 1/3 %. In Biochemistry, 100 % faculty is non-medical against requirement of 50 %.
 26. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Jabalpur, Madhya Pradesh by Gyanjeet Sewa Mission Trust, Jabalpur under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

OFFICE NOTE: The Committee directed the office to prepare a separate item on the basis of letter from Assessors regarding misbehaviour by the management of the college and place the same before the next meeting.

25. Establishment of new medical college at Thiruvananthapuram, Kerala by Govt. of Kerala with an annual intake of 100 MBBS students under Kerala University of Health and Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Thiruvananthapuram, Kerala by Govt. of Kerala with an annual intake of 100 MBBS students under Kerala University of Health and Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) alongwith a complaint dated 08/01/2016 from Sh. Rajeev C.S, RTI Activist, Thiruvananthapuram and noted the following:

1. Deficiency of faculty is 30.50 % as detailed in report.
2. Shortage of Residents is 57.70 % as detailed in report.
3. All Residents reside outside the campus.
4. Dr. K.V. Vishwanath, Medical Superintendent, possesses administrative experience of only 4 years; hence not eligible to hold the post.
5. OPD: Teaching areas are not available. Special clinics in Paediatrics OPD are inadequate
6. Audiometry & Speech Therapy are not available.
7. Histopathology & Cytopathology workload is NIL on day of assessment.
8. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
9. Casualty: Central O₂ and Central Suction are not available. Minor O.T. is not available.
10. Data of patients admitted in ICCU & ICUs are not provided.
11. Labour Room: Beds for Eclampsia & Septic cases are not available.
12. AERB & PNDDT approvals are not available for X-ray/USG machines.
13. ETO Sterilizer is not available.
14. College building is under construction.
15. Lecture Theaters are under construction.
16. Students', Residents', Nurses' Hostels: Only proposed site is shown.
17. Residential Quarters: Only proposed site is shown.
18. Gender Harassment Committee as required as per order of Hon'ble Supreme Court is not yet constituted.
19. Website is not available.
20. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
21. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Thiruvananthapuram, Kerala by Govt. of Kerala under Kerala University of Health and Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

26. Establishment of new medical college at Kohima, Nagaland by Govt. of Nagaland with an annual intake of 100 MBBS students under Nagaland University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Kohima, Nagaland by Govt. of Nagaland with an annual intake of 100 MBBS

students under Nagaland University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (4th and 5th January, 2016) alongwith a letter dated 04/01/2016 from the appointed team of Assessors and noted the following:

1. There is no Dean.
2. Deficiency of faculty is 100 % as detailed in report.
3. Shortage of residents is 100 % as detailed in the report.
4. OPD: Registration counters are not computerized. Staff at Registration Counter is not adequate. Waiting area is inadequate. Examination rooms are small and less than required. Teaching area is not available. Enquiry desk is not available. Plaster room & Plaster cutting room are common. Special clinic facilities are inadequate in Paediatrics & OG OPD.
5. Teaching Beds: There is deficiency of 80 beds as only 170 beds are available in the hospital against requirement of 250 beds as per Regulations (in North East). Further Psychiatry beds are shown at another hospital 3 km. away and Tb & Chest beds are shown in 3rd hospital 30 km. away which is not permissible.
6. OPD attendance was only 302 on day of assessment.
7. Bed occupancy was 59 patients out of 170 – i.e. 23.60 % of required beds which is inadequate.
8. Data of Number of Operations, Number of Deliveries, Casualty attendance are not provided.
9. MRD: It is manual. ICD X classification of diseases is not used for indexing.
10. Casualty: Only 04 beds are available against 10 required. Central O₂ and Central Suction are not available. Resuscitation equipment is not available.
11. O.T.s: Information is not provided.
12. Radiodiagnosis department: Only 1 mobile & 1 static X-ray machine are available against requirement of 2 each. AERB approval is not available.
13. Speech therapy is not available.
14. Intercom is not available.
15. Nursing staff: 107 Nurses are available against requirement of 175. Paramedical & Non-teaching staff: 34 Paramedical & Non-teaching staff are available against requirement of 101. College building is under construction.
16. College Council, Pharmaco Vigilance Committee are not constituted.
17. Lecture Theaters are under construction.
18. Central Library: It is under construction. Procurement of books & journals is yet to start.
19. Students', Residents' & Nurses' Hostels are under construction.
20. Residential Quarters: Construction is yet to start. As stated by Principal Director, residential complex nearby the college is to be acquired in future which is not as per Regulations.
21. Gender Harassment Committee as required by order of Hon'ble Supreme Court is not constituted.
22. Area of Medical Superintendent's office & Hospital Administrative Office is not as per Regulations.
23. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
24. Website is not available.
25. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 (250) beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Kohima, Nagaland by Govt. of Nagaland under Nagaland University to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

27. Establishment of new medical college at Dehradun, Uttarakhand by Govt. of Uttarakhand with an annual intake of 150 MBBS students under Hemwati Nandan Bahuguna Medical University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Dehradun, Uttarakhand by Govt. of Uttarakhand with an annual intake of 150 MBBS students under Hemwati Nandan Bahuguna Medical University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (5th and 6th January, 2016) and noted the following:

1. Deficiency of faculty is 66.10 % as detailed in the report.
2. Shortage of Residents is 73.90 % as detailed in the report.
3. Medical Superintendent is on temporary deputation.
4. Teaching hospital is still under the control of Health department and not under Dean.
5. OPD: OPD areas are congested. Waiting area is inadequate. Teaching areas are not available. Enquiry desk is not available. Examination rooms are inadequate. Injection room for males/females is common. Dressing room for males/females is common. Minor O.T. is non-functional. Plaster room & Plaster Cutting room are common. Ophthalmology OPD does not have Dark room or Minor Procedure room. Paediatrics OPD was locked. Special clinics are not available in Paediatrics OPD.
6. Total 363 beds are available in the hospital. However Teaching beds are deficient as under departmentwise:

#	Department	Beds		
		Required	Available	Shortage
1	Tb & Chest	08	NIL	08
2	Skin & VD	08	NIL	08
3	General Surgery	90	63	27
4	Ophthalmology	10	08	02
5	ENT	10	08	02
	TOTAL			47

7. Wards: They are not separate for different specialties. Ancillary facilities are inadequate. Treatment cum Examination room, Demonstration room, Pantry are not available.
8. Histopathology workload is NIL on day of assessment.
9. Casualty: Resuscitation equipment is inadequate as detailed in report.
10. Central Clinical Laboratory: Separate section for Microbiology is not available.
11. O.T.: Only 1 Minor O.T. is available against requirement of 2 which is non-functional. Equipment like Defibrillator, Infusion Pumps are not available.

- Preoperative & Postoperative beds are not available. There is no sterilization zone; attendants are approaching right upto O.T. gate.
12. ICUs: Adequate staff & equipment are not available in Intensive care areas. There was NIL patient in ICCU. SICU is non-functional.
 13. Only 1 mobile X-ray machine is available against requirement of 2.
 14. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
 15. Speech Therapy is not available.
 16. Pharmaco Vigilance Committee: Though constituted, no meeting has been held.
 17. Lecture Theaters: They are not yet furnished. Audiovisual aids are not available.
 18. Central Library: it is not air-conditioned. Only 1,600 books are available against requirement of 3,000. Staff is inadequate.
 19. Central Photography Section is not available.
 20. Students' Hostels: They are partially furnished; only beds are available. Visitors' room, A.C. Study room with computer & Internet, Recreation room are not available.
 21. Residents' Hostel: It is not furnished. Visitors' room, A.C. Study room with computer & Internet, Recreation room are not available.
 22. Residential Quarters: Non-teaching staff quarters are not yet fully ready.
 23. Recreational facilities, Gymnasium are not available.
 24. Website: Citizens' Charter is not available.
 25. Preclinical departments of Anatomy, Physiology & Biochemistry are not fully functional. Equipment & furniture are not yet procured.
 27. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Dehradun, Uttarakhand by Govt. of Uttarakhand under Hemwati Nandan Bahuguna Medical University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

28. **Establishment of new medical college at Gurawar, Jhajjar, Haryana by Amma Chandravati Educational & Charitable Trust, New Delhi with an annual intake of 150 MBBS students under Pandit B.D Sharma University of Health Sciences, Rohtak, Haryana u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Gurawar, Jhajjar, Haryana by Amma Chandravati Educational & Charitable Trust, New Delhi with an annual intake of 150 MBBS students under Pandit B.D Sharma University of Health Sciences, Rohtak, Haryana u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (12th and 13th January, 2016) and noted the following:

1. Deficiency of faculty is 93.85 % as detailed in the report.
2. Shortage of Residents is 97.83 % as detailed in the report.
3. Many Residents are not staying in the campus.
4. Medical Superintendent is not available.
5. OPD: It is under construction / development. Examination rooms are not occupied by the respective departments. Equipment is not available.
6. Hospital is under construction/development. Rooms are allotted in wards but they are not occupied and non-functional. Equipment are not available.
7. Bed occupancy was 01 % on day of assessment.

8. There was NIL Major & NIL Minor operation on day of assessment.
9. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
10. Radiological & Laboratory investigation workload was NIL on day of assessment.
11. MRD: It is not available.
12. Casualty: Separate Casualty for O.G. is not available. Central O₂ & Central Suction are not available. Defibrillator, Ventilator are not available.
13. Central Clinical laboratory is non-functional.
14. O.T.s: They are under construction.
15. ICUs: ICCU & ICUs are not occupied & non-functional. There was NIL patient in ICCU or any ICU. Major equipment is not available.
16. Labour Room: It is under construction / development.
17. Radiodiagnosis department: Only 1 mobile & 1 static X-ray machine are available against requirement of 2 each. No USG is available. AERB approval is not available.
18. Blood Bank is not available.
19. CSSD, Intercom, Laundry, Kitchen, Canteen are not available.
20. No arrangements have been made for disposal of Bio-Medical waste.
21. Nursing staff: Only 34 Nurses are available against requirement of 175.
22. Paramedical & Non-teaching staff: Only 10 Paramedical & Non-teaching staff are available against requirement of 100.
23. Dean's office & Administrative office are located in hospital.
24. MEU, College Council, Pharmaco Vigilance Committee are not constituted.
25. Lecture Theaters are under construction.
26. College building is under construction.
27. Students', Residents', Nurses' Hostels are under construction.
28. Residential Quarters are under construction.
29. Gender Harassment Committee as required by order of Hon'ble Supreme Court is not constituted.
30. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
31. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Gurawar, Jhajjar, Haryana by Amma Chandravati Educational & Charitable Trust, New Delhi under Pandit B.D Sharma University of Health Sciences, Rohtak, Haryana to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Haryana as to how the Essentiality Certificate had been issued when the hospital is still under construction.

29. **Establishment of new medical college at Silvassa, Union Territory of Dadra & Nagar Haveli by UT of Daman & Diu of Dadra & Nagar Haveli with an annual intake of 100 MBBS students under Veer Narmad South Gujarat University, Surat u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Silvassa, Union Territory of Dadra & Nagar Haveli by UT of Daman & Diu of

Dadra & Nagar Haveli with an annual intake of 100 MBBS students under Veer Narmad South Gujarat University, Surat u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (12th and 13th January, 2016) and noted the following:

1. No faculty or Residents are yet appointed. Deficiency is 100 % of both faculty & Residents.
2. Dean is not available.
3. Affiliated hospital is non-teaching hospital.
4. Total beds available are 316. However Teaching beds are inadequate as under departmentwise:

#	Department	Beds		
		Required	Available	Shortage
1	Paediatrics	24	20	04
2	Tb & Chest	08	05	03
3	Skin & VD	08	NIL	08
4	General Surgery	90	27	63
5	Ophthalmology	10	08	02
6	ENT	10	NIL	10
	TOTAL			90

5. Total number of Minor operations are only 02 for the whole hospital on day of assessment.
6. Workload of Histopathology is NIL.
7. ICUs: ICCU & SICU are not available.
8. Blood Bank: It is run by Red Cross Society & not by institute.
9. Paramedical & Non-teaching staff are inadequate.
10. College Council & Pharmaco Vigilance Committee are not constituted.
11. Lecture Theaters: Construction has not yet started.
12. Central Library: Construction has not yet started.
13. Students', Residents' & Nursing Hostels: Construction has not yet started.
14. Construction of college building has not yet started.
15. Residential Quarters: NIL quarters are available for faculty.
16. Gender Harassment Committee is not constituted.
17. Website is not available.
18. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Silvassa, Union Territory of Dadra & Nagar Haveli by UT of Daman & Diu of Dadra & Nagar Haveli under Veer Narmad South Gujarat University, Surat u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

30. **Establishment of new medical college at Mandi, Himachal Pradesh by Employee's State Insurance Corporation, New Delhi with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Mandi, Himachal Pradesh by Employee's State Insurance Corporation, New Delhi with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (08th and 09th January, 2016) and noted the following:

1. Deficiency of faculty is 100 % as detailed in report.
2. Shortage of Residents is 100 % as detailed in report.
3. Dr. Surinder Kaur, who is Medical Superintendent, has been given additional charge of Dean was not available.
4. Affiliated teaching hospital is under construction. No facility is available in OPD, IPD, Laboratories, Radiodiagnosis department or any other infrastructure.
5. No clinical material is available as the hospital is non-functional.
6. College building is under construction. No facility is available in any department or office.
7. College Council & Pharmaco Vigilance Committee are not constituted.
8. Central Library: It is under construction.
9. Students', Residents' & Nurses' Hostels are under construction.
10. Residential Quarters are under construction.
11. Gender Harassment Committee required as per order of Hon'ble Supreme Court is not constituted.
12. Website is not available.
13. No other doctor was available. In fact, the senior most official available was UDC who has signed SAF.
14. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Mandi, Himachal Pradesh by Employee's State Insurance Corporation, New Delhi under Himachal Pradesh University to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

31. Establishment of new medical college at Chamba, Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Chamba, Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (08th and 09th January, 2016) alongwith letter dated 08/01/2016 from the appointed team of the Council assessors and noted the following:

1. Present hospital has 200 beds only.
2. Land allotment is done but there is no construction of medical college.
3. Dean & Medical Superintendent are not appointed.
4. No faculty or Residents are appointed.
5. SAF, Form A, Form B are not prepared.
6. There is no purchase of any equipment, furniture, instruments, books, journals.

7. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Chamba, Himachal Pradesh by Govt. of Himachal Pradesh under Himachal Pradesh University to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

32. **Establishment of new medical college at Hazaribagh, Jharkhand by Swawlambi Educational Trust, Gulzarbagh, Patna, Bihar with an annual intake of 100 MBBS students under Vinoba Bhave University, Hazaribagh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Hazaribagh, Jharkhand by Swawlambi Educational Trust, Gulzarbagh, Patna, Bihar with an annual intake of 100 MBBS students under Vinoba Bhave University, Hazaribagh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (11th and 12th January, 2016) and noted the following:

1. Deficiency of faculty is 100 % as detailed in report.
2. Shortage of Residents is 100 % as detailed in the report.
3. Dr. L.K. Mishra, Dean was absent on day of assessment.
4. Medical Superintendent is not available.
5. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	72	58	14
2	Paediatrics	24	NIL	24
3	Tb & Chest	08	NIL	08
4	Skin & VD	08	NIL	08
5	Psychiatry	08	NIL	08
6	General Surgery	90	NIL	90
7	Orthopaedics	30	NIL	30
8	Ophthalmology	10	NIL	10
9	ENT	10	NIL	10
10	O.G.	40	11	29
	TOTAL			231

6. OPD: Separate Registration counters for males/females are not available. They are not computerized. Staff at Registration counters is inadequate. OPD & IPD Registration counters are in one area only. There are only 2 Examination rooms for major departments against requirement of 4. They are not properly arranged. Injection room for male/female is not available. ECG room is not available. Plaster room & Plaster Cutting room are not available. In Ophthalmology OPD, Dark room, Refraction room & Minor procedure room are not available. Special clinics are not available in Paediatrics & OG OPD.

7. Wards: There are no separate departmentwise wards.
8. Hospital is not fully functional.
9. OPD attendance is only 057 on day of assessment which is grossly inadequate.
10. Bed occupancy was NIL on day of assessment.
11. There was NIL Major & NIL Minor operations on day of assessment.
12. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
13. Radiological investigation workload was NIL. Laboratory investigation workload is negligible.
14. Histopathology & Cytopathology workload is NIL.
15. Casualty: It is not available.
16. Central Clinical laboratory is not fully functional.
17. O.T.: Only 1 Major O.T. is functional against requirement of 4. Only 1 Minor O.T. is functional against requirement of 2.
18. ICUs: Neither ICCU nor MICU, SICU, PICU/NICU are available.
19. Labour room: Eclampsia room & Septic room are not available.
20. Radiodiagnosis department: NIL static X-ray machine is available. Only 1 mobile X-ray machine is available against requirement of 2. Only 1 USG machine is available against requirement of 2. AERB/PNDT approval are not available.
21. Blood Bank, CSSD, Intercom are not available.
22. No details are available for disposal of Biomedical Waste.
23. Audiometry & Speech Therapy are not available.
24. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
25. Details of available Nursing staff and paramedical & Non-teaching staff are not provided.
26. Medical Education Unit, Pharmaco Vigilance Committee are not constituted.
27. Lecture Theaters: Audio Visual aids are not available. E class facility is not available.
28. Central Library: It is not air-conditioned.
29. Students' Hostels: They are not fully furnished. There is no electricity connection in the rooms.
30. Residents' Hostel: They are not fully furnished. There is no electricity connection in the room. Toilet facilities are inadequate.
31. Nurses' Hostel: They are not fully furnished. There is no electricity connection in the room. Toilet facilities are inadequate.
32. Residential Quarters: There are only 2 quarters for faculty against 12 required. Only 15 quarters are available against 20 required.
33. Gender Harassment Committee is not yet constituted.
34. Website is not available.
35. Anatomy department: Audiovisual aids are not available. Museum is not functional. Cadavers are not available. Band saw is not available. Cold storage for dead bodies, Storage tanks are not available. Lockers are not available.
36. Physiology department: Audiovisual aids are not available in Demonstration Room.
37. Biochemistry department: Only space is provided. No other facility is available.
38. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Hazaribagh, Jharkhand by

Swawlambi Educational Trust, Gulzarbagh, Patna, Bihar under Vinoba Bhave University, Hazaribagh to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Jharkhand as to how the Essentiality Certificate had been issued when the hospital does not have the requisite number of beds as per Establishment of Medical College Regulations, 1999.

33. Recognition/approval of ACS Medical College & Hospital, Chennai u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (150) seats under the ambit of Dr. M.G.R. Educational & Research Institute, Deemed to be University, Chennai .

Read: the matter with regard to recognition/approval of ACS Medical College & Hospital, Chennai u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (150) seats under the ambit of Dr. M.G.R. Educational & Research Institute, Deemed to be University, Chennai.

The Executive Committee of the Council considered the compliance verification assessment report (4th January, 2016) alongwith previous assessment report (18th & 19th March, 2015) and joint assessment report (10th & 11th April, 2015) as well as various court orders and decided to obtain legal opinion in the matter and deferred the matter till the next meeting.

34. Recognition/approval of Sri Muthukumaran Medical College, Hospital & Research Institute, Chennai for the award of MBBS degree (150 seats) granted by The Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Sri Muthukumaran Medical College, Hospital & Research Institute, Chennai for the award of MBBS degree (150 seats) granted by The Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (6th Jan., 2016) along with the previous compliance verification assessment reports (11th Sept., , 28th April & 17th April, 2015) and assessment report (18th & 19th Feb., 2015) and decided to defer the matter for the next meeting.

35. Recognition/approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (29th December, 2015) alongwith the previous

compliance verification assessment report (3rd August, 2015) and noted the following :-

1. Deficiency of faculty is 54.55 % as detailed in the report.
2. No faculty is available in Radiodiagnosis and Tb & Chest departments.
3. Shortage of Residents is 82.5 % as detailed in the report.
4. Bed occupancy is 29.38 % on day of assessment.
5. OPD attendance as given by institute at 1,354 appears to be inflated. It seemed to be less than 1000.
6. Casualty attendance was only 6 on day of assessment.
7. Radiodiagnosis department: In spite of non-availability of faculty, USG, CT are reportedly being done. Workload of Plain X-rays is only 44 which is grossly inadequate.
8. Laboratory workload is grossly inadequate. Data provided by institute are highly inflated.
9. Wards: Most of the wards were empty. No Nurses, Residents are posted.
10. There are only 4 Minor operations for the whole hospital on day of assessment.
11. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend not to recognise/approve Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur for the award of MBBS degree granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 and further decided to apply clause 8(3)(1)(b) of Establishment of Medical College Regulation (Amendment), 2010(Part II), dated 16th April, 2010 which reads as under:-

8(3)(1).....

(b) Colleges in the stage from III renewal (i.e. Admission of fourth batch) till recognition of the institute for award of MBBS degree

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 20% and/or bed occupancy is <70%, such an institute will not be considered for renewal of permission in that Academic year.

The Committee also decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration to recognize Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur under the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the Indian Medical Council Act, 1956

The Executive Committee further considered the representation dated nil(received in the Council Office on 14/12/2015 & 19.01.2016) from the students of 2010-2011 batch of Melmaruvathur Adhiprasakthi Institute of Medical Sciences & Research, Melmaruvathur alongwith copy of order dated 07.01.2016 passed by Hon'ble High Court of Madras in W.M.P. No. 334 of 2016 in W.P. No. 12686/2015, legal opinion of the Law Officer and decided to recognize the MBBS degree of the students who were admitted in academic year 2010-2011 batch only in accordance with the permissions issued by the Central Govt. and matter be placed before the General Body of the Council.

36. Approval of the proceedings of the Ethics Committee meeting dated 29th & 30th September, 2015.

Read: the matter with regard to approval of the proceedings of the Ethics Committee meeting dated 29th & 30th September, 2015.

The Executive Committee of the Council perused the proceedings of the Ethics Committee meeting held on 29th & 30th September, 2015 and approved the proceedings of case nos. 4,5,6,10,12,13,14,17,18,20,21,22 & 31 and rest of the proceedings, the Committee observed as under pointwise:-

1. CASE # 07. APPEAL FILED BY SMT. SHALINI GUPTA AGAINST DR. NIKHIL RAHEJA

From the record it is not clear whether Dr. Nikhil Raheja has submitted any certificate of Additional Registration. Further, he possesses D.P.M. awarded by College of Physicians & Surgeons which is not a recognized qualification by MCI. He has not submitted any document of having acquired another qualification in Psychiatry. Under these circumstances whether he can work as a qualified Psychiatrist also remains to be decided. Referred back to Ethics Committee with above observations.

2. CASE # 20. APPEAL FILED BY SHRI R.M. DAS AGAINST ORDER OF W.B. MEDICAL COUNCIL & DR. A.K. GHOSH V/S UOI & ORS. W.P. # 5851(W)/2015 IN HON'BLE CALCUTTA HIGH COURT.

Approved. Further EC decided to direct Dr. Atul Kumar Ghosh not to practice as an Anaesthetist in future as he does not have any PG Qualification in the subject of Anaesthesia.

3. CASE # 21. APPEAL FILED BY SHRI R.M. DAS AGAINST ORDER OF W.B. MEDICAL COUNCIL & DR. SUJIT SARKAR V/S UOI & ORS. W.P. # 5850(W)/2015 IN HON'BLE CALCUTTA HIGH COURT.

Approved. However the EC decided to refer back the matter to ethics committee with regard to quantum of punishment to Dr. Sujit Sarkar.

37. Increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Saraswathi Institute of Medical Sciences, Hapur.

Read: the matter with regard to increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Saraswathi Institute of Medical Sciences, Hapur.

The Executive Committee of the Council considered the assessment report (09th & 10th December, 2015) and noted the following:

1. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	126	120	06
2	Paediatrics	66	60	06
3	General Surgery	126	120	06

4	Orthopaedics	66	60	06
5	O.G.	66	60	06
	TOTAL			30

2. OPD: Plaster room & Plaster cutting room are not separate; they are divided by Aluminium partition.
3. Equipment in Eclampsia room is not adequate.
4. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to grant Letter of Permission for increase of seats from 100 to 150 in respect of Saraswathi Institute of Medical Sciences, Hapur under Chaudhary Charan Singh University, Meerut u/s 10A of the IMC Act 1956 for the academic year 2016-17.

38. Pondicherry Institute of Medical Sciences & Research, Pondicherry – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17.

Read: the matter with regard to Pondicherry Institute of Medical Sciences & Research, Pondicherry – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17.

The Executive Committee of the Council considered the assessment report (4th and 5th January, 2016) alongwith the additional information submitted by the Assessors vide letter dated 26.01.2016 and noted the following:

1. OPD attendance is only 794 against 1,100 required. It is even less than 800 required for a recognized college with intake of 100.
2. Lecture theaters: Only 2 Lecture theaters of capacity 180 are available against requirement of 3.
3. Residential Quarters: NIL quarters are available for non-teaching staff.
4. OPD: There are only 2 examination cubicles in General Surgery department. Dressing room is common for males/females.
5. Wards: Ward # 9 contains patients of both General Surgery & ENT. All the Surgical beds are occupied by patients of Neurosurgery; Urology, Plastic Surgery, CVTS intermingling with patients of General Surgery. Surgical cases are few; that too like Cellulitis, Diabetic Ulcer, Bedsore, Sebaceous Cyst, etc. Only a few cases of hernia & 1 case of Cancer Colon was seen. Distance between 2 beds is < 1.5 m. All wards do not have Demonstration Rooms. Pantry is not available. (
6. Bed occupancy was 74 % on day of assessment.
7. Casualty: 19 beds are available against requirement of 25.
8. Operative workload is less.
9. Other deficiencies as pointed out in the assessment report.

In view of above, 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 against the increased intake i.e. from 100 to 150 u/s 10A of the IMC Act, 1956 in respect of Pondicherry Institute of Medical Sciences, Pondicherry under Pondicherry University for the academic year 2016-2017.

39. Kalinga Institute of Medical Sciences, Bhubaneswar – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17, in pursuance of the Hon'ble Supreme Court order dated 16.12.2015 passed in SLP © No. 34856/2015 –MCI Vs. Kalinga Institute of Medical Sciences & Ors.

Read: the matter with regard to Kalinga Institute of Medical Sciences, Bhubaneswar – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17, in pursuance of the Hon'ble High Court of Orissa order dated 03.12.2015 passed in W.P. (C) No. 15685/2015 filed by Kalinga Institute of Medical Sciences & Anr. Vs. Union of India & Another and Hon'ble Supreme Court order dated 16.12.2015 passed in SLP(C) No. 34856/2015 –MCI Vs. Kalinga Institute of Medical Sciences & Ors.

The Executive Committee of the Council considered the assessment report (7th and 8th January, 2016) in pursuance of the order dated 03.12.2015 passed by Hon'ble High Court of Orissa in W.P. (C) No. 15685/2015 filed by Kalinga Institute of Medical Sciences & Anr. Vs. Union of India & Another and Order dated 16.12.2015 passed by the Hon'ble Supreme Court of India in SLP (C) No. 34856/2015 –MCI Vs. Kalinga Institute of Medical Sciences & Ors. and noted the following:-

- Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	138	120	18
2	Paediatrics	78	65	13
3	Tb & Chest	16	10	06
4	General Surgery	138	120	18
5	Orthopaedics	78	65	13
6	O.G.	78	60	13
	TOTAL			81

- OPD: Injection room is common for male/female. ECG room is not available. Room shown as ECG room is an examination room. Plaster room & Plaster cutting room are common. In Ophthalmology OPD, Dark Room & Dressing room are not available. Child welfare clinic room in Paediatrics OPD was locked. Child Rehabilitation clinic is not available.
- Number of Units available are less in subjects of General Medicine, Paediatrics, General Surgery, Orthopaedics, O.G.
- Bed occupancy was 66.70 % on actual physical verification (i.e. 397 out of 595 beds required)
- While there were 5 Caesarean Sections, there was NIL Normal Delivery; this is an abnormally high ratio.
- There is discrepancy in data of Major & Minor operations as under:

#	Parameter	Number	
		Reported by College	As per O.T. Lists
1	General Medicine	24	22
2	Paediatrics	40	13

- Workload of Special Investigations like Ba, IVP is NIL on day of assessment.
- MRD: It is partly computerized.
- ICUs: There was NIL patient in SICU on day of assessment.

10. Only 4 static X-ray machines are available against requirement of 5.
11. Examination Halls: Against requirement of 2 Examination Halls of 250 capacity, only 1 of 250 capacity is available. Another hall of 144 capacity is available; the capacity is less and also it is of gallery type and cannot be considered as Examination Hall.
12. Lecture Theaters: Capacity of 4 Lecture Theaters available is only 140 each against requirement of 180 each. College authorities insisted that 180 students can be accommodated in the theater but on verification it did not appear as if it can accommodate more than 140. It was verified during a lecture when 115 students were present there. Available vacant space was not enough to accommodate more than 25 students. Even these 115 students were sitting quite close to one another as it is.
13. Central Library: Available area is 1,700 sq.m. against requirement of 1,800 sq.m.
14. Students' Hostels: Entrance lobby is the Visitors' room which is not as per norms. Study room has no computer. Recreation room has no facility for any music or indoor games.
15. Interns' Hostel: Available accommodation is 82 against requirement of 100. Entrance lobby is the Visitors' room which is not as per norms. Study room has no computer. Recreation room has no facility for any music or indoor games.
16. Residents' Hostel: Entrance lobby is the Visitors' room which is not as per norms. Study room has no computer. Recreation room has no facility for any music or indoor games.
17. Playground shown is used as construction area.
18. Anatomy department: CT & MRI films are not available.

In view of above, 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 against the increased intake i.e. from 100 to 150 u/s 10A of the IMC Act, 1956 in respect of Kalinga Institute of Medical Sciences, Bhubaneswar under KIIT University, Bhubaneswar for the academic year 2016-2017.

40. **Recognition/approval of Pt. B.D. Sharma Postgraduate Institute of Medical Sciences, Rohtak for the award of MBBS degree granted by Pt. B.D. Sharma University of Health Sciences, Rohtak against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.**

Read: the matter with regard to recognition/approval of Pt. B.D. Sharma Postgraduate Institute of Medical Sciences, Rohtak for the award of MBBS degree granted by Pt. B.D. Sharma University of Health Sciences, Rohtak against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (02.12.2015) and (06.01.2016 & 07.01.2016) and decided to recommend to the Central Government for recognition/approval of Pt. B.D. Sharma Postgraduate Institute of Medical Sciences, Rohtak for the award of MBBS degree granted by Pt. B.D. Sharma University of Health Sciences, Rohtak against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute."

The Committee decided to place the matter before the General Body of the Council.

41. Recognition/approval of Maulana Azad Medical College, New Delhi for the award of MBBS degree granted by Delhi University against the increased intake i.e. from 200 to 250 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Maulana Azad Medical College, New Delhi for the award of MBBS degree granted by Delhi University against the increased intake i.e. from 200 to 250 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (08.12.2015) and (12.01.2016 & 13.01.2016) alongwith a representation dated 19/01/2016 from the Dean, Maulana Azad Medical College, New Delhi and noted the following:-

1. Deficiency of faculty is 33.50 % as detailed in the report.
2. Teaching Beds: 21 Teaching beds are less in Tb & Chest as only 29 beds are available against requirement of 50.
3. Workload of Special investigations like Ba, IVP is NIL on day of assessment.
4. MRD is partially computerized.
5. Examination Hall: Examination halls in Orthopaedic block are not furnished.
6. Lecture Theaters: E class facility is not available.
7. Common Rooms for Boys & Girls do not have attached toilets.
8. Interns' Hostel: It is nearing completion.
9. Demonstration Rooms: Demonstration rooms of Biochemistry are shared with others. Capacity of 1 Demonstration room of Pathology is less than required.
10. RHTC: Cold chain equipment are not available.
11. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend not to recognize/approve Maulana Azad Medical College, New Delhi for the award of MBBS degree granted by Delhi University against the increased intake i.e. from 200 to 250 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

42. Recognition/approval of Christian Medical College, Ludhiana for the award of MBBS degree granted by Baba Farid University of Health Sciences, Faridkot against the increased intake i.e. from 50 to 75 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Christian Medical College, Ludhiana for the award of MBBS degree granted by Baba Farid University of Health Sciences, Faridkot against the increased intake i.e. from 50 to 75 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (09.12.2015) and (12.01.2016 & 13.01.2016) and decided to recommend to the Central Government for recognition/approval of Christian Medical College, Ludhiana for the award of MBBS degree granted by Baba Farid University of Health Sciences, Faridkot against the increased intake i.e. from 50 to 75 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute."

The Committee decided to place the matter before the General Body of the Council.

43. Recognition/approval of J.N. Medical College, Sawangi (Meghe) Wardha for the award of MBBS degree granted by Datta Meghe Institute of Medical Sciences, (Deemed University) Wardha against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of J.N. Medical College, Sawangi (Meghe) Wardha for the award of MBBS degree granted by Datta Meghe Institute of Medical Sciences, (Deemed University) Wardha against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (08.12.2015) and (11.01.2016 & 12.01.2016) and decided to recommend to the Central Government for recognition/approval of J.N. Medical College, Sawangi (Meghe) Wardha for the award of MBBS degree granted by Datta Meghe Institute of Medical Sciences, (Deemed University) Wardha against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute."

The Committee decided to place the matter before the General Body of the Council.

44. Increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Dr. Somervel Memorial CSI Medical College & Hospital, Thiruvananthapuram u/s 10A of the IMC Act, 1956.

Read: the matter with regard to increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Dr. Somervel Memorial CSI Medical College & Hospital, Thiruvananthapuram u/s 10A of the IMC Act, 1956.

The Executive Committee of the Council observed that the compliance verification assessment report (16.12.2015) alongwith previous assessment report (01.07.2015, 8th May, 2015 and 10th & 11th March, 2015) was considered by the Executive Committee at its meeting held on 28.12.2015 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (16.12.2015) along with previous assessment reports (01.07.2015, 8th May, 2015 and 10th & 11th March, 2015) and noted the following:-

1. *Deficiency of faculty is 30.93 % as detailed in report.*
2. *Shortage of Residents is 46.83 % as detailed in the report.*
3. *Bed occupancy is 38.30 % on day of assessment.*
4. *Number of patients in OPD is 400 – 500 on day of assessment against requirement of 800.*
5. *Workload of Special investigations like Ba, IVP was NIL on day of assessment.*
6. *In Skin & VD ward, one male patient was without any case paper.*
7. *In USG register of Radiodiagnosis department, no entry of indoor patient was recorded.*
8. *In Histopathology register, there was no column/entry of patients, department, ward.*
9. *On enquiry, Registration counter clerks were not able to give clinical data.*
10. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010(Part II),

dated 16th April, 2010 and to return the postgraduate applications of Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram recommending disapproval of the scheme.

The Executive Committee of the Council further decided that since the gross deficiencies of teaching faculty, residents, & infrastructure are still persisting in spite of repeated opportunities being given to the institute to rectify the same over a period of time, why the recognition for the award of MBBS degree granted by Kerala University of Health Sciences, Thrissur in respect of students being trained at Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram be not withdrawn u/s 19 of the IMC Act, 1956. It was further decided that the institute be directed not to make further admissions from the academic year 2016-17 onwards.

The Committee further decided to place the matter before the General Body of the Council."

Therefore, in view of its earlier decision as quoted above, the Committee decided to return the application for increase in MBBS seats from 100 to 150 at Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

45. Increase of seats in MBBS course from 100-150 for the academic session 2016-17 at KMCT Medical College, Kozhikode u/s 10A of the IMC Act, 1956.

Read: the matter with regard to increase of seats in MBBS course from 100-150 for the academic session 2016-17 at KMCT Medical College, Kozhikode u/s 10A of the IMC Act, 1956.

The Executive Committee of the Council observed that the compliance verification assessment report (16.12.2015) alongwith previous assessment report (01.07.2015, 18th April, 2015 and 12th & 13th January, 2015) was considered by the Executive Committee at its meeting held on 28.12.2015 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (16.12.2015) along with previous assessment reports (01.07.2015, 18th April, 2015 and 12th & 13th January, 2015) and noted the following:-

1. Deficiency of faculty is 11.6 % as detailed in report.
2. Shortage of Residents is 29.4 % as detailed in report.
3. Bed occupancy is 59.5 % on day of assessment.
4. There were only 4 Minor operations for the whole hospital on day of assessment.
5. Institute is maintaining double registers. Register in General Medicine OPD did not match with one of registers having inflated data.
6. OPD attendance was only 413 on day of assessment against 800 required.
7. Radiological investigation workload is inadequate.
8. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c)

of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to return the postgraduate applications of KMCT Medical College, Kozhikode, Kerala recommending disapproval of the scheme.

The Executive Committee of the Council further decided that since the gross deficiencies of teaching faculty, residents, & infrastructure are still persisting in spite of repeated opportunities being given to the institute to rectify the same over a period of time, why the recognition for the award of MBBS degree granted by Kerala University of Health Sciences, Thrissur in respect of students being trained at KMCT Medical College, Kozhikode, Kerala be not withdrawn u/s 19 of the IMC Act, 1956. It was further decided that the institute be directed not to make further admissions from the academic year 2016-17 onwards.

The Committee further decided to place the matter before the General Body of the Council."

Therefore, in view of its earlier decision as quoted above, the Committee decided to return the application for increase in MBBS seats from 100 to 150 at KMCT Medical College, Kozhikode under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

46. Establishment of new medical college at Greater Noida, Uttar Pradesh by Govt. of Uttar Pradesh with an annual intake of 100 MBBS students under King George's Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Greater Noida, Uttar Pradesh by Govt. of Uttar Pradesh with an annual intake of 100 MBBS students under King George's Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council perused the letter of Director of the Institute dt. 12/01/2016 which reads as under:

Madam,

In reference of your letter No. MCI/34(41)/2015-Med./92, dated 8.1.2016 your inspectors came to our university for inspection of medical college. But we are not prepared for inspection at present moment and the formalities for establishment of medical college as per MCI norms are in process of completion. Appointment of faculties and procurement of equipment etc. are in process. As soon as it is over we let you know and ask for inspection. Please defer this inspection for sometimes.

*Dr. A.K. Bhatt
(Director)*

The Executive Committee also noted the operative part of the Order of Hon'ble Supreme Court in Mridul Dhar's and Priya Gupta's case which are as under:

Mridul Dhar's case

"1-13.

14. Time schedule for establishment of new college or to increase intake in existing college, shall be adhered to strictly by all concerned.

15. Time schedule provided in Regulations shall be strictly adhered to by all concerned failing which defaulting party would be liable to be personally proceeded with."

Priya Gupta's case

30. Thus, the need of the hour is that binding dicta be prescribed and statutory regulations be enforced, so that all concerned are mandatorily required to implement the time schedule in its true spirit and substance. It is difficult and not even advisable to keep some windows open to meet a particular situation of exception, as it may pose impediments to the smooth implementation of laws and defeat the very object of the scheme. These schedules have been prescribed upon serious consideration by all concerned. They are to be applied stricto sensu and cannot be moulded to suit the convenience of some economic or other interest of any institution, especially, in a manner that is bound to result in compromise of the above- stated principles. Keeping in view the contemptuous conduct of the relevant stakeholders, their cannonade on the rule of merit compels us to state, with precision and esemplastically, the action that is necessary to ameliorate the process of selection. Thus, we issue the following directions in rem for their strict compliance, without demur and default, by all concerned.

i) The commencement of new courses or increases in seats of existing courses of MBBS/BDS are to be approved/recognised by the Government of India by 15th July of each calendar year for the relevant academic sessions of that year.

ii) The Medical Council of India shall, immediately thereafter, issue appropriate directions and ensure the implementation and commencement of admission process within one week thereafter.

iii) After 15th July of each year, neither the Union of India nor the Medical or Dental Council of India shall issue any recognition or approval for the current academic year. If any such approval is granted after 15th July of any year, it shall only be operative for the next academic year and not in the current academic year. Once the sanction/approval is granted on or before 15th July of the relevant year, the name of that college and all seats shall be included in both the first and the second counseling, in accordance with the Rules.

iv) Any medical or dental college, or seats thereof, to which the recognition/approval is issued subsequent to 15th July of the respective year shall not be included in the counseling to be conducted by the concerned authority and that college would have no right to make admissions in the current academic year against such seats.

v) The admission to the medical or dental colleges shall be granted only through the respective entrance tests conducted by the competitive authority in the State or the body of the private colleges. These two are the methods of selection and grant of admission to these courses. However, where there is a single Board conducting the state examination and there is a single medical college, then in terms of clause 5.1 of the Medical Council of India Eligibility Certificate Regulations, 2002 the admission can be given on the basis of 10+2 exam marks, strictly in order of merit.

vi) All admissions through any of the stated selection processes have to be effected only after due publicity and in consonance with the directions issued by this Court. We vehemently deprecate the practice of giving admissions on 30th September of the academic year. In fact, that is the date by which, in exceptional circumstances, a candidate duly selected as per the prescribed selection process is to join the academic course of MBBS/BDS. Under the directions of this Court, second counseling should be the final counseling, as this Court has already held in the case of Ms. Neelu Arora & Anr. v. UOI & Ors. [(2003) 3 SCC 366] and third counseling is not contemplated or permitted under the entire process of selection/grant of admission to these professional courses.

vii) If any seats remain vacant or are surrendered from All India Quota, they should positively be allotted and admission granted strictly as per the merit by 15th September of the relevant year and not by holding an extended counseling. The remaining time will be limited to the filling up of the vacant seats resulting from exceptional circumstances or surrender of seats. All candidates should join the academic courses by 30th September of the academic year.

viii) No college may grant admissions without duly advertising the vacancies available and by publicizing the same through the internet, newspaper, on the notice board of the respective feeder schools and colleges, etc. Every effort has to be made by all concerned to ensure that the admissions are given on merit and after due publicity and not in a manner which is ex-facie arbitrary and casts the shadow of favouritism.

ix) The admissions to all government colleges have to be on merit obtained in the entrance examination conducted by the nominated authority, while in the case of private colleges, the colleges should choose their option by 30th April of the relevant year, as to whether they wish to grant admission on the basis of the merit obtained in the test conducted by the nominated State authority or they wish to follow the merit list/rank obtained by the candidates in the competitive examination collectively held by the nominated agency for the private colleges. The option exercised by 30th April shall not be subject to change. This choice should also be given by the colleges which are anticipating grant of recognition, in compliance with the date specified in these directions.

31. All these directions shall be complied with by all concerned, including Union of India, Medical Council of India, Dental Council of India, State Governments, Universities and medical and dental colleges and the management of the respective universities or dental and medical colleges. Any default in compliance with these conditions or attempt to overreach these directions shall, without fail, invite the following consequences and penal actions:-

a) Every body, officer or authority who disobeys or avoids or fails to strictly comply with these directions stricto sensu shall be liable for action under the provisions of the Contempt of Courts Act. Liberty is granted to any interested party to take out the contempt proceedings before the High Court having jurisdiction over such Institution/State, etc.

b) The person, member or authority found responsible for any violation shall be departmentally proceeded against and punished in accordance with the Rules. We make it clear that violation of these directions or overreaching them by any process shall tantamount to indiscipline, insubordination, misconduct and being unworthy of becoming a public servant.

c) Such defaulting authority, member or body shall also be liable for action by and personal liability to third parties who might have suffered losses as a result of such default.

d) *There shall be due channelization of selection and admission process with full cooperation and coordination between the Government of India, State Government, Universities, Medical Council of India or Dental Council of India and the colleges concerned. They shall act in tandem and strictly as per the prescribed schedule. In other words, there should be complete harmonisation with a view to form a uniform pattern for concerted action, according to the framed scheme, schedule for admission and regulations framed in this behalf.*

e) *The college which grants admission for the current academic year, where its recognition/approval is granted subsequent to 15th July of the current academic year, shall be liable for withdrawal of recognition/approval on this ground, in addition to being liable to indemnify such students who are denied admission or who are wrongfully given admission in the college.*

f) *Upon the expiry of one week after holding of the second counseling, the unfilled seats from all quotas shall be deemed to have been surrendered in favour of the respective States and shall be filled thereafter strictly on the basis of merit obtained in the competitive entrance test.*

g) *It shall be mandatory on the part of each college and University to inform the State and the Central Government/competent authority of the seats which are lying vacant after each counseling and they shall furnish the complete details, list of seats filled and vacant in the respective states, immediately after each counseling.*

h) *No college shall fill up its seats in any other manner."*

In view of above the Executive Committee of the Council observed that the Regulations being Statutory Regulations are mandatory and binding in character and are required to be strictly adhered to by all the authorities and it was therefore decided to return the application for establishment of a new medical college at Greater Noida, Uttar Pradesh by Govt. of Uttar Pradesh under King George's Medical University, Lucknow to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

47. Establishment of new medical college at Durgapur, Dist. Burdwan, West Bengal by Durgapur Institute of Advance Technology and Management Society, Durgapur, West Bengal with an annual intake of 150 MBBS students under the West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Durgapur, Dist. Burdwan, West Bengal by Durgapur Institute of Advance Technology and Management Society, Durgapur, West Bengal with an annual intake of 150 MBBS students under the West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (12th and 13th January, 2016) and noted the following:

1. Deficiency of faculty is 89 % as detailed in the report.
2. Shortage of residents is 100 % as detailed in the report.

3. Hospital building is under construction. No OPD or IPD is yet started.
4. Blood Bank is not available.
5. No Nursing staff or paramedical & Non-teaching staff are available.
6. Only space is identified for Staff room & College Council room.
7. College Council & Pharmaco Vigilance Committee are not constituted.
8. Lecture Theaters are under construction.
9. Central Library is under construction.
10. Students', Residents' & Nurses' Hostels are under construction.
11. Residential Quarters are under construction.
12. Gender Harassment Committee as required by orders of Hon'ble Supreme Court is not constituted.
13. Website is not available.
14. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Durgapur, Dist. Burdwan, West Bengal by Durgapur Institute of Advance Technology and Management Society, Durgapur, West Bengal under the West Bengal University of Health Sciences, Kolkata to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of West Bengal as to how the Essentiality Certificate had been issued when the hospital is still under construction.

48. Establishment of new medical college at Deoghar, Jharkhand by Paritrans Trust (Buddhist Minority Trust), Deoghar, Jharkhand with an annual intake of 150 MBBS students under S.K.M University, Dumka, Jharkhand u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Deoghar, Jharkhand by Paritrans Trust (Buddhist Minority Trust), Deoghar, Jharkhand with an annual intake of 150 MBBS students under S.K.M University, Dumka, Jharkhand u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (11th and 12th January, 2016) alongwith the information submitted by the Assessors vide letter dated 27.01.2016 and noted the following:

1. Deficiency of faculty is 52.30 % as detailed in the report.
2. Shortage of residents is 65.21 % as detailed in the report.
3. OPD: For Orthopaedics & Ophthalmology OPD only space is available. Plaster room, Plaster Cutting room, Dark room, Refraction room, Minor Procedure room are not available.
4. Wards: They are yet to be furnished for becoming fully functional.
5. There was NIL Major operation in the hospital on day of assessment.
6. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
7. Workload of USG was NIL on day of assessment.

8. Workload of Histopathology & Cytopathology was NIL on day of assessment.
9. Casualty: Central O₂ and Central Suction are not available. Ventilator, Defibrillator are not available.
10. Central Clinical laboratory: Separate sections of Pathology, Microbiology, Biochemistry are not available.
11. O.T.s: Only 1 Major O.T. & 1 Minor O.T. are available against requirement of 4 & 2 required respectively. Available equipment could not be verified as O.T.s are under construction.
12. ICUs: ICCU & ICUs are yet to be made functional.
13. Labour Room is yet to be made functional.
14. Radiodiagnosis department: NIL mobile X-ray machine is available. Out of 2 static X-ray machines, 1 is of 500 mA instead of 600 mA required. AERB approval is not available. NIL USG is available.
15. Blood Bank is not functional.
16. CSSD, Laundry, Intercom, Kitchen are not available.
17. Audiometry & Speech Therapy are not available.
18. MRD is not available. ICD X classification of diseases is not followed for indexing.
19. Central Library: it is yet to be furnished. NIL Journals are available.
20. Lecture Theaters: They are yet to be furnished. Audio Visual aids are not available.
21. Common Rooms for Boys & Girls are under construction.
22. Central Photography Section is not available.
23. Students', Residents' & Nurses' hostels are under construction.
24. Residential Quarters are under construction.
25. Preclinical departments of Anatomy, Physiology, Biochemistry are yet to be furnished and not functional.
26. Website is not available.
27. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Deoghar, Jharkhand by Paritran Trust (Buddhist Minority Trust), Deoghar, Jharkhand under S.K.M University, Dumka, Jharkhand to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Jharkhand as to how the Essentiality Certificate had been issued when the hospital is non-functional.

49. Establishment of new medical college at Nahan, Sirmour, Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Nahan, Sirmour, Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (08th and 09th January, 2016) and noted the following:

1. Deficiency of faculty is 100 % as detailed in the report.
2. Shortage of Residents is 100 % as detailed in the report.
3. Dean is not available.
4. Medical Superintendent is not available.
5. Teaching beds: Only 200 beds are available against 250 required.
6. OPD: Registration counters are not computerized. Staff at Registration Counters is inadequate. Teaching areas are not available. Enquiry desk is not available. ECG room is not available. Injection rooms for males/females is not separate. Dressing room for males/females is not separate. Plaster room & Plaster cutting room are common. Special clinic facilities are inadequate in Paediatrics & OG OPD.
7. Bed occupancy is 44 % on day of assessment.
8. There were only 2 Major & 1 Minor operations on day of assessment.
9. Radiological & Laboratory investigation workload is inadequate.
10. Workload of Histopathology & Cytopathology is NIL.
11. Casualty: Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not available. Disaster Trolley, Crash Cart, Pulse Oxymeter are not available.
12. Central Clinical laboratory is not available.
13. O.T.s: Only 2 Major & 1 Minor O.T.s are available against requirement of 4 Major & 2 Minor O.T.s. Monitoring & Resuscitation equipment are inadequate.
14. ICUs: ICCU, MICU, SICU are under construction. There was NIL patient in NICU/PICU.
15. Labour Room: Eclampsia & Septic Labour rooms are not available.
16. Radiodiagnosis department: Only 1 static X-ray machine is available against requirement of 2. AERB approval is not available. Only 1 USG is available against requirement of 2.
17. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
18. Speech Therapy is not available.
19. Intercom, Canteen are not available.
20. Nursing Staff: Only 50 Nurses are available against requirement of 175.
21. Paramedical & Non-teaching staff: Only 16 Paramedical & Non-teaching staff are available against requirement of 101.
22. MRD: it is manual. ICD X classification of diseases is not followed for indexing.
23. Administrative office of hospital is not available as per norms.
24. Dean's office, College office, College Council are not available.
25. Proposal for College Building is under process. Preclinical departments of Anatomy, Physiology, Biochemistry are not available.
26. College building, Lecture Theaters, Central Library are under construction.
27. Students', Residents' & Nurses' Hostels are not available. Negotiations with private parties are under process to provide accommodation which is not permissible & not as per Regulations.
28. Residential Quarters are not available. Negotiations with private parties are under process to provide accommodation which is not permissible & not as per Regulations.
29. Pharmaco Vigilance Committee, College Council are not constituted.
30. Website is not available.
31. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300

beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Nahan, Sirmour, Himachal Pradesh by Govt. of Himachal Pradesh under Himachal Pradesh University to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

50. Establishment of new medical college at Badaun, Uttar Pradesh by Govt. of Uttar Pradesh with an annual intake of 100 MBBS students under Mahatma Jyotiba Phule Rohilkhand University, Bareilly u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Badaun, Uttar Pradesh by Govt. of Uttar Pradesh with an annual intake of 100 MBBS students under Mahatma Jyotiba Phule Rohilkhand University, Bareilly u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (12th and 13th January, 2016) and noted the following:

1. Deficiency of faculty is 86 % as detailed in the report.
2. Shortage of Residents is 84 % as detailed in the report.
3. Teaching Beds are inadequate as under:

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	72	52	20
2	Paediatrics	24	10	14
3	Tb & Chest	08	NIL	08
4	Psychiatry	08	NIL	08
5	Skin & VD	08	NIL	08
6	General Surgery	90	36	54
7	ENT	10	04	06
8	O.G.	40	36	04
	TOTAL			122

4. Dr. S.K. Agnihotri, Medical Superintendent possesses only 4 years' administrative experience against requirement of 10 years and hence not qualified to hold the post.
5. OPD: Teaching areas are not available. Total only 8 Examination rooms for patients are available against requirement of 4 for each Major department. Injection room is common for males/females. Dressing room is common for males/females. Plaster room & Plaster Cutting room are common. Special clinic facilities are inadequate in Paediatrics & O.G. OPDs.
6. Wards: Space between 2 beds is < 1.5 m. There is overcrowding. Demonstration room, pantry are not available in any ward. Examination cum Treatment room is not available in many wards. Hygiene is poor. Obstetric wards are not having Nursing Station & attached sanitary blocks.
7. Bed occupancy is only 26.4 % on day of assessment.
8. There were only 2 Major & 2 Minor operations on day of assessment.
9. Workload of Histopathology & Cytopathology is NIL.
10. Casualty: There is no Nursing Station. Separate Casualty for O.G. is not available. Disaster Trolley, Crash Cart, Ambu bag, Pulse Oxymeter, Defibrillator, Ventilator are not available. Some beds are kept in verandah where there is no Central O₂ and Central Suction.

11. Central Clinical Laboratory is under Pathologist who is having qualification of DCP only. Separate sections of Pathology, Microbiology, Biochemistry are not provided.
12. O.T.s: Only 1 Major & NIL Minor O.T.s is available against requirement of 4 Major & 2 Minor O.T.s. Post-operative beds are not provided. Monitoring & Resuscitation equipment are inadequate.
13. ICUs: ICCU, MICU, SICU, PICU/NICU are not available.
14. Labour Room: Eclampsia & Septic Labour rooms are not available.
15. Radiodiagnosis department: AERB approval is not available. Although 2 USG are available, PNDT approval is available for only 1 machine.
16. Blood Bank: License was valid upto 31/12/2012. Renewal of license was rejected due to non-conformation with standards.
17. CSSD, Intercom are not available.
18. Nursing Staff: Only 53 Nurses are available against requirement of 175.
19. Paramedical & Non-teaching staff: 97 Paramedical & Non-teaching staff are available against requirement of 101.
20. Area of Medical Superintendent's office, Administrative office of Hospital are smaller than required.
21. MRD: it is manual. ICD X classification of diseases is not followed for indexing.
22. Audiometry & Speech therapy are not available.
23. Administrative Block is under construction.
24. Pharmaco Vigilance Committee is not constituted. No records of College Council meetings are available.
25. Lecture Theaters, Central Library, Common Rooms for Boys & Girls are under construction.
26. Students', Residents' & Nurses' Hostels are under construction.
27. Residential Quarters are under construction.
28. Gender Harassment Committee is not constituted.
29. Website is not available.
30. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
31. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Badaun, Uttar Pradesh by Govt. of Uttar Pradesh under Mahatma Jyotiba Phule Rohilkhand University, Bareilly to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

51. Establishment of new medical college at Gondia, Maharashtra by Govt. of Maharashtra with an annual intake of 100 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Gondia, Maharashtra by Govt. of Maharashtra with an annual intake of 100 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (3rd and 4th December, 2015) alongwith an email dated 24/12/2015 from Sh. Bhangde, Council Advocate at Nagpur forwarding therewith

a copy of Order dated 27/11/2015 passed by the Hon'ble High Court of Judicature at Bombay, Nagpur Bench in PIL NO.65/2015 filed by Praful Gopaldas Agrawal Vs. Union of India & Ors. and noted the following:

1. Campus is not unitary. It is in 4 places which is not permissible as per regulation.
2. Deficiency of faculty is 16.94 % as detailed in report.
3. Shortage of Residents is 33.33 % as detailed in the report.
4. Dean's office & Administrative office of college are not available.
5. OPD: Registration Counters are not computerized. Teaching areas are not available.
6. Wards: Demonstration room & Pantry are not available in all the wards.
7. Radiological workload is inadequate.
8. Workload of Histopathology & Cytopathology is NIL.
9. Casualty: Crash Cart, Disaster Trolley, Ventilator are not available.
10. Available number of Static & Mobile X-rays is not provided.
11. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
12. MRD is manual. ICD X classification of diseases is not followed.
13. Overall hygiene is poor and needs to be improved.
14. Lecture Theaters: They are under renovation. Audio visual aids are not available. E class facility is not available.
15. Central Library is not available. Available books are 2,501 against requirement of 3,000. No foreign Journals are available. Internet Nodes are not available.
16. College building is under construction.
17. Students', Residents', Nurses' Hostels are under construction. A hostel is shown in Govt. ITI building 3-4 kms. away which is not permissible.
18. Residential Quarters are under construction. Some quarters are shown at Collector's office which is not permissible.
19. Gender Harassment Committee is not constituted.
20. Canteen is not available.
21. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction. Equipment & Instruments are under procurement.
22. Website is constructed but no information is uploaded.
23. Other deficiencies as pointed out in the assessment report.

The Executive Committee further noted that the Government of Maharashtra had made an application for Establishment of New Medical College at Gondia from the Academic year 2015-16 and vide Council letter dated 13.05.2015, it was recommended to the Central Government to disapprove the scheme for Establishment of New Medical college at Gondia in view of following deficiencies:

1. *Deficiency of faculty is 77.77 % as detailed in the report.*
2. *There has been no fresh appointment of any faculty or Resident since previous assessment. No Professor, Asso. Prof. & Asst. prof. reported for attendance till 2 p.m.*
3. *There is no permanent Dean.*
4. *Preclinical departments of Anatomy, Physiology, and Biochemistry are not fully functional.*
5. *Students' Hostels are not available.*
6. *Lecture Theater: They are not of gallery type. Deficiency remains as it is.*
7. *Residential quarters for faculty & non-teaching staff are not available in the campus. Deficiency remains as it is.*
8. *Central Photography section is not available. Deficiency remains as it is.*
9. *Labour room is not as per specifications. Deficiency remains as it is.*

10. CSSD is not available. Deficiency remains as it is.

11. Other deficiencies as pointed out in the assessment report.

The Executive Committee also noted that PIL No. 65 of 2015 captioned as Praful Gopaldas Aggarwal vs. Union of India and Ors regarding the Establishment of Govt. Medical College at Gondia is pending before the Hon'ble High Court of Bombay at Nagpur bench. The Hon'ble High Court was on 27.11.2015 pleased to passed the following order:

"In pursuance of the directions issued by this on 29.10.2015, Smt. Medha Gadgil, Additional Ph. Secretary, Medical Education and Drugs Department, Government of Maharashtra has filed an affidavit. In paragraph no.1 of the said affidavit, deficiencies which were noticed by the Medical Council of India so also the present status and the period by which the deficiencies will be removed have been specified. Perusal of the said chart would reveal that the respondent/State has undertaken to remove most of the deficiencies, except the one at Serial No.4, by the end of December, 2015. Insofar as the deficiency at Sr.No.4 in respect of Preclinical Department of Anatomy, Physiology and Biochemistry is concerned, it is stated in the affidavit that the building with necessary modification would be handed over by the Public Works Department in the midweek of December, 2015. It is further stated that necessary equipment and furniture is already procured. Time sought for compliance and rectification of said deficiencies is end of January, 2016. For the said purpose, funds have already been released to the Public Works Department.

Mr. A.A. Naik, learned Counsel for the petitioner submits that normally inspection by the Medical Council of India MCI is conducted in the month of December. He submits that there is great apprehension that if deficiencies at Sr. No. 4 are not complied with by the end of December, the M.C.I. may get adverse report.

Be that as it may, the State has given time program.

Insofar as apprehension regarding M.C.I. aforementioned is concerned, same can be considered at an appropriate stage,

We, therefore, treat the statement made in the affidavit as an undertaking on behalf of the State of Maharashtra.

We make it clear that all the deficiencies shall be removed prior to the period specified in the affidavit.

We further make it clear that if all the deficiencies are not removed prior to the period specified in the affidavit, we may be required to initiate such proceedings as are permissible in law.

Stand over to 4.2.2016."

Concerning the above order Sh. Rahul Bhangde, Standing Counsel of Medical Council of India in the Hon'ble High Court of Bombay at Nagpur has opined as under:

"The above mentioned case pertains to starting of Government Medical College at Gondia. The State of Maharashtra has filed an affidavit wherein it has submitted time bound programme for removing deficiency from Government Medical College, Gondia. The Hon'ble High Court has treated the statement made in affidavit filed by the State Government as an undertaking. A copy of order passed by the Hon'ble High Court is

enclosed herewith.

As the Hon'ble High Court is looking into the matter and has treated the statement made in affidavit filed by State of Maharashtra as an undertaking it will be advisable that Medical Council of India does not send negative recommendation in respect of Government Medical College, Gondia as I apprehend contempt of court proceedings will be initiated against M.C.I in case it sends negative recommendation.

This is for your information and record."

In view of the order passed by the Hon'ble High Court and the opinion received from Standing Counsel of Medical Council of India, the Executive Committee of the Council decided to communicate to the Central Government the details/findings of the assessment process on 3rd and 4th December 2015, alongwith the Assessment report, copy of the affidavit filed by the State Government before the Hon'ble High Court of Bombay, Nagpur Bench and the Order dated 27.11.15 in PIL No. 65 of 2015 for an appropriate decision at their end.

52. Establishment of new medical college at Jodhpur, Rajasthan(Jodhpur Medical College & Hospital) by Kushal Education Trust, Jaipur, Rajasthan u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

Read: the matter with regard to establishment of new medical college at Jodhpur, Rajasthan (Jodhpur Medical College & Hospital) by Kushal Education Trust, Jaipur, Rajasthan u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

The Executive Committee of the Council perused the legal opinion of the Law Officer of the Council. The Committee also noted that the Council Office vide its communication dated 20.11.2015 followed by reminders dated 02/12/2015, 10/12/2015, 17/12/2015 and 28/12/2015 requested the Principal Secretary, Department of Health & Family Welfare, Jaipur as well as the Secretary, UGC, New Delhi for clarifications. The Committee noted the following response dated 30.12.2015 received from the Jt. Secretary, Hr. Education, Government of Rajasthan, Jaipur-

"....In this connection, the status of JNU, Jodhpur and stand of the State Government in respect of proposal of the Kushal Education Trust for the establishment of a Medical College is as under:-

Sl. No.	Clarification sought	Status/comments of the State Govt.
1	Current status of the Jodhpur National University, Jodhpur.	On the basis of investigation of SOG Police, Rajasthan and recommendation of the expert committee, order for liquidation of the University and appointment of administrator has been issued on 24.11.2015 as per the provisions of section 44 (6) of the JNU Jodhpur Act, 2009 (copy enclosed).
	Current status of investigation of SOG Police, Rajasthan.	The SOG Police, Jaipur has filed a challan in the Court under section 420, 467, 468 & 120B IPC on 17.03.2015 against 6 persons alongwith Chairperson of the university which is under trial in the court.

	<i>Stand of the State Government in respect of proposal of establishment of Medical College submitted by Kushal Education Trust.</i>	<i>As per section 7 of the JNU Jodhpur Act, 2009, the university has no power to affiliate or otherwise admit to its privileges any other institution. In the light of investigations of the SOG and order issued by the State Government on 24.11.2015, the proposal for establishment of new Medical College by Kushal Education Trust may not be considered.</i>
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In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Jodhpur, Rajasthan (Jodhpur Medical College & Hospital) by Kushal Education Trust, Jaipur, Rajasthan to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

53. Establishment of new medical college at Banthra, Shahjahanpur, Uttar Pradesh by Varunarjun Trust, Uttar Pradesh with an annual intake of 150 MBBS students under Mahatma Jyotiba Phule Rohilkhand University, Bareilly u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Banthra, Shahjahanpur, Uttar Pradesh by Varunarjun Trust, Uttar Pradesh with an annual intake of 150 MBBS students under Mahatma Jyotiba Phule Rohilkhand University, Bareilly u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (12th and 13th January, 2016) and noted the following:

1. Deficiency of faculty is 13.84 % as detailed in report.
2. Shortage of Residents is 10.86 % as detailed in the report.
3. Wards: Male & female wards are common for the departments of Tb & Chest, Psychiatry, ENT & Ophthalmology. General Medicine & General Surgery departments have one big ward instead of 3 wards with only 1 or 2 Nurses. Ancillary facilities like Examination room, Demonstration room, Pantry are common.
4. Bed occupancy was 46 % on day of assessment against 60 % required.
5. Most of indoor patients are not genuine.
6. The following were fake patients as observed by assessors:
 - (a) Patient by name Arun, 7 years, IP -175304 was admitted on 7.1.2016 for congenital hernia. He has just been kept waiting for the assessment day. He was brought to the OT at 11.45 am. But his name was not in the OT list submitted earlier.
 - (b) Patient by name Prempal s/o Bankylal, 18 years, IP 172972 was admitted on 2.1.2016. But his age was shown as 32 in the case sheet./ He had no complaints. He had not taken any drugs.
 - (c) Patient by name Ramamurthy, IP 173882, DOA 5.1.2016 was admitted for no apparent complaints. Treatment written in the case sheet was not administered.
 - (d) Patient by name Marzina, 10 Years IP 175297 DOA 7.1.2016 had no apparent complaints. She was simply admitted.

- (e) One patient by name Sagir s/o Sabbir 32 years, IP No. 173921 with DOA 4.1.2016. He said he was admitted 20 days before but record shows that he was admitted 8 days before. The address also did not match. He has no signs and symptoms of any disease. He is not a genuine patient He is a laborer in college campus. He was not aware of any treatment.
 - (f) Fake MRD data ; on the day of inspection at 12.44 p.m. in surgery OPD only 2 patients were admitted as IPD-1) Nandi Devi IP No. 177199&2) Mamta IP No. 177065. But the MRD report shows admissions as 10 in surgery till 12.52 pm.
 - (g) At about 1'o clock in Surgery OPD registre there were 12 OD entries, and another 10 patients were seated, while the MRD data showed 65 patients at that time in Surgery OPD.
7. OPD as observed by assessors was 300 – 400 on day of assessment which is inadequate. The figure of 732 given by institute is highly inflated.
 8. There were only 02 Major & 05 Minor operations for the whole hospital on day of assessment.
 9. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
 10. Radiological workload is inadequate.
 11. Workload of Histopathology & Cytopathology is NIL.
 12. ICUs: There was NIL patient in MICU & SICU and 2 patients each in ICCU and NICU/PICU on day of assessment.
 13. Blood Bank: There was only 1 unit stored in blood bank. NIL unit was dispensed on day of assessment.
 14. Nursing staff: Only 113 Nurses are available against requirement of 175.
 15. Paramedical & Non-teaching staff: Only 47 Paramedical & Non-teaching staff are available against requirement of 101.
 16. MRD: It does not have data of any Major Surgery of the hospital.
 17. College Council & Pharmaco Vigilance Committee are not constituted.
 18. Students' Hostels: They are partially furnished.
 19. Residents' Hostel: It is partially furnished. Visitors' room, A.C. study room with computer & Internet & Recreation room are not available. Most of the Residents are not staying in the hostel. Drinking water facility is not available.
 20. Residential Quarters: Only 12 quarters are available for faculty against requirement of 14. NIL quarters are available for non-teaching staff. 30 rooms at top of Boys' hostel were shown as quarters for non-teaching staff which is not permissible. Similarly, 1 hostel building was shown as faculty quarters which is not permissible.
 21. Anatomy department: Only 120 specimens are available.
 22. Physiology department: Mammalian Laboratory is not available.
 23. Occupancy list of faculty & residence provided by Dean does not tally with the faculty staying after verification.
 24. Address proof of around 58 faculty was not proper. They had produced a letter from BSNL attested by Dean as address proof. Format and date was similar in all. Quarter number or Room number was not mentioned in any of the letters. On verification it was found that most of them were not staying there.
 25. The following has been observed with regard to faculty / Residents by the assessors:
 - (a) Dr. Anup Agarwal was supposed to have joined this institution on 30.10.2015 and was supposed to have worked in Medicine as JR. But his declaration form shows him as the JR in Surgery. He does not know any faculty in his unit. So he is only brought for head counting.
 - (b) Dr. Ravi Kumar, JR in Medicine does not know the details of any patient in the Medicine ward. So he is only brought for head counting.

- (c) In Teachers staff quarters no.3, family of Dr. Ravi Prakash Agarwal was residing. But as per Dean's record, medicine JR Dr. Ravikumar was residing.
- (d) Most of the Residents were not staying in the campus/hostel. On random verification resident hostel rooms, Dr. Rajanish found JR in Radiology, Dr. Vijay Shankar Sharma, JR Anaesthesia and Dr. Shiven Singh, JR in Surgery, Dr. Sarvendra, JR in Surgery, Dr. Brijendra Saxena, SR in Ortho., Dr. Mohd. Isaq, SR in Surgery, Siddhardh Rastigi, Sr.in Ortho and Dr. M.L. Gupta, JR in Ortho did not reside in the hostel.

26. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Banthra, Shahjahanpur, Uttar Pradesh by Varunarjun Trust, Uttar Pradesh under Mahatma Jyotiba Phule Rohilkhand University, Bareilly u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Committee further decided to refer the matter to the Ethics Committee of the Council.

54. Establishment of new medical college at Kanpur, Uttar Pradesh by Shree Durga Maa Shiksha Seva Samiti, Kanpur with an annual intake of 150 MBBS students under Chatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Kanpur, Uttar Pradesh by Shree Durga Maa Shiksha Seva Samiti, Kanpur with an annual intake of 150 MBBS students under Chatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council perused the letter of Authorized Signatory of the applicant trust dt. 12/01/2016 which reads as under:

"..... Faculty recruitment is under process. After completion of recruitment process, college will inform to MCI to conduct the inspection for the session 2016-2017".....

The Executive Committee also noted the operative part of the Order of Hon'ble Supreme Court in Mridul Dhar's and Priya Gupta's case which are as under:

Mridul Dhar's case

"1-13.

14. Time schedule for establishment of new college or to increase intake in existing college, shall be adhered to strictly by all concerned.

15. Time schedule provided in Regulations shall be strictly adhered to by all concerned failing which defaulting party would be liable to be personally proceeded with."

Priya Gupta's case

30. Thus, the need of the hour is that binding dicta be prescribed and statutory regulations be enforced, so that all concerned are mandatorily required to implement the time schedule in its true spirit and substance. It is difficult and not even advisable to keep some windows open to meet a particular situation of exception, as it may pose impediments to the smooth implementation of laws and defeat the very object of the scheme. These schedules have been prescribed upon serious consideration by all concerned. They are to be applied *stricto sensu* and cannot be moulded to suit the convenience of some economic or other interest of any institution, especially, in a manner that is bound to result in compromise of the above- stated principles. Keeping in view the contemptuous conduct of the relevant stakeholders, their cannonade on the rule of merit compels us to state, with precision and *esemplastically*, the action that is necessary to ameliorate the process of selection. Thus, we issue the following directions in rem for their strict compliance, without demur and default, by all concerned.

i) The commencement of new courses or increases in seats of existing courses of MBBS/BDS are to be approved/recognised by the Government of India by 15th July of each calendar year for the relevant academic sessions of that year.

ii) The Medical Council of India shall, immediately thereafter, issue appropriate directions and ensure the implementation and commencement of admission process within one week thereafter.

iii) After 15th July of each year, neither the Union of India nor the Medical or Dental Council of India shall issue any recognition or approval for the current academic year. If any such approval is granted after 15th July of any year, it shall only be operative for the next academic year and not in the current academic year. Once the sanction/approval is granted on or before 15th July of the relevant year, the name of that college and all seats shall be included in both the first and the second counseling, in accordance with the Rules.

iv) Any medical or dental college, or seats thereof, to which the recognition/approval is issued subsequent to 15th July of the respective year shall not be included in the counseling to be conducted by the concerned authority and that college would have no right to make admissions in the current academic year against such seats.

v) The admission to the medical or dental colleges shall be granted only through the respective entrance tests conducted by the competitive authority in the State or the body of the private colleges. These two are the methods of selection and grant of admission to these courses. However, where there is a single Board conducting the state examination and there is a single medical college, then in terms of clause 5.1 of the Medical Council of India Eligibility Certificate Regulations, 2002 the admission can be given on the basis of 10+2 exam marks, strictly in order of merit.

vi) All admissions through any of the stated selection processes have to be effected only after due publicity and in consonance with the directions issued by this Court. We vehemently deprecate the practice of giving admissions on 30th September of the academic year. In fact, that is the date by which, in exceptional circumstances, a candidate duly selected as per the prescribed selection process is to join the academic course of MBBS/BDS. Under the directions of this Court, second counseling should be the final counseling, as this Court has already held in the case of Ms. Neelu Arora & Anr. v. UOI & Ors. [(2003) 3 SCC 366] and third

counseling is not contemplated or permitted under the entire process of selection/grant of admission to these professional courses.

vii) If any seats remain vacant or are surrendered from All India Quota, they should positively be allotted and admission granted strictly as per the merit by 15th September of the relevant year and not by holding an extended counseling. The remaining time will be limited to the filling up of the vacant seats resulting from exceptional circumstances or surrender of seats. All candidates should join the academic courses by 30th September of the academic year.

viii) No college may grant admissions without duly advertising the vacancies available and by publicizing the same through the internet, newspaper, on the notice board of the respective feeder schools and colleges, etc. Every effort has to be made by all concerned to ensure that the admissions are given on merit and after due publicity and not in a manner which is ex-facie arbitrary and casts the shadow of favouritism.

ix) The admissions to all government colleges have to be on merit obtained in the entrance examination conducted by the nominated authority, while in the case of private colleges, the colleges should choose their option by 30th April of the relevant year, as to whether they wish to grant admission on the basis of the merit obtained in the test conducted by the nominated State authority or they wish to follow the merit list/rank obtained by the candidates in the competitive examination collectively held by the nominated agency for the private colleges. The option exercised by 30th April shall not be subject to change. This choice should also be given by the colleges which are anticipating grant of recognition, in compliance with the date specified in these directions.

31. All these directions shall be complied with by all concerned, including Union of India, Medical Council of India, Dental Council of India, State Governments, Universities and medical and dental colleges and the management of the respective universities or dental and medical colleges. Any default in compliance with these conditions or attempt to overreach these directions shall, without fail, invite the following consequences and penal actions:-

a) Every body, officer or authority who disobeys or avoids or fails to strictly comply with these directions stricto sensu shall be liable for action under the provisions of the Contempt of Courts Act. Liberty is granted to any interested party to take out the contempt proceedings before the High Court having jurisdiction over such Institution/State, etc.

b) The person, member or authority found responsible for any violation shall be departmentally proceeded against and punished in accordance with the Rules. We make it clear that violation of these directions or overreaching them by any process shall tantamount to indiscipline, insubordination, misconduct and being unworthy of becoming a public servant.

c) Such defaulting authority, member or body shall also be liable for action by and personal liability to third parties who might have suffered losses as a result of such default.

d) There shall be due channelization of selection and admission process with full cooperation and coordination between the Government of India, State Government, Universities, Medical Council of India or Dental Council of India and the colleges concerned. They shall act in tandem and strictly as per the prescribed schedule. In other words, there should be complete harmonisation with a view to form a uniform pattern for concerted action, according to the framed scheme, schedule for admission and regulations framed in this behalf.

e) *The college which grants admission for the current academic year, where its recognition/approval is granted subsequent to 15th July of the current academic year, shall be liable for withdrawal of recognition/approval on this ground, in addition to being liable to indemnify such students who are denied admission or who are wrongfully given admission in the college.*

f) *Upon the expiry of one week after holding of the second counseling, the unfilled seats from all quotas shall be deemed to have been surrendered in favour of the respective States and shall be filled thereafter strictly on the basis of merit obtained in the competitive entrance test.*

g) *It shall be mandatory on the part of each college and University to inform the State and the Central Government/competent authority of the seats which are lying vacant after each counseling and they shall furnish the complete details, list of seats filled and vacant in the respective states, immediately after each counseling.*

h) *No college shall fill up its seats in any other manner."*

In view of above the Executive Committee of the Council observed that the Regulations being Statutory Regulations are mandatory and binding in character and are required to be strictly adhered to by all the authorities and it was therefore decided to return the application for establishment of a new medical college at Kanpur, Uttar Pradesh by Shree Durga Maa Shiksha Seva Samiti, Kanpur under Chatrapati Shahuji Maharaj University, Kanpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

55. Establishment of new medical college at Myana, Guna, Madhya Pradesh by Muskan Samajik Evam Shiksha Prasar Evam Prachar Samiti, Guna M.P. with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Myana, Guna, Madhya Pradesh by Muskan Samajik Evam Shiksha Prasar Evam Prachar Samiti, Guna M.P. with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (12th and 13th January, 2016) and noted the following:

1. Deficiency of faculty is 16.92 % as detailed in the report.
2. Shortage of Residents is 26.08 % as detailed in the report.
3. OPD: Injection room for male/female, ECG room, Dressing room for male/female, Minor O.T. are not located in OPD. Plaster room & Plaster cutting room are non-functional. In Ophthalmology OPD, Dark Room & Dressing room are not available. Special clinic facilities are inadequate in Paediatrics & O.G. OPD. None of OPD registers has entry of diagnosis.
4. Wards: Beds are not proper hospital beds in the wards of Tb & Chest & Psychiatry.
5. Bed occupancy was 35.18 % (i.e. 114 out of 124 beds) on day of assessment.

6. Majority of admitted patients were such who do not require admission – viz. with vague complaints of headache, weakness, limb pain, etc. Others although admitted for symptoms like cough, abdominal pain have not been investigated for days. Some fresh case sheets show date of admission of a day prior to day of assessment – viz. 11/01/2016 seem to have been entered on day of assessment itself.
7. Obstetric ward did not have any Obstetric case.
8. NIL operations were posted on 12/01/2016. No patient of delivery or Caesarean Section was seen in the ward.
9. Radiological workload was inadequate on day of assessment.
10. Histopathology workload shows as 5 specimens received from IPD; however from where did the specimens come is not clear in view of the fact that NIL operations were posted.
11. All data of clinical material – OPD attendance, Casualty attendance, Major & Minor operations, Normal Delivery, Caesarean Section, X-ray & USG investigations, Laboratory workload – are highly inflated.
12. Institute has reported total USG investigation of 34 while Radiologist himself stated it to be average of -8 – 10/day.
13. Casualty: Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not functional. Disaster Trolley is not available. Crash Cart was empty. Defibrillator & Ventilator are not available.
14. O.T.s: Only 1 out of 4 O.T.s is equipped. Central O₂ and Central Suction are not functional. O.T. register shows procedures like PCNL & Laparoscopic Cholecystectomy but equipment for these procedures is not available. Preoperative beds are not available.
15. ICUs: SICU is not available. There was NIL patient in ICCU & NICU/PICU and only 1 patient in MICU. Central O₂ and Central Suction are not functional.
16. Labour Room: Eclampsia & Septic rooms are not available.
17. Blood Bank is not available.
18. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
19. Audiometry is non-functional. Speech Therapy is not available.
20. Majority of Nursing staff are GNM & even students are posted in wards for clinical work.
21. There is no separate Residents' Hostel. 4 Staff quarters each having 4 rooms are used as Residents' Hostel. Total available accommodation is not shown. Visitors' room, A.C. study room with Computer & Internet & Recreation room are not available.
22. Anatomy department: Available specimens are 080.
23. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Myana, Guna, Madhya Pradesh by Muskan Samajik Evam Shiksha Prasara Evam Prachar Samiti, Guna M.P. under Madhya Pradesh Medical Science University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

56. Continuance of recognition of MBBS degree granted by The Tamil Nadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Madurai Medical College, Madurai.

Read: the matter with regard to continuance of recognition of MBBS degree granted by The Tamil Nadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Madurai Medical College, Madurai.

The Executive Committee of the Council considered the compliance verification assessment report along with the previous assessment report (11th June, 2015) and decided to recommend that recognition of MBBS degree granted by The Tamil Nadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Madurai Medical College, Madurai be continued restricting the number of admission to 150 (One Hundred Fifty) students.

57. Continuance of recognition of MBBS degree granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Midnapore Medical College, Midnapore.

Read: the matter with regard to continuance of recognition of MBBS degree granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Midnapore Medical College, Midnapore.

The Executive Committee of the Council considered the compliance verification assessment report (21.12.2015) along with previous assessment report (3rd July, 2015) and noted the following:-

1. Deficiency of faculty is 12.90 % as detailed in the report.
2. Shortage of Residents is 18.80 % as detailed in the report.
3. CT & MRI are on PPP mode. It is not clear whether these machines are available for teaching and training of students. Departmental upkeep & cleanliness remain poor.
4. Central Library is partially air-conditioned. Internet Nodes are inadequate.
5. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by the West Bengal University of Health Sciences, Kolkata in respect of students being trained at Midnapore Medical College, Midnapore and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

58. Compliance Verification assessment of the physical and other teaching facilities available at Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur under Ayush & Health University, Raipur for 100 MBBS Seats– Reg

Read: the matter with regard to Compliance Verification assessment of the physical and other teaching facilities available at Late Shri Baliram Kashyap Memorial NDMC Govt. Medical College, Jagdalpur under Ayush & Health University, Raipur for 100 MBBS Seats– Reg

The Executive Committee of the Council considered the compliance verification assessment report (29th December, 2015) along with the previous assessment report (10th July, 2015) and noted the following:-

1. Deficiency of faculty is 33.33 % as detailed in the report.
2. Shortage of Residents is 52.20 % as detailed in the report.
3. Wards: Distance between 2 beds in Gynaecology ward is < 1.5 m.
4. Histopathology (441 in 9 months – i.e. 49/month) & Cytopathology (697 in 9 months – i.e. 77/month) workload is inadequate.
5. O.T.s: Six Major O.T.s are available against requirement of 7.
6. Casualty: Central O₂ and Central Suction are not available. Crash Cart is not available.

7. Only 2 static & 2 mobile X-ray machines are available against requirement of 5 static & 4 mobile X-ray machines.
8. ICUs: Resuscitation equipment is inadequate.
9. Radiological & Laboratory investigations are inadequate.
10. Teaching Beds: Only 419 beds are available against requirement of 500.
11. OPD attendance is 700 against requirement of 800 on day of assessment.
12. There are only 06 Major & 08 Minor operations on day of assessment.
13. Workload of USG is NIL on day of assessment.
14. Workload of CT Scan is NIL on day of assessment.
15. Hospital lecture Theater is not of Gallery type. Deficiency is partially rectified.
16. OPD: Three examination rooms are available in General Medicine & 2 in General Surgery against requirement of 4 in each department.
17. Intercom is not available.
18. RHTC & UHC are still under the control of Govt. of Chhatisgarh and not under Dean. Deficiency remains as it is.
19. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to give an opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

59. Continuance of recognition of MBBS degree granted by The Tamil Nadu Dr. MGR Medical University, Chennai in respect of students being trained at Coimbatore Medical College, Coimbatore for 150 MBBS seats.

Read: the matter with regard to continuance of recognition of MBBS degree granted by The Tamil Nadu Dr. MGR Medical University, Chennai in respect of students being trained at Coimbatore Medical College, Coimbatore for 150 MBBS seats.

The Executive Committee of the Council considered the compliance verification assessment report (29th December, 2015) alongwith previous assessment report (9th & 10th Jan., 2015) and decided to recommend that recognition of MBBS degree granted by The Tamil Nadu Dr. MGR Medical University, Chennai in respect of students being trained at Coimbatore Medical College, Coimbatore be continued restricting the number of admission to 150 (One Hundred Fifty) students.

60. Consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Govt. Medical College, Miraj (Sangli).

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Govt. Medical College, Miraj (Sangli).

The Executive Committee of the Council considered the compliance verification assessment report (18th December, 2015) alongwith previous report (1st & 2nd July, 2014) and noted the following:-

1. Deficiency of faculty is 11.3 % as detailed in report.
2. Shortage of Residents is 10.23 % as detailed in report.
3. Only 3 static X-ray machines are available against requirement of 5. Mobile X-ray machines available are 4 against requirement of 6.
4. Number of Special investigations like Ba, IVP is NIL on day of assessment.
5. Deficiency of inadequate area of Examination Hall remains as it is.
6. Deficiency of inadequate area (1,200 sq.m. available against requirement of 2,400 sq.m.) & staff of Central Library remains as it is.
7. OPD: Registration counters are not computerized. Deficiency remains as it is.
8. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Govt. Medical College, Miraj (Sangli) and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

61. Continuance of recognition of MBBS degree granted by Kumaon University, Nainital in respect of students being trained at Government Medical College (Prev.Uttarakhand Forest Hospital Trust Med.Col.), Haldwani.

Read: the matter with regard to continuance of recognition of MBBS degree granted by Kumaon University, Nainital in respect of students being trained at Government Medical College (Prev.Uttarakhand Forest Hospital Trust Med.Col.), Haldwani.

The Executive Committee of the Council considered the compliance verification assessment report (18th December, 2015), previous assessment report (6th and 7th July, 2015) alongwith a complaint dated 23.12.2015 of Sh. C.M.Pant, Social Worker, District Nainital against the college and noted the following:-

1. Shortage of Residents is 12.50 % as detailed in report.
2. Three static X-ray machines are available against requirement of 5.
3. Five mobile X-ray machines are available against requirement of 6.
4. ETO Sterilizer is not available.
5. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Kumaon University, Nainital in respect of students being trained at Government Medical College (Prev.Uttarakhand Forest Hospital Trust Med.Col.), Haldwani and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

62. Increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Basaveshwara Medical College & Hospital, Chitradurga u/s 10A of the IMC Act, 1956.

Read: the matter with regard to increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Basaveshwara Medical College & Hospital, Chitradurga u/s 10A of the IMC Act, 1956.

The Executive Committee of the Council observed that the compliance verification assessment report dt. 02/12/2015 along with previous assessment reports (24th September, 2014) with regard to continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Basaveshwara Medical College, Chitradurga for 100 seats was considered by the Executive Committee at its meeting held on 28.12.2015 and it was decided as under:-

The Executive Committee of the Council considered the compliance verification assessment report (2nd December, 2015) and previous assessment report (24th September, 2014) and noted the following:-

1. *Shortage of Residents is 34.73 % as detailed in report.*
2. *Majority of Senior & Junior Residents are not residing in campus.*
3. *Bed occupancy in department of General Medicine is 40 % (i.e. 51 out of 120).*
4. *Total number of Major operations completed upto 12 p.m. on day of assessment is only 05.*
5. *Laboratory investigations: In Biochemistry sections, there were only 35 samples till 12:30 p.m. There were only 7 & 5 requisition forms respectively in Microbiology & Serology upto 12:30 p.m.*
6. *Other deficiencies as pointed out in the inspection report.*

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to return the postgraduate applications of Basaveshwara Medical College, Chitradurga recommending disapproval of the scheme."

Therefore, in view of its earlier decision as quoted above, the Committee decided to return the application for increase in MBBS seats from 100 to 150 at Basaveshwara Medical College, Chitradurga under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

63. Establishment of new medical college at Mulugu (Mandal), Medak Dist., Telangana by RVM Charitable Trust, Karimnagar, Telangana with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Mulugu (Mandal), Medak Dist., Telangana by RVM Charitable Trust, Karimnagar, Telangana with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (18th and 19th January, 2016) and noted the following:

1. Deficiency of faculty is 70.80 % as detailed in the report.
2. Shortage of Residents is 100 % as detailed in the report.
3. No Resident is staying in campus.
4. No proof of payment of salary to staff was available as it was paid in cash as reported by faculty or Residents.

5. Dr. Jagannadha Reddy, appointed as regular Dean was not available on day of assessment. Dr. Mohammad Rafi was appointed as i/c Dean in his absence.
6. Dean's office is makeshift only. Staff room & Council room are not available.
7. Medical Superintendent is not available.
8. Medical Superintendent's office & Administrative office are not available.
9. Hospital building is in various stages of construction. No indoor facilities are available. There are no beds in any ward functional.
10. OPD: It is run Registration Counters are not separate for males/females. Separate counters are not available for OPD/IPD. They are not computerized. No staff for Registration is available. Waiting area is not available. Total 7 examination rooms are available against requirement of 4 rooms for each major department. No facility is available in any departmental OPD.
11. OPD attendance was 20-25 on first day of assessment; on 2nd day of assessment it was only 10.
12. No patient was admitted.
13. Data of clinical material of last 3 months as provided by institute are made up & grossly overstated and do not concur with facilities actually observed on day of assessment.
14. No Radiological or Laboratory facility is available.
15. Casualty: Neither staff nor equipment are available.
16. Central Clinical laboratory is not available.
17. O.T.s, ICCU & all ICUs, Labour Room are not available.
18. No static or mobile X-ray machines or USG are available.
19. Blood Bank is not available.
20. CSSD, Intercom, Laundry, Kitchen, Canteen are not available.
21. No arrangements have been made for disposal of Biomedical waste.
22. Nursing staff: Only 09 Nurses are available against 175 required.
23. Paramedical & Non-teaching staff: None available.
24. MRD is manual. ICD X classification of diseases is not followed for indexing.
25. College Council, Pharmaco Vigilance Committee are not constituted.
26. College building is initial stage of construction.
27. Central Library is under construction.
28. Students', Residents' & Nurses' Hostels are under construction.
29. Residential Quarters are under construction.
30. Gender Harassment Committee is not constituted.
31. Preclinical departments are not functional as the college building is under construction.
32. Connected load of electric supply is inadequate as detailed in report.
33. Website is not available.
34. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Mulugu (Mandal), Medak Dist., Telangana by RVM Charitable Trust, Karimnagar, Telangana under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Telengana as to how the Essentiality Certificate had been issued when the hospital is still under construction.

64. Establishment of new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh with an annual intake of 150 MBBS students under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh with an annual intake of 150 MBBS students under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (15th and 16th January, 2016) and noted the following:

1. Deficiency of faculty is 64.80 % as detailed in report.
2. Shortage of Residents is 45.6 % as detailed in report.
3. OPD attendance was 204 on day of assessment.
4. Bed occupancy was 15.33 % on day of assessment. Orthopaedics & O.G. wards were totally empty.
5. OPD: Separate Registration counters for OPD/IPD are not available. Plaster room & Plaster cutting room are common. In Ophthalmology OPD, Dressing room is not available.
6. Audiometry & Speech Therapy are not available.
7. There was NIL Major & Nil Minor operation on day of assessment.
8. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
9. Radiological & Laboratory investigation workload is inadequate.
10. O.T. complex was shown as closed on day of assessment. It was informed that it is because of infection detected in the O.T.s Major O.T.s are shared by different departments.
11. ICUs: Life saving equipment is inadequate. There was NIL patient in ICCU or in NICU/PICU & only 1 patient in MICU & 2 patients in SICU.
12. There was no woman in Labour room.
13. MRD: It is partly computerized. ICD X classification of diseases is not followed for indexing.
14. Central Library: It is not air-conditioned.
15. Central Photography section is not available.
16. Students' Hostels: A.C. study room with Computer & Internet is not available. Recreation room is not available.
17. Residential Quarters: Non-teaching quarters are not available. There is MOU signed with a private party which is not permissible.
18. Anatomy department: Available specimens are 120. There were empty jars without models.
19. Physiology department: There were only 6 beds in Clinical Physiology laboratory against requirement of 10.
20. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

65. Establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (20th and 21st January, 2016) and noted the following:

1. Deficiency of faculty is 13.84 % as detailed in the report.
2. Shortage of Resident is 13.04 % as detailed in the report.
3. Bed occupancy is 51 % on day of assessment.
4. There were 5 Major & NIL Minor operations for the whole hospital on day of assessment.
5. There was NIL Normal Delivery & 1 Caesarean Section on day of assessment.
6. ICUs: There was NIL patient in NICU/PICU and 2 patients each in ICCU & SICU on day of assessment. ICCU & MICU are in 1 hall having common Nursing station.
7. Blood Bank: No unit was dispensed on day of assessment.
8. Demonstration rooms in the hospital are small and congested.
9. Eclampsia room in Labour room is not equipped adequately.
10. Investigation workload is less.
11. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

66. Renewal of permission for MBBS course for 5th batch (150 seats) of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh Univeristy, Faizabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to renewal of permission for MBBS course for 5th batch (150 seats) of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh Univeristy, Faizabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (20th and 21st January, 2016) and noted the following:-

1. Deficiency of faculty is 16.60 % as detailed in the report.
2. Shortage of Residents is 58.8 % as detailed in the report.
3. Bed occupancy is 11.4 % on day of assessment.
4. OPD attendance is 642 against requirement of 1,200.
5. There were NIL Major & 5 Minor operations on day of assessment. Patients shown as operated in O.T. register were not found anywhere in the entire hospital and are not genuine.

6. There were 2 Normal Deliveries & NIL Caesarean Section on day of assessment.
7. O.T.s: Only 7 Major O.T.s are available against 9 required.
8. ICUs: There was NIL patient in ICCU & SICU on day of assessment.
9. Radiodiagnosis department: Only 2 Mobile X-ray machines are available against requirement of 6. Only 4 static X-ray machines are available against requirement of 6; out of which 1 is non-functional.
10. Students' Hostels: Available accommodation is 456 against requirement of 562.
11. MRD is both manual & computerized.
12. Central research Laboratory: Equipment is not adequate.
13. RHTC: Residential accommodation is under construction.
14. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th batch (150 seats) of MBBS students at Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh Univeristy, Faizabad, U.P. u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

67. Consideration of Compliance Verification Assessment report with regard to continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at J.J.M. Medical College, Davangere.

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at J.J.M. Medical College, Davangere.

The Executive Committee of the Council observed that as the compliance verification assessment report (17th September, 2014) is of an assessment which has been carried out before 01 year 05 months, therefore the Committee decided to carry out fresh assessment.

68. Fee Schedule of Standing Counsel of Medical Council of India in various Hon'ble High Courts (Outside New Delhi).

Read: the matter with regard to Fee Schedule of Standing Counsel of Medical Council of India in various Hon'ble High Courts (Outside New Delhi).

The Executive Committee of the Council approved the Fee Schedule of Standing Counsel of Medical Council of India in various Hon'ble High Courts (Outside New Delhi) as under:

Sh. C.R. Roman,	Rs. 20,000/-(Consolidated fees)
Sh. Bipin C. Negi, Advocate,	Rs. 3,500/- per appearance
Sh. Angad Mirdha,	Rs. 11,000/- per appearance(all type) + Rs. 500/- clerkage + Rs. 500/- Misc. Expenses
Sh. V. P. Raman	Rs. 5,500/- per appearance + Clerkage & Misc. Expenses

Mr. Mohd. Aslam Gani, Sr. Advocate,	Rs. 25,000/- per appearance
Mrs. Indira Nair, Sr. Advocate,	Rs. 25,000/- per appearance
Sh. V.K. Kohli Sr. Advocate	Rs. 25,000/- per appearance

The committee also decided to delete the following names from the panel of the council:

1. Sh. Rajani Chandra Mohanty, Advocate, **Cuttack**
2. Sh. Vijay Assudhani, Advocate, **Indore**
3. Sh. Prem Kumar Sharma, Advocate, **Jaipur**
4. Sh. M.T. Arunan, Advocate, **Chennai**

69. **Proposal to amend Establishment of Medical College Regulations, 1999.**

Read: the matter with regard to proposal to amend Establishment of Medical College Regulations, 1999.

The Executive Committee of the Council while noting that the ownership and possession of land, approval of map for construction and grant of completion/building use certificate are matters that exclusively fall within the domain of State Government decided to make an amendment in the Establishment of Medical College Regulations, 1999 in Form-2 that prescribes for issuance of Essentiality Certificate by the State Government which would ease the process of making an application, ensure the map/building approval by the State Authorities and expedite the processing of application for establishment of new Medical College. The Committee decided to insert the following in the certification made by the State Government point '(d)' of the said certification,

- (e) *The [Name of the applicant _____] owns and possesses _____ Acres of land in _____ [Village/Tehsil/Taluka/District] on which non agricultural use of land is permitted and a Medical College/Hospital can be established on it.*
- (f) *The building plan of the Hospital and Medical College has been approved by the competent authority, namely, _____, designated by the State Government for such purposes on _____. (Copy of the approval is enclosed)*
- (g) *The Hospital and Medical College have been granted Completion Certificate/ Building Use Certificate by the competent authority, namely, _____, designated by the State Government for such purposes on _____. (Copy of the Certificate is enclosed)*

The Executive Committee of the Council further decided to place the matter before the General Body of the Council for approval by circulation.

With regard to the request of the D.G.H.S. that a 300 bedded hospital must successfully run for 3 years with adequate amount of clinical output before it may be considered for permission to establish a medical college attached to it,

the Executive Committee of the Council directed the office to prepare a separate item for the next meeting.

70. Increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Midnapore Medical College, Midinapore.

Read: the matter with regard to increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Midnapore Medical College, Midinapore.

The Executive Committee of the Council considered the Council Assessors report (18th and 19th January, 2016) and noted the following:-

1. Deficiency of faculty is 11.45 % as detailed in the report.
2. Shortage of Residents is 14.49 % as detailed in the report.
3. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Shortage
1	Psychiatry	10	NIL	10
2	Skin & VD	10	NIL	10
3	Ophthalmology	30	26	04
4	ENT	30	21	09
	TOTAL			33

4. OPD: Only 2-3 examination rooms are available in each OPD against requirement of 4 rooms for major departments. Teaching area can accommodate 10-15 students only against requirement of 30. Injection room is common for males/females. Minor O.T. is not functional. Plaster room & Plaster Cutting room are common. Child Rehabilitation clinic is not available in Paediatrics OPD.
5. Wards: There are no separate wards of Psychiatry and Skin & VD. All wards are congested. Ancillary facilities are inadequate. Unitwise distribution of beds is not made. Distance between 2 beds is < 1.5 m in majority of wards.
6. There were only 04 Major & 05 Minor operations on day of assessment. Daily average is 06 & 07 respectively which is inadequate.
7. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
8. Casualty: Only 10 beds are available in casualty against requirement of 20. Central O₂ and Central Suction are not functional. Disaster Trolley, Pulse Oxymeter are not available.
9. Central Clinical laboratory: Separate sections are not available.
10. O.T.s: There are 2 tables in Orthopaedics & O.G. O.T.s which is not as per norms.
11. ICUs: There is no separate ICCU. Patients are kept in MICU which has only 6 beds against combined total of 10 beds. SICU is not available.
12. Radiodiagnosis department: Only 2 mobile X-ray machines are available against requirement of 4 out of which 1 is non-functional. Only 3 static X-ray machines are available against requirement of 5 out of which 2 are non-functional. Only 2 USG are available against requirement of 3.

13. CSSD: There is no separate CSSD.
14. MEU is not functioning as per norms.
15. Examination Hall: Capacity of available examination hall is 150 against requirement of 250.
16. Lecture Theaters: Lecture Theaters of capacity 180 are not available. E class facility is not available.
17. Central Library: It is not air-conditioned. It is furnished with wooden benches.
18. Common Rooms for Boys & Girls are not available.
19. Central photography section is not available.
20. Central research Laboratory is not available.
21. Anatomy department: Only 80 specimens are available. Embalming room is not available. Band saw is not functional. Capacity of Demonstration rooms is less.
22. Only 1 Demonstration room is available against requirement of 2 in Physiology & Biochemistry departments.
23. UHC: Specialists' visits are not organized.
24. Website: Information provided is incomplete.
25. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for increase of seats in MBBS course from 100 to 150 u/s 10A of the IMC Act 1956 in respect of Midnapore Medical College, Midnapore under West Bengal University of Health Sciences for the academic year 2016-17.

71. Increase of seats in MBBS course from 150-250 for the academic session 2016-17 at RajaRajeswari Medical College & Hospital, Bangalore.

Read: the matter with regard to increase of seats in MBBS course from 150-250 for the academic session 2016-17 at RajaRajeswari Medical College & Hospital, Bangalore.

The Executive Committee of the Council considered the Council Assessors report (19th and 20th January, 2016) and noted the following:-

1. OPD attendance was only 1,855 on day of assessment which is less than minimum required of 3,000. On verification, Central Registry OPD does not match with individual OPD register. OPD starts at 9:00 a.m. & on verification at 09:40 a.m., total OPD cases registered were 955. As there are 4 Registration counters, it means 240 registrations/counter in less than 1 hour which is not feasible. It appears that it is computer generated inflated data.
2. Bed occupancy was 50.09 % on day of assessment.
3. There is no record of cases in OPD & admissions in wards, particularly with reference to General Medicine Units 6, 7 & 8 and also General Surgery Units 6, 7 & 8.
4. One patient # 20160104448, Mr. Pasha, was patient of Urology but admitted in General Surgery Unit; case paper showed Urology admission. There was no treatment chart.
5. There were many non-genuine patients found in other major departments like General Medicine, Orthopaedics, ENT, O.G. wards, etc. Most of the patients were without proper treatment chart.
6. There was no signage of Unit wise bed distribution in Orthopaedics, General Surgery, General Medicine, Paediatrics and Skin & VD wards.
7. Shortage of Residents is 8.6 % as detailed in the report.

8. OPD: Records of Special clinics like Child Welfare clinic, Child Rehabilitation clinic are not available in the department.
9. Wards: In all wards there was no resuscitation cart. Demonstration rooms in wards have capacity of 20 which is less.
10. There were only 8 Major & 9 Minor operations for the whole hospital on day of assessment.
11. Radiological investigation workload is inadequate. Workload of Special investigations like Ba, IVP is NIL.
12. Workload of Histopathology & Cytopathology is NIL.
13. O.T.s: Only 8 O.T.s were functional on day of assessment against 11 required.
14. Labour Room: Eclampsia beds are not as per norms.
15. Blood Bank: There is discrepancy between number of units stored as shown in notice board (260) and in stock (141). NIL unit was dispensed on 19/01/2016 & 20/01/2016 upto noon.
16. There is no signage of OPD timings.
17. Number of tablets, E.g. Paracetamol, Ibuprofen, dispatched from pharmacy counter does not match with number of OPD & IPD patients.
18. All I year Residents are paid stipend in cash.
19. In CSSD, there is no record of total drums & trays dispatched per day / per month.
20. Nursing staff was inadequate in clinical wards.
21. CSSD: Record keeping is poor.
22. MRD: It is partially computerized. Data of past admitted patients could not be provided.
23. Central Library: Space between 2 tables is small.
24. Students' Hostels: Girls' Hostel is combined with Nurses' hostel.
25. Anatomy department: Available specimens are 222. Laboratory is small in size and cannot accommodate 150 students as claimed.
26. Laboratories in Physiology, Biochemistry, Microbiology, Forensic Medicine departments are small in size and cannot accommodate 150 students as claimed.
27. Pathology department: Mounted specimens are only 160.
28. RHTC: No documents are available to show that specialists' visits are carried out. As per attendance register, there are no Health Inspector, Public Health Nurse & Medical Social Worker.
29. UHC: No documents are available to show that specialists' visits are carried out.
30. Other deficiencies as pointed out in the assessment report.

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(b)(ii) & 6(b)(iii) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) as OPD attendance and Bed occupancy are less than the required for eligibility, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 250 at RajaRajeswari Medical College & Hospital, Bangalore under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

72. Compliance Verification Assessment of the physical and the other teaching facilities available for 150 MBBS seats at NRI Medical College & General Hospital, Guntur under Dr. NTR University of Health Sciences, Vijayawada.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 150 MBBS seats at NRI Medical College & General Hospital, Guntur under Dr. NTR University of Health Sciences, Vijayawada.

The Executive Committee of the Council considered the compliance verification assessment report (19.01.2016) along with assessment report (02.07.2015, 16th April, 2015 and 19th & 20th January, 2015) and decided to revoke notice issued under clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010.

73. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at MNR Medical College & Hospital, Medak, Telangana under Dr. NTR University of Health Sciences, Vijayawada.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 100 MBBS seats at MNR Medical College & Hospital, Medak, Telangana under Dr. NTR University of Health Sciences, Vijayawada.

The Executive Committee of the Council considered the compliance verification assessment report (19.01.2016) along with assessment report (22.04.2015 and 19th & 20th January, 2015) and noted the following:-

1. OPD attendance is 998 on day of assessment against 1,200 required.
2. Distance between a few beds is < 1.5 m.
3. There were only 12 Major operations for the whole hospital on day of assessment which is inadequate for an institute running several PG courses.
4. Histopathology workload is only 08 on day of assessment.

In view of the above, the Executive Committee of the Council decided to revoke clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to give an opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

74. Establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (20th and 21st January, 2016) and noted the following:

1. Deficiency of faculty is 73.84 % as detailed in the report.
2. Shortage of Residents is 78.26 % as detailed in the report.
3. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Deficit
1	Tb & Chest	08	04	04
2	Skin & VD	08	04	04
3	General Surgery	90	84	06
3	O.G.	40	39	01
	TOTAL			15

4. OPD attendance was 461 on day of assessment which is inadequate.
5. Bed occupancy was 36 % on day of assessment.
6. OPD: There were very few patients in OPD at time of visit by assessors at 10:30 a.m. & again at 12:30 p.m. Most of the rooms were empty with no doctors or patients. Registers were not maintained or had inaccurate data.
7. Wards: All wards did not have Pantry. Paediatrics ward did not have facility for heating milk for babies.
8. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
9. Radiological & Laboratory investigation workload is grossly inadequate.
10. Data of clinical material given by Dean are highly inflated.
11. Casualty: Separate Casualty for O.G. is not available.
12. ICUs: There was NIL patient in ICCU or any of ICUs on day of assessment. There is no Ventilator in PICU/NICU.
13. Labour Room: There was no woman at time of visit. There is no Parturition register.
14. Paramedical & Non-teaching staff: Only 39 Paramedical & Non-teaching staff are available against requirement of 100.
15. Pharmaco Vigilance Committee: No meeting is held till date.
16. Central Library: Reading rooms for students appear to be congested.
17. Central Photography Section is not available.
18. Residents' Hostel: All rooms are locked; no register is maintained for the inmates of the hostel. Not even a single off call or night duty Resident was found in the hostel.
19. Nurses' Hostel: All rooms were locked.
20. Anatomy department: Available specimens are 115.
21. Biochemistry department: In Practical laboratory, there is no water supply, no gas connections and distance between 2 tables is congested.
22. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh to the Central Government

recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

75. Establishment of new medical college at Chittoor, Andhra Pradesh by Apollo Hospitals Educational & Research Foundation, Telangana with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Chittoor, Andhra Pradesh by Apollo Hospitals Educational & Research Foundation, Telangana with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (22nd and 23rd January, 2016) and noted the following:

1. Deficiency of faculty is 18.46 % as detailed in the report.
2. Shortage of Residents is 17.39 % as detailed in the report.
3. Hospital proposed to be affiliated to medical college is still under control of Government of Andhra Pradesh. It has not been handed over to the college as yet.
4. Units are not organized as per Regulations.
5. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Deficit
1	Psychiatry	08	NIL	08
	TOTAL			08

6. OPD: Registration counters are not computerized. Teaching areas are not available. Enquiry desk is not available. Dressing room is not available in Ophthalmology OPD. Special clinic facilities are inadequate in Paediatrics & O.G. OPD.
7. Casualty: Central O₂ & Central Suction are not available. Separate Casualty for O.G. is not available. There is no life saving equipment in Casualty.
8. Workload of Microbiology, Histopathology & Cytopathology is NIL.
9. MRD: It is partly computerized. ICD X classification of diseases is not followed for indexing.
10. Central Clinical laboratory is outsourced to Medall Healthcare Limited which is not permissible. Separate sections are not available.
11. O.T.s: Central O₂ & Central Suction are not available.
12. ICUs: Central O₂ & Central Suction are not available. Ventilator, ABG are not available.
13. ETO Sterilizer is not available.
14. Nursing Staff: List is not provided.
15. Paramedical & Non-teaching staff: List is not provided.
16. Audiometry & Speech therapy are not available.
17. AERB approval is not available.

18. Medical Education Unit, College Council, Pharmaco Vigilance Committee are not constituted.
19. Lecture Theaters: They are not functional. Audio Visual aids are not available. E class facility is not available.
20. Central Library is under construction.
21. College building is under construction.
22. Central Photography Section is not available.
23. Students' Hostels are under construction. Hired accommodation is provided 2.5 kms. away from campus which is not permissible.
24. Residents' Hostel is provided as 14 rooms, each being 4 bedded room which is not permissible.
25. Nurses' Hostel is not available.
26. Residential Quarters are under construction. Hired accommodation is provided 2.5 kms. away from campus which is not permissible.
27. Recreational facilities are not available.
28. Anatomy department: Dissection Hall, Embalming room are under construction. Cold storage for dead bodies, Storage tank are not available. Practical Laboratory is not furnished. Microscopes are not available. Audio Visual aids are not available. Seating arrangement is not made in museum. Available specimens are 125. MRI & CT films are not available. Band saw is not available. Lockers are not available.
29. Physiology department is under construction.
30. Biochemistry department: Demonstration rooms are not furnished. Audiovisual aids are not available. Only 1 Demonstration room is available against requirement of 2. Practical laboratory is not furnished & non-functional.
31. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Chittoor, Andhra Pradesh by Apollo Hospitals Educational & Research Foundation, Telangana under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

76. Establishment of new medical college at Lucknow, Uttar Pradesh by Al-Millat Foundation Trust, Lucknow, Uttar Pradesh with an annual intake of 100 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Lucknow, Uttar Pradesh by Al-Millat Foundation Trust, Lucknow, Uttar Pradesh with an annual intake of 100 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the letter dated 20/01/2016 from the appointed team of the Council assessors and noted the following:

"We, the undersigned assessed the Avadh Insitute of Medical Technologies and Hosptial, Lucknow, UP on 20/01/2016. We reached in the college at 9.45 AM but Principal and no faculties were present in the Institute.

We, the three assessors visited the college & hospital campus with help of few paramedical staffs, Photograph in our own mobile has been taken.

Only one patient was admitted in emergency ward, Bed occuoancy is 1 out of total existing bed strength 142.

No patient in OPD, no operation was going on, no patient in NICU, PICU & ICU, in a sentence the hospital is non-functioning –infrastructure is not as per MSR.

No blood bank is available in the hospital.

One Pharmacy with a pharmacist was available.

Regarding college side one museum of Anatomy without having any mounted specimen available for ANM & GNM courses (which is not as per MSR).

One library is available which is not as per MSR (No Journals & seating capacity only 50 chairs, not adequate books are available.

No faculty resident doctors are available except one Unani doctor, two optometrists.

One Girls hostel with 25 rooms (50 beds) are available at present occupied by ANM & GNM students.

At 12.45 PM the chairperson came to college and accepted our letter to Principal which was duly signed by him and informed us no Principal & Medical Superintendent are appointed till date."

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Lucknow, Uttar Pradesh by Al-Millat Foundation Trust, Lucknow, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Uttar Pradesh as to how the Essentiality Certificate had been issued when the hospital is non-functional.

77. Establishment of new medical college at Lucknow, Uttar Pradesh by Society for the Advancement of Environmental Sciences, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Lucknow, Uttar Pradesh by Society for the Advancement of Environmental Sciences, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council perused the letter dated 20/01/2016 of the Dean of the Institute which reads as under-

"With reference to your visit 20.1.2016 on the subject cited above, please be informed that we have filed an IA no. 4/2015 in Medical Council of India SLP no. 28100 of 2015 which has been put up before the 3 judges bench of Hon'ble Supreme Court and date was fixed by the court on 19.1.2015 for hearing and matter was listed on item no.1 of the cause list. However, in supplementary list the item has been deleted and shall be put up on next possible date. It may be noted that we have sought clarification from the Hon'ble Supreme Court as to whether the application submitted to Ministry of Health & F.W., on dated 31.8.2015 shall be treated as renewal application after the High Court and Supreme Court order or as fresh application.

We have been instructed by our legal counsel not to allow any inspection and maintain status quo as on 29.9.2015 till any further order of Supreme Court. Hence, we would not like to disturb the status quo till we received any order from Supreme Court."

The Executive Committee of the Council further noted that legal opinion of the Standing Counsel had been sought which reads as under:-

" I have gone through the file of the querist along with the application and communications made by the applicant college. Before giving any specific opinion in the matter, it would be appropriate to consider the following facts:-

1. *The applicant Society vide letter dated 30.09.2013 had submitted their application/scheme for establishment of a new medical college for the academic session 2014-15. After the scrutiny of the said application/scheme, it was found that the Society has not submitted the letter of consent of affiliation along with their application for the academic year 2014-15 which is mandatory required as per the statutory Regulations of the querist.*
2. *Since, the application/scheme dated 30.09.2012 was incomplete, thus the Scrutiny Committee of the querist, in its meeting held on 10/11.02.2014 had decided to return the application of the Society for the establishment of new medical college for the academic year 2014-15. The aforesaid recommendations of the querist were forwarded to the Government of India vide letter dated 14.02.2014.*
3. *The Society being aggrieved by the recommendation of the querist dated 14.2.2014, had approached the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, by way of W.P.(C) No. 1605 of 2014(M/B), thereby praying for directions to the querist to consider the application/scheme of the Society and grant permission for establishing medical college for the academic year 2014-15.*
4. *The W.P. 1605 (M/B)/2014, came up for hearing before the Hon'ble High Court of Judicature at Allahabad, on 26.05.2015, whereupon, the Hon'ble High Court, after hearing the parties, had directed to consider the application of the Society for establishment of new medical college from academic year 2014-15.*
5. *The querist being aggrieved by the order dated 26.05.2014 passed in W.P. 1605 (M/B)/2014, by the Hon'ble High Court of Judicature at Allahabad, had*

approached the Hon'ble Supreme Court by way of SLP (C) No. 14759 of 2014, titled MCI vs. Society For Advancement Of Environmental Science. The Hon'ble Supreme Court vide its order dated 02.07.2014 passed in Civil Appeal No. 5933 of 2014 arising out of SLP (C) No. 14759 of 2014, was pleased to dispose of the Civil Appeal with direction to the querist to consider the application of Society for establishment of new medical college for the next academic year i.e. 2015-16 and inspect the respondent medical college on or before 31.10.2014, if, the medical college submits all relevant documents as per the existing practice.

6. Since, the Society was able to furnish all the requisite documents for consideration of their application for starting of a new medical college by 10th October, 2014, the querist had moved an application for direction being I.A. No. 2/2015, in the above mentioned C.A. No. 5933/2014, for extension of time to comply with order dated 02.07.2014 passed by the Hon'ble Supreme Court. The above application came for hearing before the Hon'ble Supreme Court on 17.11.2014, wherein, after hearing the parties, the Hon'ble Supreme Court was pleased to grant 4 weeks' time to the querist to comply with order dated 02.07.2014.
7. In compliance with the order dated 02.07.2014 and 17.11.2014 passed by the Hon'ble Supreme Court, the querist, after considering the application of the Society had carried out the inspection of the infrastructure, teaching faculty, clinical material and other physical facilities available with the medical college on 09/10.12.2014.
8. The assessment report dated 09th & 10th of December, 2014, was placed before the Executive Committee of the querist in its meeting held on 13.01.2015, wherein, apart from other gross deficiencies found in the medical college it was found that the medical college has failed to fulfill the qualifying criteria of having 300 bedded hospital. The inspection team found only 240 beds in the medical college. In view of the grave deficiencies pertaining to infrastructure, teaching faculty, residents, clinical material and other physical facilities in the medical college it was decided to return the application of the Society as the respondent medical college had failed to fulfil the eligibility criteria as per Regulation 3(2)(5) of Establishment of Medical College Regulation, 1999 – own or manage 300 bedded hospital. The decision of the querist was communicated to the Central Government vide letter dated 21.1.2015.
9. The medical college had furnished a compliance to the Central Govt. vide their letter dated 10.02.2015 and the Central Govt. had granted a hearing to the Society on 12.02.2015. The Central Government vide its letter dated 20.02.2015, had requested the querist to review its recommendations in light of the documents submitted by the medical college. The case of the medical college was re-considered by the Executive Committee of the querist in its meeting held on 29.04.2015 wherein it was decided to reiterate its earlier decision to recommend to the Central Government to return the application of the Society for establishment of a new medical college for the academic year 2015-16 and the same was communicated to the Central Govt. vide letter dated 11.05.2015.
10. The Govt. of India, after considering the recommendations of the querist, vide its decision dated 15.06.2015, had disapproved the application of the Society for the establishment of new medical college from academic year 2015-16.
11. Aggrieved by the above-mentioned decision of the Govt. of India the Society had approached the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow by way of W.P. No. 6703(M/B)/2015 inter-alia, praying for directions to the Govt. of India to reconsider the application of the Society for permission for establishment of new medical college from academic year 2015-16 and to quash the recommendation of the querist dated 11.05.2015 and Govt. of India decision dated 15.06.2015.
12. The Hon'ble High Court of Allahabad, Lucknow Bench, Lucknow, vide its interim order dated 29.07.2015, had directed the querist to carry out the inspection of the respondent medical college within a period of 4 weeks. The querist being aggrieved by the above-mentioned interim order passed by the Hon'ble High Court, approached the Hon'ble Supreme Court by way of SLP (C) No. 26006/2015 which is pending adjudication before the Hon'ble Supreme Court.
13. The writ petition being W.P. No. 6703(M/B)/2015 came up for hearing before the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow on 24.09.2015, when the Hon'ble High Court after hearing the parties, vide interim order dated 24.09.2015 had allowed the medical college to make provisional

admission of 150 M.B.B.S students for academic year 2015-16, without there being any formal permission from the Central Govt., subject to the outcome of the writ petition.

14. The querist being aggrieved by the aforesaid interim order dated 24.09.2015 whereby the medical college had been granted permission to make provisional admission of 150 MBBS students for the academic year 2015-16, had approached the Hon'ble Supreme Court by way of SLP (C) No.28100 of 2015.
15. The Hon'ble Supreme Court after hearing the parties vide its order dated 29.09.2015 passed in SLP (C) No. 26006/2015 had directed the querist in view of the peculiar facts of the case to carry out an inspection of the medical college as directed by the Hon'ble High Court on or before 10.10.2015 and to keep the report of the inspection in a sealed cover.
16. The Hon'ble Supreme Court after hearing the parties vide its order dated 29.09.2015 passed in SLP (C) No. 28100/2015 had observed that in view of the interim order dated 24.09.2015 the medical college had granted admission to 150 MBBS students on 28.09.2015 but in view of the fact the medical college had only 240 beds against the statutory requirement of 300 beds, the Hon'ble Supreme Court had directed that status quo as on 24.09.2015 shall be maintained and admission granted to 150 MBBS students shall not be given effect to. The relevant portion of the order dated 29.09.2015 is reproduced as under:

"...It is an admitted fact that the respondent-institute had been given permission to start the college by the High Court by virtue of an order dated 24th September, 2015, an interim order. The respondent-institute was permitted to give admission to the students and in pursuance of the said order, an advertisement inviting students for admission had been published on 27th September, 2015 and on 28th September, 2015 admissions had been given to 150 students.

It has been submitted by the learned counsel for the petitioner that the requirement of beds in the Department of Surgery was 300 at the time when the initial inspection had taken place and application for commencement of a medical college was made but at the time of inspection, only 240 beds were found.

Though, the said submission of fact has been objected to by the learned counsel for the respondent institute. Looking at the peculiar facts of the case, we direct that status quo as on 24th September, 2015, shall be maintained. Admission of students, if any, shall not be given effect to..."

17. The Hon'ble Supreme Court on 26.10.2015 was informed that in pursuance of the order dated 29.09.2015 an inspection of the medical college had been conducted and the inspection report has been placed before the Hon'ble Court in a sealed cover. The Hon'ble Supreme Court vide its order dated 26.10.2015 had directed that the inspection report shall be considered by the Executive Committee of the querist and its recommendations shall be placed before the Hon'ble Court before 20.11.2015. It was further directed that a copy of the inspection report shall be supplied to the advocate of the medical college so that the comments of the medical college could be furnished. The relevant portion of the order dated 26.10.2015 is reproduced as under:

"...It has been submitted by the learned counsel for the petitioners that in pursuance of the order passed by this Court on 29th September, 2015, inspection of the Medical College has taken place and the Report of the inspection has been kept in a sealed cover and the same has been placed before this Court.

We direct that the Report of the inspection be placed before the Executive Committee of the petitioner-MCI and the Committee shall consider the said report in accordance with law and forward its remarks to this Court on or before 20th November, 2015.

A copy of the Report shall be forwarded to the respondents-colleges through their counsel in two days and respondents-colleges to give their comments on the Report within one week from the receipt of the Report..."

18. The above SLPs filed by the querist are pending adjudication before the Hon'ble Supreme Court. In the above SLPs the college has also made an application for review / recall of order dated 29.09.2015 passed by the Hon'ble Apex Court and the same is also pending adjudication.

19. *In the meanwhile, the Society vide its letter dated 28.08.2015 had submitted to the Central Govt. a fresh application / scheme for the establishment of a new medical college for the academic session 2016-17. The aforesaid application / scheme dated 28.08.2015 has been forwarded to the querist by the Central Govt. vide its letter dated 15.09.2015.*
20. *The querist after the receipt of the application/scheme dated 28.08.2015 for the establishment of a new medical college for the academic session 2016-17, vide its letter dated 04/09.12.2015 had requested the Society to submit the CD/DVD of the Declaration Forms as well as the Standard Inspection Forms A & B within 7 days of the dispatch of the said letter.*
21. *Since the querist did not receive the information / documents as had been requested vide letter dated 04/09.12.2015, the querist vide its letter dated 17.12.2015 requested the Society to submit the desired documents on or before 22.12.2015 failing which the querist would proceed as per the provision of the Regulations.*
22. *The Society vide its letter dated 15.12.2015, received on 22.12.2015, had informed the querist that since SLP No.26006/2015 was pending before the Hon'ble Supreme Court thus it would be desirable to keep the action on your letter in abeyance.*
23. *The querist vide its letter dated 28.12.2015 yet again requested the society to submit the desired documents on or before 31.12.2015 since the cases pending before the Hon'ble Supreme Court were relating to the academic year 2015-16 and the same did not have any bearing on the fresh application dated 28.08.2015 submitted by the Society for the establishment of a new medical college for the academic session 2016-17.*
24. *The Society vide letter dated 29.12.2015 received on 01.01.2016 informed the querist that an application had been filed in SLP No.28100 / 2015 seeking a clarification in respect of the processing of the application for the academic session 2016-17 and thus in terms of the legal advice rendered to the Society, the querist was requested not to proceed with the fresh application dated 28.08.2015 submitted by the Society for the establishment of a new medical college for the academic session 2016-17.*
25. *The querist vide its letter dated 06.01.2016 had informed the Society that its letter dated 29.12.2015 had been considered by the Competent Authority and it had been decided to reiterate the earlier decision which had been communicated to the Society vide letter dated 28.12.2015.*
26. *In view of the binding time schedule as have been upheld by the Hon'ble Supreme Court, since the last date to send the 1st round of recommendations to the Central Govt. being 31st January 2016 was fast approaching and in order to avoid any delay in the matter, the inspection of the medical college was scheduled on 20th & 21st of January 2016 for assessing the physical and other teaching facilities available for the establishment of a new medical college for the academic year 2016-17. The assessors appointed by the querist reached the medical college on 20.01.2016 but were prevented by the Chairman and the Dean of the medical college from conducting an inspection of the medical college.*
27. *The assessors in their report dated 20.01.2016 have stated that the OPD of the hospital was empty, the few wards that they visited to assess the bed occupancy were also empty and no faculty or resident were seen in the hospital. Whereafter the Chairman of the medical college came and started shouting & abusing the assessors and had asked to stop the assessment.*
28. *The Dean had given a letter dated 20.01.2016 to the assessors stating that an application being IA No.4/2015 had been filed in SLP No.28100/2015 seeking a clarification on the application submitted to the Central Govt. for the academic year 2016-17 for the establishment of a new medical college to be treated as an application for renewal of permission or a fresh application. The letter states that in terms of the legal advice rendered to the Society no inspection of the medical college shall be allowed in order to maintain status quo as on 29.09.2015 till further order from the Hon'ble Supreme Court.*

In view of the above factual matrix, it is clear that even though the Hon'ble Supreme Court vide its order dated 29.09.2015 passed in SLP (C) No.28100/2015 had directed the Society to maintain status quo as on the date of the passing of the interim order for granting provisional admission i.e. 24.09.2015

and that the admissions granted on 28.09.2015 shall not be given effect to, the Society in blatant violation of the aforesaid order of the Hon'ble Supreme Court has not discharged the students admitted on 28.09.2015. The Society is illegally permitting the students admitted on 28.09.2015 to continue in the medical college.

It is also relevant to point out that the Society vide their application dated 28.08.2015 had submitted a fresh application for the establishment of a new medical college for the academic year 2016-17, the processing of which in terms of the time schedule of the querist did not have any bearing on the pending cases before the Hon'ble Supreme Court i.e. SLP (C) Nos. 26006/2015 & 28100/2015. The cases pending before the Hon'ble Supreme Court pertain to the application submitted by the Society for the establishment of a new medical college for the academic year 2015-16 whereas the Society vide their fresh application dated 28.08.2015 had now submitted an application for the establishment of a new medical college for the academic year 2016-17.

In any case no medical college can be allowed to prevent querist assessors from inspecting the medical college or disrupt any ongoing inspection. Thus I am of the opinion that the querist may place the inspection report dated 20.01.2016 before its Executive Committee which may take a decision on the fresh application dated 28.08.2015 submitted by the Society for the establishment of a new medical college for the academic year 2016-17..."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Lucknow, Uttar Pradesh by Society for the Advancement of Environmental Sciences, Lucknow, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

78. Increase of seats in MBBS course from 150-200 for the academic session 2016-17 at Deccan College of Medical Sciences, Hyderabad.

Read: the matter with regard to increase of seats in MBBS course from 150-200 for the academic session 2016-17 at Deccan College of Medical Sciences, Hyderabad.

The Executive Committee of the Council considered the Council Assessors report (21st and 22nd January, 2016) and noted the following:-

1. Deficiency of faculty is 26.34 %(i.e. 54 out of 205) as shown in the report.
2. Shortage of Residents is 59.29 %(i.e. 67 out of 113) as shown in the report.
3. Teaching Hospital is not Unitary. There are 2 Hospitals – Main campus & Princess Ezra Hospital. Main campus hospital has only 509 beds against 960 required.
4. OPD attendance was 1,205 in main hospital against 2,000 required.
5. Bed occupancy was 22.09 % on day of assessment.
6. OPD: Registration counters are inadequate. Examination rooms are less than required. Injection room is common for males/females. Minor O.T. is not available. Plaster room & Plaster cutting room are common. Dark room is not available in Ophthalmology OPD. Special clinic facilities are inadequate in Paediatrics OPD.
7. Audiometry & Speech Therapy are not available at main hospital.

8. Wards: Wards are not as per MSR Regulations. Many wards have 60-90 patients with 1 functional Nursing station. Demonstration rooms are common between wards. Pantry is not available in most wards.
9. There were only 6 Major & 5 Minor operations on day of assessment.
10. Workload of Radiological & Laboratory investigations is grossly inadequate.
11. Casualty: Separate Casualty for O.G. is not available. 26 beds are available against requirement of 30.
12. O.T.s: Only 7 Major O.T.s are available in Main Hospital against 10 required.
13. ICUs: SICU is not available in Main Hospital campus.
14. Available static X-ray machines are 3 against requirement of 6.
15. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
16. Lecture Theaters: Lecture Theater in the hospital is not of Gallery type.
17. Central Library: It is not air-conditioned. Total area & seating capacity are spread over 3 libraries.
18. Common Rooms for Boys & Girls are smaller than required.
19. Students' Hostels: Available accommodation is 218 against 750 required. Study room is not air-conditioned. There is no Recreation room in Girls' Hostel.
20. Interns' Hostel: It is not available.
21. Residents' Hostels: Available accommodation is 72 against 192 required. Study room is not air-conditioned.
22. Anatomy department: Cadavers available are only 5.
23. Microbiology department: Only 5 service laboratories are available against 7 required.
24. RHTC: Cold chain equipment is not provided by college.
25. Other deficiencies as pointed out in the assessment report.

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(a)(ii), 6(a)(iii) & 6(a)(iv) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) OPD attendance, Bed occupancy and unitary campus are not as per the Regulations, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 200 at Deccan College of Medical Sciences, Hyderabad under NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

The Committee further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <80%, such an institute will not be considered for processing applications for postgraduate courses in the Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be

made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956 alongwith direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2016-17) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by the institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act,1956 alongwith direction of stoppage of admissions in permitted postgraduate courses.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

79. Increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Aarupadai Veedu Medical College & Hospital, Puducherry.

Read: the matter with regard to increase of seats in MBBS course from 100-150 for the academic session 2016-17 at Aarupadai Veedu Medical College & Hospital, Puducherry.

The Executive Committee of the Council considered the Council Assessors report (21st and 22nd January, 2016) alongwith the additional information dated 28/01/2016 submitted by the Assessors and noted the following:-

1. Child Rehabilitation clinic is not available in Paediatrics OPD.
2. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Medicine	126	120	06
2	Paediatrics	66	60	06
4	General Surgery	126	120	06
5	Orthopaedics	66	60	06
6	O.G.	66	60	06
	TOTAL			30

3. Wards: Distance between 2 beds is < 1.5 m in many wards. Pantry is not available in Tb & Chest and Skin & VD wards.
4. Bed occupancy is 71.85 % as observed by assessors.
5. There was only 1 Normal Delivery & only 1 Caesarean Section on day of assessment.
6. There were only 11 Major operations for the hospital on day of assessment upto 2 p.m.
7. Workload of Radiological & Laboratory investigations is grossly inadequate.
8. Casualty: Only 16 beds are available against 20 required. Only 2 Casualty Medical Officers are available. Crash Cart was not fitted with O₂ at the time of round of assessors.
9. O.T.s: No operation was going on in Ophthalmology & ENT O.T.s at time of round of assessors.
10. ICUs: There was NIL patient in NICU. There is no Ventilator.

11. Only 04 patients were available in Antenatal OPD at 10:05 a.m. on day of assessment.
12. PNDT certificate is issued in name of Dr. P.K. Jayanthi who is not officiating as Dean w.e.f. 06/02/2013.
13. Microbiology department: Water supply in Media preparation room is very poor. BOD Incubator in Mycology laboratory was non-functional.
14. Community medicine department: Museum facilities are inadequate.
15. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for increase of seats in MBBS course from 100 to 150 u/s 10A of the IMC Act 1956 in respect of Aarupadai Veedu Medical College & Hospital, Puducherry under Vinayaka Missions University, Salem for the academic year 2016-17.

80. Increase of seats in MBBS course from 150-250 for the academic session 2016-17 at Smt. NHL Municipal Medical College, Ahmedabad.

Read: the matter with regard to increase of seats in MBBS course from 150-250 for the academic session 2016-17 at Smt. NHL Municipal Medical College, Ahmedabad.

The Executive Committee of the Council considered the Council Assessors report (22nd and 23rd January, 2016) alongwith the additional information dated 29/01/2016 submitted by the Assessors and decided to seek clarification regarding department-wise and Unit-wise bed strength in affiliated teaching hospitals from the institute immediately and decided to defer the matter till then.

81. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 100 MBBS seats Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune.

The Executive Committee of the Council considered the compliance verification assessment report (22.01.2015) along with assessment report (20.08.2015, 15th April, 2015 & 6th & 7th January, 2015) and perusal of the report of Assessors, the operative part reads as under:

"As the Class III & IV employees are on strike from 12/01/2016 till date, the college and the hospital were closed and locked. As no water is available, all faculty & residents went out. Only Principal & Medical Superintendent are available. So for verification, nothing is available and compliance couldn't be verified..."

...

All the patients were shifted out of the hospital. So clinical data is NIL."

In view of above, the Executive Committee of the Council decided to direct the Dean of Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune to submit when the strike would be called off and the office is directed to arrange for another assessment.

82. Continuance of recognition of MBBS degree granted by Pravara Institute of Medical Sciences (Deemed University), Loni in respect of students being trained at Rural Medical College, Loni.

Read: the matter with regard to continuance of recognition of MBBS degree granted by Pravara Institute of Medical Sciences (Deemed University), Loni in respect of students being trained at Rural Medical College, Loni.

The Executive Committee of the Council considered the compliance verification assessment report (25th January, 2016) alongwith previous assessment report (9th & 10th July, 2015) and noted the following:-

1. Bed occupancy was 64.50 % at 10 a.m. on day of assessment.
2. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to give final opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

83. Establishment of new medical college at Dist. Sangli, Maharashtra by Prakash Shikshan Mandal, Urun-Islampur, Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Dist. Sangli, Maharashtra by Prakash Shikshan Mandal, Urun-Islampur, Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the Council Assessors report (15th and 16th January, 2016) and noted the following:-

1. Wards: Many Demonstration rooms are congested with inadequate Audio Visual aids.
2. Many of the admitted patients would have been treated on OPD basis and some of the patients did not require admissions at all.
3. The following was observed with regard to random checking of admitted & OPD patients:
 - (a) Mr. Prakash Wakle, ICU Bed # 5, was admitted since 12/01/2016 for fever; he really did not have fever on temperature charts attached in the case sheet.
 - (b) Mr. Jalinder Patil, admitted in General Surgery for Inguinal Hernia did not have any Inguinal Hernia on cross verification.
 - (c) On interview of waiting OPD patients, many had similar vague complaints for which generally people will not seek medical advice.
 - (d) Number of investigations is less.
 - (e) In view of above, clinical material is inadequate.
4. At time of round, there were no patients in Casualty.
5. There were only 5 Major & 2 Minor operations for the whole hospital on day of assessment.

6. MRD: One computer is available but no data have been entered as yet as no qualified person is available. ICD X classification of diseases is not followed for indexing.
7. Casualty: Central O₂ and Central Suction are not available.
8. O.T.s: Although 5 O.T.s are provided, only 3 are functional against requirement of 4.
9. ICUs: There were only 2 patients in PICU/NICU on day of assessment.
10. Labour Room: Eclampsia room is not equipped to manage Eclampsia patients.
11. Anatomy department: There is no wash basin & drainage facility in Embalming room. There are no cross sectional specimens or gross models. Catalogue is incomplete.
12. Physiology department: Office of Professor & HOD is very small & congested.
13. Faculty offices are incompletely partitioned.
14. Overall cleanliness of Residents' Hostel is extremely poor.
15. No meeting of Pharmaco Vigilance Committee has been held during the year.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of new medical college at Dist. Sangli, Maharashtra by Prakash Shikshan Mandal, Urun-Islampur, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

84. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Maharajah's Institute of Medical Sciences, Vizianagaram under NTR University of Health Sciences, Vijayawada.

Read: the matter with regard to compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Maharajah's Institute of Medical Sciences, Vizianagaram under NTR University of Health Sciences, Vijayawada.

The Executive Committee of the Council considered the compliance verification assessment report (20.01.2016) along with assessment report (20.08.2015, 20th May, 2015 & 5th & 6th December, 2014) conducted for verification of available facilities of faculty, Residents, infrastructure and other requirements for recognized intake of 100 students and noted the following:-

1. Deficiency of faculty is 16.03 % as detailed in the report.
2. Shortage of Residents is 13.43 % as detailed in the report.
3. Bed occupancy is 33 % on day of assessment.
4. There were NIL patient in SICU & only 2 patients in ICCU on day of assessment.
5. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to give final opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

85. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Al-Ameen Medical College & Hospital, Bijapur under Rajiv Gandhi University of Health Sciences, Bangalore.

Read: the matter with regard to compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Al-Ameen Medical College & Hospital, Bijapur under Rajiv Gandhi University of Health Sciences, Bangalore.

The Executive Committee of the Council considered the compliance verification assessment report (20.01.2016) along with assessment report (21.08.2015, 20th May, 2015 & 8th & 9th December, 2014) and decided to revoke notice issued under clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010(Part II), dated 16th April, 2010.

The Executive Committee also noted that in the meeting of the General Body of the Council held on 01.10.2015, the General Body had withheld the recommendation of the continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Al Ameen Medical College, Bijapur for 100 admissions due to the application of Clause 8(3)(1)(c) of Establishment of Medical College Regulations, 1999 on the renewal application for increase of seats for the academic year 2015-16.

Therefore, in view of the above decision of the Committee of revoking the Clause 8(3)(1)(c), the Executive Committee of the Council decided that the continuance of recognition of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at Al Ameen Medical College, Bijapur for 100 admissions be continued restricting the number of admissions to 100 (One hundred) students per year and the same be placed before the General Body of the Council.

86. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Rama Medical College, Hospital & Research, Kanpur.

Read: the matter with regard to compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Rama Medical College, Hospital & Research, Kanpur.

The Executive Committee of the Council considered the compliance verification assessment report (22.01.2016) along with assessment report (21.08.2015, 7th May, 2015 & 19th & 20th September, 2014) and noted the following:

1. Deficiency of faculty is 5.71 % on day of assessment.
2. Some of patients were admitted with vague complaints like headache, pain in abdomen, generalized body ache, etc.
3. Workload of Histopathology was only 09 & Cytopathology only 11 on day of assessment.
4. Investigation workload of Plain X-rays is inadequate (94 on day of assessment)
5. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to revoke clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to give another opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

87. Recognition/approval of Subharti Medical College, Meerut for awarded of MBBS degree granted by Swami Vivekanand Subharti University, Meerut against increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Subharti Medical College, Meerut for awarded of MBBS degree granted by Swami Vivekanand Subharti University, Meerut against increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council noted that in compliance of order dated 10.08.2015 passed by the Hon'ble Supreme Court in SLP (C) No. 22472/2014 - MCI Vs. Subharti Medical College, Meerut, an assessment to verify the compliance submitted by the college authorities on the deficiencies pointed out in the assessment report (16th & 17th March, 2015) for 100 MBBS seats and recognition/approval of the college for the award of MBBS degree against the increased intake i.e. from 100 to 150 at Subharti Medical College, Meerut, was carried out by the Council assessors on 21.09.2015. The compliance verification assessment report dated 21.09.2015 alongwith previous assessment report dated 16th & 17th March, 2015 was considered by the Executive Committee at its meeting held on 28.10.2015 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (21.09.2015) and assessment report (16th & 17th March, 2015) and noted the following:-

1. Shortage of Residents is 8.9 % as detailed in assessment report.
2. Hospital lecture theater is only semi gallery type. Elevation steps are only 4"-5". Deficiency is partially rectified.
3. Students' hostels are common for all institutes run by Subharti University. Thus there are no earmarked hostels for medical college. Deficiency remains as it is.
4. Residential Quarters for faculty & non-teaching staff are common for all institutes run by Subharti University. Thus there are no earmarked quarters for medical college. Deficiency remains as it is.
5. In wards, there are cubicles partitioned by 5'wall. Deficiency is not rectified. Nurses cannot have overview of all the patients in many wards as Nursing station is located in a corner of the ward.
6. There were only 07 Major & 10 Minor operations on day of assessment.
7. Presently 11 Residents listed in the assessment report are not staying in the campus; hence they cannot be considered.
8. Data of clinical material provided by the institute are inflated.
9. Bed occupancy is 64 % (i.e. 464 out of 750 beds) on day of assessment.
10. On verification, certain fake patients were observed. In Obstetrics ward one patient by name Hardai Ben was fake. Her age was more than 50 years. No case sheet was available. She has given oral statement that she has no complaints at all and was paid Rs. 200/- per day by Thekedar. The statement signed by Professor of OBG and Staff Nurse on duty is attached.

11. Fake patient: In Paediatric ward-2, one patient, child of labour worker whose original name was Arjun, fathers name Lala Ram and mothers name Mulia Ben was shown. The case paper does not match with this patient's name. In case paper name of the patient was shown as baby Preeth Kaur, which was as per case record admitted on 8th September, 2015. But patient's mother told that her son was admitted before 5-6 days. .
12. Fake patient: In obsertric ward one patient Prema Ben was fake. Her age was more than 50 years. No case paper was available. She was labour worker. She was made to come and lie down on the bed for the purpose of head counting when the Inspectors went there.
13. Fake Patient: In Gynaec ward 1 (floor 3) patient by name Mrs. Savita, IP No. 150919027, was admitted on 19th Sept.2015. In case record doctors notes of 19th and 20th were not written. Directly patient's notes of 21st Sept. were written.
14. Fake Patient: patient by name Jyothi, 22, was supposed to be admitted 8 days back for fever. But the ward Nurse mentioned she underwent D and C, which the patient denied. Case record was not available.
15. Fake patient: Patient by name Khushbu, 18, was admitted to Obstetric ward 2 days back for simple fever. But no treatment was given. Case record was not made available.
16. Fake patient: In female Medicine ward-1, patient named Mrs. Preeti, IP No. 150918023 was admitted on 18th Sept.2015. In case records no treatment notes of 19th Sept. was written.
17. Fake Statement/data: Three patients named Manisha (IP No. 150919021), Shrishti (IP No. 150916107) and Mahendra (IP No. 150909042) were posted for surgery on the day of inspection (21st Sept.2015) as per the list given by the Institute. When the Inspectors went for the hospital rounds in the evening, it was noticed that the surgery was not done on these patients for various reasons. But in the list of Histopathology specimens it was shown that specimens were procured from the above mentioned patients.
18. Some Nursing staff have no registration numbers.
19. There is no Day Care Center in the campus.
20. There is no earmarked boundary for medical college in the campus.
21. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve Subharti Medical College, Meerut for the award of MBBS degree granted by Swami Vivekanand Subharti University, Meerut against increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and further decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010(Part II), dated 16th April, 2010 and to grant 01 month time to the institute to submit the compliance on rectification of deficiencies to the Council for further consideration of the matter."

The above decision was communicated to the Central Govt. vide Council letter dated 05.11.2015 with a copy to medical college authority with the request to submit detailed point wise compliance with the documentary evidence in respect of the rectification of the deficiencies as pointed out in the said decision within one month.

Since the medical college had failed to forward its compliance a reminder was sent to the college authorities on 01.01.2016 to submit a detailed point wise with documentary evidence in respect of the rectification of the deficiencies as had been pointed out in the earlier communication dated 05.11.2015 within a period of 7 days.

In response to above, the Principal / Dean, Subharti Medical College, Meerut vide letter dated 08.01.2016 had submitted its compliance report.

The above compliance report dated 08.01.2016 as submitted by the medical college was considered in detail by the Sub-Committee of the Council at its meeting held on 15.01.2016. The Sub-Committee of the Council considered the judgements of the Hon'ble Supreme Court in the case of Manohar Lal Sharma Vs. Medical Council of India- (2013) 10 SCC 60 & Royal Medical Trust (Regd) & Anr. Vs Union of India- (2015) 10 SCC 19, in respect of the purpose of the compliance verification assessment and that the requirements of the Regulations of the Council were minimum thus the requirements cannot be further diluted, as well as for the fact that all inspections of the Council are surprise inspections. The Sub-Committee of the Council noted the explanation provided by the medical college point by point and provided its comments / observations on the explanation of the medical college.

The Sub-Committee of the Council observed that the medical college rather than providing point wise detailed compliance after the rectification of the deficiencies as had been communicated to the medical college, had either tried to question the very existence of the said deficiencies or had provided vague explanation so as to justify the deficiencies found during the compliance verification inspection. The medical college has also made frivolous allegations against the assessors and their observations in the assessment report, which cannot be in any manner be considered as rectification of the deficiencies or a satisfactory compliance of the reported deficiencies. The Sub-Committee of the Council while dealing with the explanation of the medical college had concluded that the assessment had been carried out by assessors who are Professors in Government Medical Colleges being experts with unquestionable integrity and reputation in the field of medicine and thus there was no reason to discard their findings in the assessment report and thus the explanation of the medical college could not be accepted. In any case once a medical college has claimed to rectify or removed the deficiencies there is no occasion for the medical college to present any justification in respect of the said deficiencies.

The Sub-Committee of the Council provided its comments / observations in respect of all the deficiencies as against the explanation given by the medical college, whereafter it was noted that the deficiencies communicated to the medical college vide letter dated 05.11.2015 had not been rectified completely and still persisted. Thus the medical college vide letter dated 15.01.2016 was requested to re-submit point wise detailed and satisfactory compliance after rectification of the deficiencies within 7 days in order to further process their application.

In response to above, the Principal / Dean, Subharti Medical College, Meerut vide letter dated 22.01.2016 has submitted another compliance report which is similar in nature to the compliance report dated 08.01.2016 and once again instead of showing point wise rectification of deficiencies, the medical college had reiterated their earlier stand while questioning the Sub-Committee of the Council without realizing the fact that the Sub-Committees of the Council are functioning from the very inception of the Council in order to facilitate the functioning of the Executive Committee as well as the Council.

The Sub-Committee of the Council has been duly constituted by the Executive Committee comprising of eminent doctors / professors from various parts of the Country for the purpose of initial scrutiny of various documents including the compliance reports submitted by the medical colleges in order to save time and for the further technical evaluation of the applications / compliance reports submitted by the medical colleges since the Executive Committee of the Council holds its meetings once in approximately 30-45 days depending upon the agenda of the meetings and the time schedule of processing of applications.

The application of the medical college cannot be processed further till such time the Council is satisfied that the medical college has rectified the deficiencies pointed out in its earlier decision. The case of the medical college cannot be processed any further on the basis of the compliance reports as submitted by the Principal / Dean of the medical college since the same does not show the rectification of the deficiencies. The Executive Committee further observed that in the case of any medical colleges a deficiency cannot be considered to be rectified without the physical verification of the college and the physical verification can only be conducted once the detailed point-wise compliance report is found to be satisfactory. Therefore one more opportunity be provided to the medical college to submit detailed point-wise compliance report after the rectification of the deficiencies as pointed out in the Council letter dated 05.11.2015 alongwith compliance verification assessment fee of Rs. 3 Lakhs within a period of one week.

88. Rajendra Institute of Medical Sciences, Ranchi – Renewal of Permission for admission of 6th Batch of MBBS students against the increased intake i.e. from 90-150 for the academic session 2016-17.

Read: the matter with regard to Rajendra Institute of Medical Sciences, Ranchi – Renewal of Permission for admission of 6th Batch of MBBS students against the increased intake i.e. from 90-150 for the academic session 2016-17.

The Executive Committee of the Council considered the Council Assessors report (22nd and 23rd January, 2016) and noted the following:-

1. Lecture Theaters: Hospital Lecture Theater is not available. Capacity of additional Lecture Theater available in the college is only 100 against requirement of 150.
2. Common Rooms for Boys & Girls are smaller than required.
3. MRD: ICD X classification of diseases is not followed for indexing.
4. Casualty: Available beds are 18 against requirement of 20.
5. ICUs: Details of patients in ICCU & all ICUs are not given.
6. 4 Static X-ray machines are available against requirement of 5.
7. Intercom is not available.
8. Website: Information provided is sketchy. Citizens' Charter is not available.
9. Anatomy department: MRI & CT films are not available.
10. RHTC: Residential accommodation is not functional. Specialists' visits are not organized.
11. UHC: Specialists' visits are not organized.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to renew the permission for admission of 6th batch of MBBS students against the increased intake i.e. from 90 to 150 u/s 10A of the IMC Act, 1956 in respect of Rajendra Institute of Medical Sciences, Ranchi under Ranchi University, Ranchi for the academic year 2016-17.

89. Bid evaluation report and execution of MCI digital mission mode project through suitable System Integrator.

Read: the matter with regard to bid evaluation report and execution of MCI digital mission mode project through suitable System Integrator.

The Executive Committee of the Council considered the matter with regard to bid evaluation report and execution of MCI digital mission mode project

through suitable System Integrator and noted that there was a large difference between the budgetary estimate given in the Detailed Project Report (DPR) and actual bid price submitted by L1 bidder and decided to constitute a Sub – Committee consisting of the following members:-

- 1. Dr. Ajay kumar, Chairman, Administrative & Grievance Committee
- 2. Dr. Anil Nayak, Member, Administrative & Grievance Committee
- 2. Two Professors from IIT or any other professional institution with knowledge of the subject.
- 3. Consultants from NISG
- 4. Persons with knowledge of Finance and Audit.

The Sub-Committee should study the matter in detail and submit its report to the Executive Committee at the earliest.

90. **School of Medical Sciences & Research, Noida – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17.**

Read: the matter with regard to School of Medical Sciences & Research, Noida – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17.

The Executive Committee of the Council considered the Council Assessors Report (20th and 21st January, 2016) alongwith additional information/documents dated 28/01/2016 from the Assessors and noted the following:-

- 1. Deficiency of faculty is 10.61% as detailed in the report
- 2. Teaching beds are inadequate as under:

#	Department	Bed		
		Required	Available	Deficit
1	General Medicine	132	120	12
2.	Paediatrics	72	60	12
3.	General Surgery	132	120	12
4.	Orthopaedics	72	60	12
5.	O.G.	72	60	12
Total				60

- 3. Bed occupancy was 62.17% on required number of beds (i.e. 337 out of 542) at 10 a.m. on 1st day of assessment.
- 4. Only 4 static x-ray machines are available against required 5.
- 5. Students Hostels; Available accommodation is 376 against requirement of 450.
- 6. Interns hostel: Available accommodation is 96 against requirement of 100.
- 7. Anatomy department: Available specimens are 120. Special laboratories like Genetic laborary etc. required for PG are not available.
- 8. Pathology department: There is no separate Morbid Anatomy & Cytology laboratory.
- 9. Mircobiology department: There are no service laboratories in the department in the college. Media preparation facilitiy, Autoclaving are not available.
- 10. Equipment in MEU is inadequate.

11. In most of the wards, nursing stations are not situated in proper place to monitor all patients.
12. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to give opportunity to the college authorities for submission of compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

91. Recognition/approval of Dr. V.R.K Women's Medical College, Aziznagar, Andhra Pradesh for the award of MBBS degree (100 seats) granted by Dr. N.T.R University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Dr. V.R.K Women's Medical College, Aziznagar, Andhra Pradesh for the award of MBBS degree (100 seats) granted by Dr. N.T.R University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (27th January, 2016) along with the compliance verification assessment reports (28th Aug. & 16th April, 2015) and previous assessment report (13th & 14th February, 2015) and noted the following:-

1. Shortage of Residents is 50.74% as detailed in the report.
2. Most of senior and junior residents are not staying in the campus regularly except during emergency duties which is not permissible.
3. Many patients were admitted for non-genuine reasons.
4. Total number of major operations are only 09 for the whole hospital on day of assessment.
5. PNDT approval is not available
6. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend not to recognize/approve Dr. V.R.K. Women's Medical College, Aziznagar, Andhra Pradesh for the award of MBBS degree granted by Dr. N.T.R University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956 and further decided to grant 01 month time to the institute to submit the compliance on rectification of deficiencies to the Council for further consideration of the matter.

92. Recognition/approval of Fathima Institute of Medical Sciences, Kadapa, Andhra Pradesh for the award of MBBS degree (100 seats) granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Fathima Institute of Medical Sciences, Kadapa, Andhra Pradesh for the award of MBBS degree (100 seats) granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (27th Jan., 2016) along with the previous compliance verification assessment reports (12th September, 06th May 2015 & 9th

July, 2015) and assessment report (26th & 27th February, 2015) and noted the following:-

1. Deficiency of faculty is 7.54% as detailed in the report.
2. Shortage of Residents is 7.46% as detailed in the report.
3. There were no residents present on duty in the Casualty, ICU, OPD.
4. On verification it was observed that MBBS students were staying in Interns' & Residents' room.
5. Discrepancy was observed in records of OPD, IPD, Central Clinical laboratory and Radiological investigations and Pharmacy.
6. Patients admitted in Casualty were not of serious nature.
7. In wards, patients were found to be admitted just for assessment. There is no record in Pharmacy about distribution of medicines to different wards, OPD, etc.
8. Patients in wards/ ICU/ NICU/PICU/Casualty were admitted for no indication of that speciality. On verification, dates of admission did not match that told by patient. On enquiry faculty could not give satisfactory answer for this. No patient was found on Ventilator support. There was no register or record of patients on ventilator.
9. Many children in Paediatric wards were looking healthy, sleeping peacefully or playing in bed.
10. There were no postoperative or fracture/trauma patient admitted in Surgery or Orthopaedics ward. Most of patients in Orthopaedics ward were of Osteoarthritis and most of patients in Surgery ward were of acid peptic disease and no investigations like x-ray/USG were found with patient/case paper.
11. Septic labour room and Eclampsia room are like just rooms.
12. Patients are enquired for their illness and hospital stay. There is mismatch of their date of admission and hospital stay. Case paper records are made out in meticulous detail but it seems that records of different wards are made by similar persons.
13. As per records in last week average 3-4 surgeries were done in OT complex and there were no signatures of Surgeons/Anaesthetists in OT registers.
14. Review of record of Histopathology it seems that records are written in the same handwriting and did not match that of patients admitted in wards.
15. Data of clinical material and Laboratory and Radiological investigations provided by institute are highly inflated.
16. Many patients in OPD had similar minor complaints for which patients generally do not seek medical advice.
17. In Medical wards, Orthopaedics patients were admitted and young adults of 20-25 years age were admitted for treating headache.
18. MRD is partially computerized.
19. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend not to recognize/approve Fathima Institute of Medical Sciences, Kadapa, Andhra Pradesh for the award of MBBS degree granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh u/s 11(2) of the IMC Act, 1956 and further decided to grant 01 month time to the institute to submit the compliance on rectification of deficiencies to the Council for further consideration of the matter.

93. Amendment in the Establishment of Medical College Regulations, 1999 – amendment in PPP Model.

Read: the matter with regard to amendment in the establishment of Medical College Regulations, 1999 – amendment in PPP Model.

The Executive Committee of the Council noted that when the proposal was approved by the Ministry of Health & F.W. point no. 2 “appropriate Memorandum of Understanding of minimum 33 years or by way of lease of 99 years preferably but in any case not less than 33 years” was changed to “appropriate Memorandum of Understanding for a maximum period of 33 years or by way of lease upto 99 years”, which is defeating the purpose of the amendment notification in the PPP Model.

The Executive Committee of the Council therefore decided to request the Ministry of Health & F.W. to issue a corrigendum as under:-

Clause 2(5) of “QUALIFYING CRITERIA Point no. 2 of conditions set out to be fulfilled and form part and parcel of the Memorandum of Understanding:

“appropriate Memorandum of Understanding for a maximum period of 33 years or by way of lease upto 99 years **be read as** appropriate Memorandum of Understanding of minimum 33 years or by way of lease of 99 years preferably but in any case not less than 33 years”.

94. Extension of contractual services of Dr. M. Rajalakshmi, Chief Consultant (Academic Cell).

Read: the matter with regard to extension of contractual services of Dr. M. Rajalakshmi, Chief Consultant (Academic Cell).

The Executive Committee of the Council decided to extend the contractual services of Dr. M. Rajalakshmi, Chief Consultant (Academic Cell) for a further period of six months.

95. Request of Sh. Praveen Rawat, Consultant (Civil Engineer) for enhancement of his remuneration.

Read: the matter with regard to request of Sh. Praveen Rawat, Consultant (Civil Engineer) for enhancement of his remuneration.

The Executive Committee of the Council noted that the request of Sh. Praveen Rawat, Consultant (Civil Engineer) for enhancement of his remuneration has already been considered in the previous meeting and referred to the Finance Committee.

The Executive Committee however decided to extend the contractual services of Sh. Praveen Rawat, Consultant (Civil Engineer) for a further period of three months.

96. Appointment of Hon’ble Mr. Justice S.K. Mahajan, Former Judge, Delhi High Court as Enquiry Officer to conduct the enquiries pertaining to suspended officials of MCi and other matters in which reports received from the Investigative agencies i.e. CBI, CVC and CVO- Acceptance of Hon’ble Mr. Justice S.K. Mahajan (Retd.)

Read: the matter with regard to Appointment of Hon’ble Mr. Justice S.K. Mahajan, Former Judge, Delhi High Court as Enquiry Officer to conduct the enquiries pertaining to suspended officials of MCi and other matters in which

reports received from the Investigative agencies i.e. CBI, CVC and CVO-Acceptance of Hon'ble Mr. Justice S.K. Mahajan (Retd.)

The Executive Committee of the Council noted that at its earlier meeting held on 28.12.2015 the Standing Counsel Shri Gaurav Sharma was requested to fix the terms & conditions of appointment of Hon'ble Justice S.K. Mahajan, Former Judge, Delhi High Court and now Shri Gaurav Sharma vide his letter dated 29.01.2016 has informed the Council that Hon'ble Mr. Justice S.K. Mahajan (Retd.) is agreeable to the fees that MCI feels reasonable.

In view of above, the Executive Committee of the Council decided to fix a fee of Rs. 35,000/- per sitting to Hon'ble Mr. Justice S.K. Mahajan (Retd.) plus miscellaneous expenses.

Dr. Reena Nayyar recused herself from the meeting

97. SP's report in RC-9(A)/2014-AC-III- against Dr. Davinder Tule Kumar & others.

Read: the matter with regard to SP's report in RC-9(A)/2014-AC-III- against Dr. Davinder Tule Kumar & others.

The Executive Committee of the Council noted the legal opinion had been sought from Shri Tushar Mehta, Additional Solicitor General, Supreme Court of India on the SP's report in RC-9(A)/2014-AC-III- against Dr. Davinder Tule Kumar & others and decided to accept the legal opinion.

The Executive Committee of the Council further directed the office to forward the matter to Hon'ble Mr. Justice S.K. Mahajan (Retd.) so as to proceed as per the legal opinion.

Dr. Reena Nayyar re-joined the meeting

The minutes were read out and confirmed in the meeting itself.

The meeting ended with a vote of thanks to the Chair.

**(Dr. Reena Nayyar)
Secretary I/c.**

New Delhi, dated
30.01.2016

APPROVED

**(Dr. Jayshree Mehta)
President**