

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 28th April, 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. Anil Mahajan	Professor & HOD, General Medicine, Government Medical College, Jammu, J&K.
Dr. Baldev Singh Aulakh	Professor of Urology and Transplant Surgery, Head Transplant Unit, Dayanand Medical College, Ludhiana
Dr. G.B. Gupta	Vice-Chancellor, Ayush & Health Sciences University, Raipur, Chhattisgarh
Dr. K K Gupta	Principal, LLRM Medical College Campus, Garh Road, Meerut (UP)
Dr. Ravindra H.N.	Kalashree Nilaya, Krishna Nagar, Near Railway Station, Pandavapura Tq., Pandavapur, Mandya Dist., Karnataka
Dr. Radha Madhab Tripathy	Professor and Head, Department of Community Medicine, MKCG Medical College, Berhampur.
Dr. Vijay Prakash Singh	Professor & Head, Department Of Gastroenterology, Patna Medical College, Patna, Bihar
Dr. Vinay N. Jindal	Medical Director & Consultant Neurosurgeon, Apollo Victor Hospital 18, GOMEKO Housing Society, Bambolim, Goa.

Dr. Reena Nayyar, Secretary I/c

1. **Minutes of the Executive Committee Meeting held on 22nd March, 2016 – Confirmation of.**

The Executive Committee of the Council confirmed the minutes of the Executive Committee meeting held on 22nd March, 2016.

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 22nd March, 2016.

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.

4. **Approval of minutes of the Academic Committee meeting held on 4th March, 2016.**

Read: the matter with regard to approval of the minutes of the Academic Committee meeting held on 4th March, 2016.

The Executive Committee of the Council approved the minutes of the Academic Committee meeting held on 4th March, 2016 with regard to item Nos. 5d,7,10,11,12,13,16,17,19,20,21,22,29 & 35. For the remaining items, the Executive Committee observed as under:-

Item 4 **Course curriculum for renal Ultrasonography in Nephrology practice from Dr. SK Sharma, SGPGIMS**

The Executive Committee observed that details of course curriculum, etc. are not provided with the minutes of meeting.

The decision of the General Body dated 28/03/2016 regarding PDCC course be also mentioned & accordingly matter is referred back for appropriate decision in the matter with reference to General Body decision.

Item 5a. **Consideration of Minutes of the Implementation & Monitoring Committee meeting held on 26th November, 2015.**

The decision of the General Body dated 28/03/2016 regarding FIME be also mentioned & accordingly matter is referred back for appropriate decision with reference to General Body decision.

Item 5 b. **Minutes of the meeting of the expanded Expert Group to finalize preparation of Teacher Eligibility Qualifications (TEQ) and Minimum Standard Requirements (MSR) for MD in Laboratory Medicine, held on 9th February, 2016.**

The Executive Committee observed that details of TEQ & MSR, etc. are not provided with the minutes of meeting or in Annexure 2. It was decided to refer back to Academic Committee to incorporate the details of TEQ, MSR, etc. in the minutes as Annexures & resubmit the same.

Item 5c. **Minutes of the meeting of the Standing Group to finalize the names of eligible participants to receive Fellowship in Medical Education (FIME), held on 17th February, 2016.**

The decision of the General Body dated 28/03/2016 regarding FIME be also mentioned & accordingly matter is referred back for appropriate decision with reference to General Body decision.

- Item 6. **Syllabus, TEQ and MSR for DM in Neuro Anaesthesia, MCh in Hepato Pancreato Biliary Surgery, DM Reproductive Medicine, DM Neuroradiology, DM Pediatric Oncology, MD Laboratory Medicine (revised as per PG Committee recommendations), MS Traumatology & Surgery, and DM Virology.**

These may be placed before PG Committee for consideration.

- Item 8. **E-mail Letter from Dr. Nisar Chowdri, Member, Expert panel for M.Ch in Colorectal Surgery.**

The decision of the General Body dated 28/03/2016 regarding PDCC course be also mentioned & accordingly matter is referred back for appropriate decision in the matter with reference to General Body decision.

- Item 9. **Editorial published in the Indian Journal of Medical Ethics, vol. XII No. 4 October- December 2015 titled Regressive trend: MCI's approach to assessment of medical teachers'.**

Members of Executive Committee observed and decided that in the minutes of Academic Committee the salient points of the article are not incorporated. With regard to inclusion of Corresponding author, many a times his name is 5th or 6th in the list of authors and therefore the present practice of limiting consideration to 1st & 2nd author only may be continued. With regard to Vancouver system of citation, it was observed that not all journals have accepted the system. Therefore present system of following citation as prescribed by the journal may be continued.

- Item 14. **Decision of Executive Committee meeting held on 27.11.2015 regarding the note submitted by Chairman, Academic Committee on establishment of "All India Medical Administrative Services" on lines of IAS and IPS: Letter from Sh. Amit Biswas- regarding VIP References**

Approved with modification that the Expert Group should include Medical Graduates in Health Administration & Medical Education Administration.

- Item 15. **Note from Legal Section regarding Indian Optometry Federation V/s Government of India & Ors.- Writ Petition (Civil) No. 5577 of year 2015 in the Hon'ble Delhi High Court at New Delhi.**

Opinion of Law Officer of MCI be obtained and matter may be resubmitted with opinion as well as orders of the Hon'ble Court.

- Item 18. **E-mail from Dr. OPS Kande requesting for criteria for promotion of medical teachers**

Members of Executive Committee observed that decision of Academic Committee is not in consonance with the title of item. The title refers to eMail received from Dr. O.P.S. Kande regarding criteria for promotion of medical teachers. The decision of Academic Committee does not refer to changes in criteria suggested by him at all. The decision of the sub-committee is that " ... *promotion and placement criteria pertaining to full time teachers in various*

subjects are included in governing regulations on Teachers Eligibility Qualifications along with the amendments to it made from time to time. The said regulations in its updated form is in the public domain and displayed on the website of the Medical Council of India.”

Referred back with above observations to take appropriate decision after considering the criteria suggested by Dr. P.P.S. Kande.

- Item 23. **Letter from Indian Society for Medical Statistics to Secretary, MCI regarding Proposal for revision of syllabus in the subject of Biostatistics and Research Methodology.**

Members of the Executive Committee observed that Bio Statistics is already included in the curriculum for Community Medicine. Therefore this letter be placed before the Board of Studies for Community Medicine for appropriate action.

- Item 24. **Letter from UGC to President, MCI requesting comments on the Guidelines on Choice- Based Credit System.**

Approved. However a letter be sent to UGC requesting it to nominate a member on the Expert Group.

- Item 25. **E-mail from Dr. S. Robinson Smile, MCI Member, Govt. of Pondicherry regarding Publication & no of faculty eligible for promotion.**

This is covered in item # 9. Referred back to Academic Committee with above observations.

- Item 26. **E-mail from Sh. S. Gowri Shankar, Deputy Secretary (AW), Member Secretary, CPCSEA regarding Ban on animal experimentation in UG & PG Courses.**

Approved. Further the decision along with a copy of notification banning animal experiments in M.B;B.S. course be sent to CPCSEA.

- Item 27. **Office Note from PG Section regarding inclusion of MCI recognized “Diploma in Maternity & Child Welfare (DMCW) and “Diploma in Industrial Health”(DIH) course of AIH&PH, Kolkata in the MCI Post Graduate Medical Education Regulations, 2000.**

Approved. Also, PG Section is directed to find out why these courses were excluded from the schedule in PG Medical Education Regulations, 2000 when they were running for several years. The members also recalled that D.I.H./D.O.H. course was running in B.J. Medical College, Pune; Medical College, Vadodara since long. D.M.C.H. course was running in Govt. Medical College, Surat since long. The comprehensive note to be prepared by PG section should incorporate all these facts.

- Item 28. **Office Note from PG Section regarding Grievances made by the interns and Post Graduate students for work pattern- Order of Hon’ble High Court of Madras-Clarification.**

Members of the Executive Committee observed that the minutes of sub-committee do not show the Order of the Hon’ble High Court of Madras. In absence of such an order in the minutes, it is not possible to take any decision in this regard.

Referred back to Academic Committee with above observations. The matter be resubmitted. Also, opinion of Law Officer of MCI may also be taken and submitted.

- Item 30. **Office Note from PG Section regarding letter from Principal & CMS, J N Medical College Hospital, Aligarh regarding revision of beds in Ophthalmology.**

Members of the Executive Committee observed that no decision is taken by Academic Committee in the matter.

Referred back with above observation. Matter be resubmitted with appropriate decision.

- Item 31. **Office Note from PG Section regarding letter from Dean, J N Medical College & Hospital, Aligarh regarding MSR for 150 admissions annual Regulation, 1998.**

Members of the Executive Committee observed that the office note has been prepared by PG section while the issue pertains to MSR Regulations for 150 intake.

Also, although Council has prescribed for 50/100/150/200/250 intake, the item refers to 150 intake only. It is not shown why other intakes are not included.

It is also not clear from the Minutes whether this is the only issue in the letter or not, because relaxation in permissible strength of non-medical teachers is a function of TEQ Regulations & not of MSR Regulations. The Academic Committee is requested to submit the entire proposal contained in the letter alongwith its decision.

Referred back to Academic Committee with above observations.

- Item 32. **Note from PG Section regarding Amendment of Clause 11.1(a) of Postgraduate Medical Education, 2000 with regard Postgraduate teacher in broad specialty and super specialty.**

The members of the Executive Committee decided that Clause 11.1 (a) of PG Medical Education Regulations with regard to PG teacher in Broad & Super specialties be amended as under:

Professor / Associate Professor / Assistant Professor with 5 years of experience as Asst. Prof. shall be considered as PG teacher.

- Item 33. **E-mail from Dr. Jitender Mohan Khunger regarding eligibility for clinical practice pursuing DM course in Haemato-pathology from AIIMS**

Members of the Executive Committee observed that facts are not clearly recorded in the Minutes. In the title word used "*pursuing*" which implies that he has not yet passed D.M. qualification. In such a scenario, the question of eligibility of practice does not arise. Further his PG qualification is not stated.

Referred back with above observations. Matter be resubmitted after proper recording of Minutes.

- Item 34. **Note received from Registration Section regarding Grant of Registration for Additional Qualifications i.e. Doctor of Medicine of Radio Diagnosis awarded by the International University of the Health Sciences, St. Christopher and Nevis in**

respect of Dr. Rachamallu Aparna u/s 26(1) of the IMC, Act, 1956

Members of the Executive Committee observed that facts are incomplete. It is not shown whether this item was placed before REC Committee, what was its decision, when the minutes were placed before E.C. for approval and what was the decision of E.C. It is also not shown whether this qualification is included in the schedule to IMC Act or not.

Referred back with above observations. Matter be resubmitted after taking appropriate decision in the matter and incorporating above facts in the Minutes.

5. Recommendation of the meeting of the Sub-committee of the Executive Committee held on 28.10.2015, regarding publication of AT-COM Module and copyright: decision of the Executive Committee meeting held on 27.02.2016 that the Law officer to submit the legal opinion on the specific issue.

Read: the matter with regard to recommendation of the meeting of the Sub-committee of the Executive Committee held on 28.10.2015, regarding publication of AT-COM Module and copyright: decision of the Executive Committee meeting held on 27.02.2016 that the Law officer to submit the legal opinion on the specific issue.

The Executive Committee of the Council perused the opinion of Law Officer which reads as under:

re the application for copyright of "Competency Based Undergraduate Curriculum" is in the Scrutiny Stage with the Office of Registrar or Copyright. Shri. T. Singhdev, Standing Counsel has informed that it may take at least 03 months more for the grant of Copyright. The Status as obtained from the Copyright Office is also enclosed for perusal.

In my considered opinion pending grant of Copyright, there is no legal impediment in publishing the AT-COM Module.

In view of above, the Executive Committee of the Council noted that as the decision regarding copyright is likely to be taken in 03 months, it was decided to await decision on copyright and publish AT-COM Module thereafter.

6. Approval of the minutes of the Administration and Grievance Committee Meeting held on 08/03/2016.

Read: the matter with regard to approval of the minutes of the Administration and Grievance Committee Meeting held on 08/03/2016.

The Executive Committee of the Council perused the minutes of the Administration and Grievance Committee Meeting held on 08/03/2016 and observed as under:-

1. Proposal to optimize the giving of Annual Maintenance Contract (AMC) of IT Hardware, software, UPS and other technical equipment.

Approved the recommendations of Administration and Grievance Committee

2. Extension of contract for House Keeping Services for Medical Council of India.

No reasons have been cited by A & G Committee for extension of contract. Contract be extended by 3 months. In the meanwhile office is directed to complete procedure for award of new contract within 3 months without fail.

3. **Renewal of contract of Catering Services provided by Sai Caterers for Medical Council of India.**

No reasons have been cited by A & G Committee for deferring the matter. Contract be extended by 3 months. In the meanwhile office is directed to complete procedure for award of new contract within 3 months without fail.

4. **Renewal of contract for Security Services provided by M/s. Vigilant Security Services (Pvt.) Ltd. for Medical Council of India.**

No reasons have been cited by A & G Committee for deferring the matter. Contract be extended by 3 months. In the meanwhile office is directed to complete procedure for award of new contract within 3 months without fail.

5. **Extension of Contract of courier Services by Shri Ram Couriers for Medical Council of India.**

Approved with the modification that contract be extended by 3 months; In the meanwhile office is directed to complete procedure for award of new contract within 3 months without fail.

6. **Extension of contract for Man Power Services provided by M/s. Bedi & Bedi Associates for Medical Council of India.**

Contract be extended by 3 months; In the meanwhile office is directed to complete procedure for award of new contract within 3 months without fail.

7. **Minutes of the meeting of Coordination Group of Ragging Cell of UGC held on 04/01/16.**

Approved with modification as under:

With regard to recommendations of Anti Ragging Cell of Co-ordination Group of UGC, it was decided as under:

1. With regard to holding of meeting of Raghavan Committee in which all stakeholders should attend, Secretary i/c is directed to place before Executive Committee details about when the requests to hold the meetings of Raghavan Committee were received in MCI & what was the action taken by the office & A & G Sub-committee on such requests at the ensuing meeting of Executive Committee. In the meanwhile, Secretary i/c is also directed to finalize the schedule in consultation with President & UGC. The matter of printing slogan be also considered in such meeting.
2. With regard to holding the meeting of Deans/Principals, Chairman of A & G Committee should finalize the schedule with the President. Looking to total number colleges being > 400, it would be prudent to hold 4-5 meetings. All these meetings shall be completed by December 2016.
3. This is covered in 1 above. The slogans be prepared & printed by DAVP and should be distributed to Deans/Principals when they come to attend meeting as mentioned in (2) above.
4. With regard to matter of CCTV cameras, office is directed to reiterate instructions regarding installation of CCTV cameras in college, hospital, hostels, etc. and also to obtain the progress report from all medical colleges and submit the compiled report to UGC.
5. It was observed that period of suspension is mentioned in the order for suspending a student. UGC be informed accordingly.
6. Noted.
7. With regard to software to be supplied by UGC, office was directed to co-ordinate with UGC and get the software from UGC & thereafter send the report periodically.
8. Deputy Secretary, MHRD be provided the list of colleges falling under the purview of MCI. For the remaining colleges, he may be requested to contact Ministry of Health & FW, Govt. of India.

With regard to other decisions taken by Administration & Grievance Committee, it was decided as under:

1. Approved with direction that all pending cases be disposed off within period of 3 months.

2. The Executive Committee decided that a member of MCI other than member of Executive Committee as well as Administration & Grievance Sub-committee may be nominated by MCI, if required, to visit the colleges where incidences of ragging have been reported,
3. Not approved.
8. **Approval of the minutes of the meeting of Administration & Grievance Committee held on 11.12.2015 – Observations of Executive Committee Meeting dated 28/12/2015.**

Item 2. Not approved. Shri Chandan Kumar has not appeared before Sub-committee in spite of giving him enough opportunities. It is not necessary to find out from Dean whether he is attending classes or not. He should also be suspended for 6 months being the same punishment given to another student Shri Chandan Pathak.

Office is directed to direct the Dean to suspend Shri Chandan Kumar for 6 months and submit the compliance within 2 weeks. A copy of this communication also be sent to DME, Vice Chancellor of the University & nominee of State Govt. on MCI.

Item 4. Approved the recommendations of Administration and Grievance Committee

Item 5. Approved the recommendations of Administration and Grievance Committee

Item 6. Item be resubmitted with complete details like brief note on the item, what was the decision of sub-committee and what was the decision of the Executive Committee.

Any Other Item

No. 1. The reconstitution of the A & G committee was already in the last Executive Committee. The members of the Executive Committee are of the opinion that it is the prerogative of the Executive Committee to constitute sub-committees.

No. 2. Item be resubmitted with complete details like brief note on the item, what was the decision of sub-committee and what was the decision of the Executive Committee.

No. 3 Noted.

9. Complaint of Ragging at King George Medical University, Lucknow.

Not approved. The complaint of ragging cannot be closed only on the basis of report from the college. An independent person be nominated by sub-committee to visit the college and submit report with regard to alleged complaint.

10. Complaint of ragging received from Grant Govt. Medical College, Mumbai.

Approved the recommendations of Administration and Grievance Committee.

11. Complaint of ragging received from Govt. Medical College, Nagpur.

Approved the recommendations of Administration and Grievance Committee.

12. Complaint of ragging received from Dr. B.R. Ambedkar Medical College, Bangalore.

Approved the recommendations of Administration and Grievance Committee.

13. Meeting of Anti Ragging Co-ordination Committee held on 4/1/2016 at UGC.

As decided vide point no. 5 of Item # 7 above i.e. "It was observed that period of suspension is mentioned in the order for suspending a student. UGC be informed accordingly".

14. **Setting aside budget and utilizing the same for Anti-Ragging activities in the form of Media Campaign.**

Approved the recommendations of Administration and Grievance Committee.

7. **Establishment of new medical college at Rohini, New Delhi by Govt. of NCT of Delhi with an annual intake of 100 MBBS students under Guru Gobind Singh Indraprastha University, Dwarka, New Delhi 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 Rohini, New Delhi by Govt. of NCT of Delhi with an annual intake of 100 MBBS students under Guru Gobind Singh Indraprastha University, Dwarka, New Delhi u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (3rd March, 2016), previous assessment report (9th & 10th December, 2015) and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Rohini, New Delhi by Govt. of NCT of Delhi with an annual intake of 100 MBBS students under Guru Gobind Singh Indraprastha University, Dwarka, New Delhi u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

8. **Establishment of new medical college at Madikeri, Kodagu, Karnataka by Government of Karnataka with an annual intake of 150 MBBS students under the 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 Madikeri, Kodagu, Karnataka by Government of Karnataka with an annual intake of 150 MBBS students under the 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 compliance verification assessment report (16th March, 2016), previous assessment report (30th November & 01 December, 2015), letter dated 31/03/2016 received from the college authorities along with an undertaking of the Principal Secretary, Medical Education, Govt. of Karnataka dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Madikeri, Kodagu, Karnataka by Government of Karnataka with an annual intake of 150 MBBS students under the Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

9. **Establishment of new medical college at Karwar, Karnataka by Govt. of 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 Karwar, Karnataka by Govt. of 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 compliance verification assessment report (4th March, 2016) along with previous assessment report (30th November & 1st December, 2015) along with an undertaking of the

Principal Secretary, Medical Education, Govt. of Karnataka dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Karwar, Karnataka by Govt. of 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.

10. Establishment of new medical college at Chamaraajanagar, Karnataka by Govt. of 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 Chamaraajanagar, Karnataka by Govt. of 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 compliance verification assessment report (24th February, 2016), previous assessment report (7th & 8th December, 2015) along with an undertaking of the Principal Secretary, Medical Education, Govt. of Karnataka, dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of new medical college at Chamaraajanagar, Karnataka by Govt. of 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.

11. 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 compliance verification assessment report (11th April, 2016) alongwith previous assessment report (6th & 7th January, 2016) and noted the following:-

1. Shortage of Residents is 13.33 % as detailed in the report.
2. College building, housing, Preclinical departments is still under construction.
3. Preclinical departments of Anatomy, Physiology, Biochemistry are not functional.
4. AERB approval is not available.
5. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Thiruvananthapuram, Kerala by Govt. of Kerala under Kerala University of Health and 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.

12. Establishment of new medical college at Mahabubnagar, Telangana by Government of 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 Mahabubnagar, Telangana by Government of 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 compliance verification assessment report (4th April, 2016), previous assessment report (8th & 9th December, 2015) along with an undertaking of the Principal Secretary, Health, Medical & F.W. Deptt., Government of Telangana dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for establishment of a new medical college at Mahabubnagar, Telangana by Government of Telangana under Dr. NTR University of Health Sciences, Vijayawada with an annual intake of 150 MBBS students u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

13. 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 compliance verification assessment report (11th April, 2016), previous assessment report (8th & 9th Jan., 2016) alongwith additional information received from the Deputy Medical Commissioner, ESI Corporation HQ Office, New Delhi dated 18.4.2016 and noted the following:

1. Deficiency of faculty is 74 %.
2. Shortage of Residents is 42 %.
3. MRD: It is partly computerized.
4. Nursing staff: Only 68 Nurses are available against requirement of 175.
5. College Council is not yet constituted.
6. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Sanath Nagar, Hyderabad, Telangana by ESIC, New Delhi 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.

14. 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 compliance verification assessment report (4th April, 2016), previous assessment report (6th & 7th Jan., 2016) along with an undertaking of the Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for 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.

15. Renewal of permission for MBBS course for 3rd batch (150 seats) of Sri Padmavathi Medical College for Women, Tirupati, Andhra Pradesh 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 renewal of permission for MBBS course for 3rd batch (150 seats) of Sri Padmavathi Medical College for Women, Tirupati, Andhra Pradesh 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 compliance verification assessment report (15th February 2016) along with previous assessment report (5th & 6th November, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch (150 seats) of MBBS students at Sri Padmavathi Medical College for Women, Tirupati, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

16. Renewal of permission for MBBS course for 3rd batch (100 seats) of Tezpur Medical College & Hospital, Tezpur, Assam under Srimanta Sankaradeva University of Health Sciences, Guwahati 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 3rd batch (100 seats) of Tezpur Medical College & Hospital, Tezpur, Assam under Srimanta Sankaradeva University of Health Sciences, Guwahati u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council decided to defer the matter for the next meeting.

17. Renewal of permission for MBBS course for 5th batch (100 seats) of Fakhruddin Ali Ahmed Medical College, Barpeta, Assam under Srimanta Sankaradeva University of Health Sciences, Assam 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 (100 seats) of Fakhruddin Ali Ahmed Medical College, Barpeta, Assam under Srimanta Sankaradeva University of Health Sciences, Assam u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council decided to defer the matter for the next meeting.

18. Renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College, Rajnandgaon, Chhattisgarh under Chhattisgarh Ayush & Health Sciences University, Raipur 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 3rd batch (100 seats) of Govt. Medical College, Rajnandgaon, Chhattisgarh

under Chhattisgarh Ayush & 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 compliance verification assessment report (5th April, 2016), previous assessment report (2nd & 3rd November, 2015) alongwith an undertaking of the Secretary, Medical Education, Government of Chhattisgarh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of admission of 3rd batch (100 seats) of MBBS students at Govt. Medical College, Rajnandgaon, Chhattisgarh under Chhattisgarh Ayush & Health Sciences University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

19. Renewal of permission for MBBS course for 4th batch (50 seats) of Late Shri Lakhi Ram Agrawal Memorial Medical College, Raigarh, Chhattisgarh under Chhattisgarh Ayush & Health Sciences University, Raipur 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 4th batch (50 seats) of Late Shri Lakhi Ram Agrawal Memorial Medical College, Raigarh, Chhattisgarh under Chhattisgarh Ayush & 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 compliance verification assessment report (22nd February 2016), previous assessment report (28th & 29th October, 2015) along with an undertaking of the Secretary, Medical Education, Government of Chhattisgarh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch (50 seats) of MBBS students at Late Shri Lakhi Ram Agrawal Memorial Medical College, Raigarh, Chhattisgarh under Chhattisgarh Ayush & Health Sciences University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

20. Renewal of permission for MBBS course for 4th batch (50 seats) of North Delhi Municipal Corporation Medical College, Delhi under Guru Gobind Singh Indraprastha University, New Delhi 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 4th batch (50 seats) of North Delhi Municipal Corporation Medical College, Delhi under Guru Gobind Singh Indraprastha University, New Delhi u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council decided to defer the matter for the next meeting.

21. Renewal of permission for MBBS course for 5th batch of 150 MBBS students at GMERS Medical College, Valsad, Gujarat 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 renewal of permission for MBBS course for 5th batch of 150 MBBS students at GMERS Medical College, Valsad, Gujarat 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 decided to defer the matter for the next meeting.

22. Renewal of permission for MBBS course for 2nd batch of 150 MBBS students at GMERS Medical College, Junagadh, Gujarat under Saurashtra University, Rajkot 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 2nd batch of 150 MBBS students at GMERS Medical College, Junagadh, Gujarat under Saurashtra University, Rajkot u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (9th April, 2016), previous assessment report (3rd & 4th December, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch (150 seats) of MBBS students at GMERS Medical College, Junagadh, Gujarat under Saurashtra University, Rajkot u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

23. Renewal of permission for MBBS course for 5th batch (100 seats) of BPS Government Medical College for Women, Khanpur Kalan, Sonapat, Haryana under Pt. 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 renewal of permission for MBBS course for 5th batch (100 seats) of BPS Government Medical College for Women, Khanpur Kalan, Sonapat, Haryana under Pt. 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 compliance verification assessment report (15th February 2016), previous assessment report (09th & 10th September, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 5th batch (100 seats) of MBBS students at BPS Government Medical College for Women, Khanpur Kalan, Sonapat, Haryana under Pt. B.D Sharma University of Health Sciences, Rohtak, Haryana u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

24. Renewal of permission for MBBS course for 4th batch (100 seats) of Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat, Haryana under Pt. B.D Sharma University of Health Sciences, Rohtak 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 4th batch (100 seats) of Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat, Haryana under Pt. B.D Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (4th February 2016), previous assessment report (5th & 6th October, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch (100 seats) of MBBS students at Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat, Haryana under Pt. B.D Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

25. **Renewal of permission for MBBS course for 5th batch (100 seats) of Employees State Insurance Corporation Medical College, Bangalore, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka 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 (100 seats) of Employees State Insurance Corporation Medical College, Bangalore, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (5th April, 2016), previous assessment report (7th & 8th October, 2015) along with an undertaking of the Financial Commissioner, ESIC (HQ), New Delhi dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 5th batch (100 seats) of MBBS students at Employees State Insurance Corporation Medical College, Bangalore, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

26. **Renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Gadag Institute of Medical Sciences, Gadag, Karnataka 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 renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Gadag Institute of Medical Sciences, Gadag, Karnataka 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 compliance verification assessment report (16th February 2016), previous assessment report (30th November & 1st December, 2015) along with an undertaking of the Principal Secretary, Medical Education, Govt. of Karnataka dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 2ND batch (150 seats) of MBBS students at Gadag Institute of Medical Sciences, Gadag, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

27. **Renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Gulbarga Institute of Medical Sciences, Gulbarga, Karnataka 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 renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Gulbarga Institute of Medical Sciences, Gulbarga, Karnataka 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 compliance verification assessment report (16th March, 2016), previous assessment report (30th November & 01 December, 2015) along with an undertaking of the Principal Secretary, Medical Education, Govt. of Karnataka dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 2ND batch (150 seats) of MBBS students at Gulbarga Institute of Medical Sciences, Gulbarga, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

28. **Renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Koppal Institute of Medical Sciences, Koppal, Karnataka 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 renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Koppal Institute of Medical Sciences, Koppal, Karnataka 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 compliance verification assessment report (15th March, 2016), previous assessment report (20th & 21st November, 2015) along with an undertaking of the Principal Secretary, Medical Education, Govt. of Karnataka dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch (150 seats) of MBBS students at Koppal Institute of Medical Sciences, Koppal, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

29. **Renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College, Palakkad Kerala under Kerala University of Health & Allied Sciences, Thrissur 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 3rd batch (100 seats) of Govt. Medical College, Palakkad Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (29th March, 2016), previous assessment report (05th & 06th November, 2015) along with an undertaking of the Secretary (Health & F.W. Deptt.), Govt. of Kerala dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch (100 seats) of MBBS students at Govt. Medical College, Palakkad Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

30. **Renewal of permission for MBBS course for 4th batch (100 seats) of Govt. Medical College, Manjeri, Kerala under Kerala University of Health Sciences, Thrissur 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 4th batch (100 seats) of Govt. Medical College, Manjeri, Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (4th April, 2016), previous assessment report (8th & 9th October, 2015) along with an undertaking of the Secretary (Health & F.W. Deptt.), Govt. of Kerala dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch (100 seats) of MBBS students at Govt. Medical College, Manjeri, Kerala under Kerala University of Health & Allied Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

31. **Renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Hinduhridayasamrat Balasaheb Thackeray Medical College and Dr. R.N. Cooper Municipal General Hospital, Mumbai, Maharashtra 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 renewal of permission for MBBS course for 2nd batch of 150 MBBS students at Hinduhridaysamrat Balasaheb Thackeray Medical College and Dr. R.N. Cooper Municipal General Hospital, Mumbai, Maharashtra 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 compliance verification assessment report (2nd March, 2016), previous assessment report (20th & 21st November, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch (150 seats) of MBBS students at Hinduhridaysamrat Balasaheb Thackeray Medical College and Dr. R.N. Cooper Municipal General Hospital, Mumbai, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

32. Renewal of permission for MBBS course for 3rd batch (100 seats) of R.U.H.S College of Medical Sciences, Jaipur, Rajasthan under Rajasthan University of Health Sciences, Jaipur 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 3rd batch (100 seats) of R.U.H.S College of Medical Sciences, Jaipur, Rajasthan under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (29th & 30th March, 2016), letter dated 05/11/2015 received from the Council Assessors along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Rajasthan dated 28.04.2016 decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch (100 seats) of MBBS students at R.U.H.S College of Medical Sciences, Jaipur, Rajasthan under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

33. Renewal of permission for MBBS course for 4th batch (100 seats) of ESIC Medical College, Chennai, Tamilnadu 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 renewal of permission for MBBS course for 4th batch (100 seats) of ESIC Medical College, Chennai, Tamilnadu 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 compliance verification assessment report (5th April, 2016), previous assessment report (8th & 9th October, 2015) along with an undertaking of the Financial Commissioner, ESIC (HQ), New Delhi dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch (100 seats) of MBBS students at ESIC Medical College, Chennai, Tamilnadu under the Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

34. **Renewal of permission for MBBS course for 4th batch (100 seats) of Govt. Medical College & Super Facility Hospital, Azamgarh, Uttar Pradesh under Chhatrapati Shahu Ji Maharaj Medical University, Lucknow 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 4th batch (100 seats) of Govt. Medical College & Super Facility Hospital, Azamgarh, Uttar Pradesh under Chhatrapati Shahu Ji Maharaj Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (4th April, 2016), assessment report (5th & 6th November, 2015) along with an undertaking of the Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch (100 seats) of MBBS students at Govt. Medical College & Super Facility Hospital, Azamgarh, Uttar Pradesh under Chhatrapati Shahu Ji Maharaj Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

35. **Renewal of permission for MBBS course for 4th batch of 100 MBBS students at Manyavar Kanshi Ram Ji Government Allopathic Medical College, Jalaun (Orai), Uttar Pradesh now known as Rajkiya Government Medical College, Jalaun(Orai), Uttar Pradesh under Chhatrapati Shahuji Maharaj Medical University, Lucknow 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 4th batch of 100 MBBS students at Manyavar Kanshi Ram Ji Government Allopathic Medical College, Jalaun (Orai), Uttar Pradesh now known as Rajkiya Government Medical College, Jalaun(Orai), Uttar Pradesh under Chhatrapati Shahuji Maharaj Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (22nd February 2016), previous assessment report (9th & 10th October, 2015) along with an undertaking of the Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch (100 seats) of MBBS students at Manyavar Kanshi Ram Ji Government Allopathic Medical College, Jalaun (Orai), Uttar Pradesh now known as Rajkiya Government Medical College, Jalaun(Orai), Uttar Pradesh under Chhatrapati Shahuji Maharaj Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

36. **Renewal of permission for MBBS course for 2nd batch (100 seats) of Government Medical College (Shaikh-UI-Hind Maulana Mahmood Hasan Medical College), Saharanpur, Uttar Pradesh under Ch. Charan Singh University, Meerut 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 2nd batch (100 seats) of Government Medical College (Shaikh-UI-Hind Maulana Mahmood Hasan Medical College), Saharanpur, Uttar Pradesh under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (16th February 2016), previous assessment report (20th & 21st November, 2015) along with an undertaking of the Principal

Secretary, Medical Education, Government of U.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch (100 seats) of MBBS students at Government Medical College (Shaikh-ul-Hind Maulana Mahmood Hasan Medical College), Saharanpur, Uttar Pradesh under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

37. Guntur Medical College, Guntur - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to Guntur Medical College, Guntur - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (16.02.2016), assessment report (7th & 8th October, 2015) along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Andhra Pradesh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 150 to 200 u/s 10A of the IMC Act, 1956 in respect of Guntur Medical College, Guntur under Dr. NTR University of Health Sciences, Vijayawada for the academic year 2016-17.

38. Rangaraya Medical College, Kakinada - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to Rangaraya Medical College, Kakinada - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (18.03.2016), assessment report (8th & 9th October, 2015) along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Andhra Pradesh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 150 to 200 u/s 10A of the IMC Act, 1956 in respect of Rangaraya Medical College, Kakinada under Dr. NTR University of Health Sciences, Vijayawada for the academic year 2016-17.

39. Kurnool Medical College, Kurnool - Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to Kurnool Medical College, Kurnool - Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (11.03.2016), assessment report (5th & 6th October, 2015) along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Andhra Pradesh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 5th batch of MBBS students against the increased intake i.e. from 150 to 200 u/s 10A of the IMC Act, 1956 in respect of Kurnool Medical College, Kurnool under Dr. NTR University of Health Sciences, Vijayawada for the academic year 2016-17.

40. Andhra Medical College, Visakhapatnam – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to Andhra Medical College, Visakhapatnam ĩ Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (15.03.2016) along with assessment report (21st & 22nd September, 2015) along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Andhra Pradesh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 5th batch of MBBS students against the increased intake i.e. from 150 to 200 u/s 10A of the IMC Act, 1956 in respect of Andhra Medical College, Visakhapatnam under Dr. NTR University of Health Sciences, Vijayawada for the academic year 2016-17.

41. Govt. Medical College, Chandigarh - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Govt. Medical College, Chandigarh - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (26.02.2016), previous assessment report (7th & 8th October, 2015) as well as letters dated 26.02.2016 and 21.03.2016 received from Director Principal, Govt. Medical College, Chandigarh and Home Secretary Chandigarh Administration, Chandigarh along with an undertaking of the Health Secretary, Union Territory, Chandigarh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 50 to 100 u/s 10A of the IMC Act, 1956 in respect of Govt. Medical College, Chandigarh under Punjab University, Chandigarh for the academic year 2016-17.

42. Pt. Deen Dayal Upadhyay Medical College, Rajkot - Renewal of Permission for admission of 5th 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 Pt. Deen Dayal Upadhyay Medical College, Rajkot - Renewal of Permission for admission of 5th 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 compliance verification assessment report (25.02.2016) along with assessment report (8th & 9th October, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 5th 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 Pt. Deen Dayal Upadhyay Medical College, Rajkot under Saurashtra University, Rajkot for the academic year 2016-17.

43. Sher-I-Kashmir Institute of Medical Sciences, Srinagar – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Sher-I-Kashmir Institute of Medical Sciences, Srinagar ĩ Renewal of Permission for admission of 4th Batch of MBBS

students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (29.03.2016), previous assessment report (15th and 16th October, 2015) and complaint dated 06.03.2016 received from Sh. Bashir Ahmad, Srinagar along with an undertaking of the Director & Ex-Officio Secretary to Government of J&K dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 50 to 100 u/s 10A of the IMC Act, 1956 in respect of Sher-I-Kashmir Institute of Medical Sciences, Srinagar under Kashmir University, Srinagar for the academic year 2016-17.

44. Gandhi Medical College, Bhopal – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2016-17 and Continuance of Recognition of MBBS degree (140 seats).

Read: the matter with regard to Gandhi Medical College, Bhopal i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2016-17 and Continuance of Recognition of MBBS degree (140 seats).

The Executive Committee of the Council considered the compliance verification assessment report (11.02.2016), assessment report (18th & 19th September, 2015) along with undertakings of the Principal Secretary, Medical Education Department and Director of Medical Education, Government of M.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 140 to 150 for the academic year 2016-17 as well as continuance of recognition of 140 MBBS seats at Gandhi Medical College, Bhopal under Barkatullah University, Bhopal.

45. Govt. Medical College, Jammu – Renewal of Permission for admission of 4th 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 Govt. Medical College, Jammu i Renewal of Permission for admission of 4th 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 compliance verification assessment report (29.02.2016), assessment report (8th and 9th October, 2015) along with an undertaking of the Secretary, Health & Medical Education Department, Government of J&K dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 in respect of Govt. Medical College, Jammu under Jammu University, Jammu u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

46. Netaji Subash Chandra Bose Medical College, Jabalpur – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2016-17.

Read: the matter with regard to Netaji Subash Chandra Bose Medical College, Jabalpur i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (11.03.2016), assessment report (18th & 19th September, 2015) along with undertakings of the Principal Secretary, Medical Education Department and Director of Medical Education, Government of M.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 in respect of Netaji Subash Chandra Bose Medical College, Jabalpur under Rani Durgavati Vishwavidyalaya, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

47. Gajra Raja Medical College, Gwalior – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2016-17.

Read: the matter with regard to Gajra Raja Medical College, Gwalior i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (12.02.2016), assessment report (18th & 19th September, 2015) along with undertakings of the Principal Secretary, Medical Education Department and Director of Medical Education, Government of M.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 140-150 in respect of Gajra Raja Medical College, Gwalior under Jiwaji University, Gwalior u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

48. Shyam Shah Medical College, Rewa – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 60-100 for the academic session 2016-17.

Read: the matter with regard to Shyam Shah Medical College, Rewa i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 60-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (11.03.2016), previous assessment report (21st & 22nd September, 2015) as well as letter dated 14.03.2016 received from Dean of the college along with undertakings of the Principal Secretary, Medical Education Department and Director of Medical Education, Government of M.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 60-100 in respect of Shyam Shah Medical College, Rewa under A.P. Singh University, Rewa u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

49. Swami Ramanand Teerth Rural Govt. Medical College, Ambajogai – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Swami Ramanand Teerth Rural Govt. Medical College, Ambajogai i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (05.03.2016), assessment report (12th and 13th

October, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 in respect of Swami Ramanand Teerth Rural Govt. Medical College, Ambajogai under the Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

50. Govt. Medical College, Latur – Renewal of Permission for admission of 4th 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 Govt. Medical College, Latur i Renewal of Permission for admission of 4th 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 compliance verification assessment report (05.04.2016) along with previous assessment report (14th & 15th October, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Govt. Medical College, Latur under Maharashtra University of Health Sciences, Nashik for the academic year 2016-17.

51. Shri Bhausaheb Hire Govt. Medical College, Dhule – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Shri Bhausaheb Hire Govt. Medical College, Dhule i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (05.04.2016), assessment report (12th & 13th October, 2015) as well as the representation dated 07.04.2016 received from the Dean of the college and decided to reassess the Institute.

52. Rajashree Chatrapati Shahu Maharaj Govt. Medical College, Kolhapur – Renewal of Permission for admission of 4th 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 Rajashree Chatrapati Shahu Maharaj Govt. Medical College, Kolhapur i Renewal of Permission for admission of 4th 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 compliance verification assessment report (10.03.2016), assessment report (14th & 15th October, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Rajashree Chatrapati Shahu Maharaj Govt. Medical College, Kolhapur under the Maharashtra University of Health Sciences, Nashik for the academic year 2016-17.

53. Govt. Medical College, Miraj – Renewal of Permission for admission of 4th 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 Govt. Medical College, Miraj i Renewal of Permission for admission of 4th 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 compliance verification assessment report (16.02.2016), assessment report (12th & 13th October, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Govt. Medical College, Miraj under Maharashtra University of Health Sciences, Nashik for the academic year 2016-17.

54. Dr. Shankarrao Chavan Govt. Medical College, Nanded – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Dr. Shankarrao Chavan Govt. Medical College, Nanded i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (05.04.2016), previous assessment report (13th & 14th October, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 50 to 100 u/s 10A of the IMC Act, 1956 in respect of Shankarrao Chavan Govt. Medical College, Nanded under the Maharashtra University of Health Sciences, Nashik for the academic year 2016-17.

55. Govt. Medical College, Patiala – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to Govt. Medical College, Patiala i Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (05.04.2016), previous assessment report (29th & 30th September, 2015) along with an undertaking of the Secretary, Medical Education & Research, Govt. of Punjab dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 150-200 in respect of Govt. Medical College, Patiala under Baba Farid University of Health Sciences, Faridkot u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

56. Guru Gobind Singh Medical College, Faridkot - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17 and Continuance of Recognition of MBBS degree (50 seats).

Read: the matter with regard to Guru Gobind Singh Medical College, Faridkot - Renewal of Permission for admission of 4th Batch of MBBS students

against the increased intake i.e. from 50-100 for the academic session 2016-17 and Continuance of Recognition of MBBS degree (50 seats).

The Executive Committee of the Council considered the compliance verification assessment reports (24.02.2016), previous assessment report (7th & 8th October, 2015), letter dated 25.02.2016 of the Principal of the college along with an undertaking of the Secretary, Medical Education & Research, Govt. of Punjab, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 50 to 100 u/s 10A of the IMC Act, 1956 in respect of Guru Gobind Singh Medical College, Faridkot under Baba Farid University of Health Sciences, Faridkot for the academic year 2016-17.

The Committee further decided to recommend for continuance of recognition of MBBS degree (50 seats) of Guru Gobind Singh Medical College, Faridkot.

57. S.M.S. Medical College, Jaipur - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

Read: the matter with regard to S.M.S. Medical College, Jaipur - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (10.02.2016), assessment report (21st & 22nd September, 2015) along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Rajasthan dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 150 to 250 u/s 10A of the IMC Act, 1956 in respect of S.M.S. Medical College, Jaipur under Rajasthan University of Health Sciences, Jaipur for the academic year 2016-17.

58. Jawaharlal Nehru Medical College, Ajmer - Renewal of Permission for admission of 4th 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 Jawaharlal Nehru Medical College, Ajmer - Renewal of Permission for admission of 4th 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 compliance verification assessment report (08.02.2016), assessment report (5th & 6th October, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Jawaharlal Nehru Medical College, Ajmer under Rajasthan University of Health Sciences, Jaipur for the academic year 2016-17.

59. R.N.T. Medical College, Udaipur - Renewal of Permission for admission of 4th 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 R.N.T. Medical College, Udaipur - Renewal of Permission for admission of 4th 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 compliance verification assessment report (06.04.2016), previous assessment report (7th & 8th October, 2015) along with an undertaking of the Principal Secretary, Health &

Medical Education, Govt. of Rajasthan dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 R.N.T. Medical College, Udaipur under Rajasthan University of Health Sciences, Jaipur for the academic year 2016-17.

60. Dr. S.N. Medical College & Associated Group of Hospital, Jodhpur - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

Read: the matter with regard to Dr. S.N. Medical College & Associated Group of Hospital, Jodhpur - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (18.03.2016 & 19.03.2016), assessment report (6th & 7th October, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 150 to 250 u/s 10A of the IMC Act, 1956 in respect of Dr. S.N. Medical College, Jodhpur under Rajasthan University of Health Sciences, Jaipur for the academic year 2016-17.

61. Sardar Patel Medical College, Bikaner - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

Read: the matter with regard to Sardar Patel Medical College, Bikaner - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (16.03.2016 & 17.03.2016), assessment report (7th & 8th October, 2015) along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Rajasthan dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 in respect of Sardar Patel Medical College, Bikaner under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

62. Govt. Thoothukudi Medical College, Thoothukudi – Renewal of Permission for admission of 4th 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 Govt. Thoothukudi Medical College, Thoothukudi i Renewal of Permission for admission of 4th 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 compliance verification assessment report (22.02.2016), assessment report (14th & 15th October, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Government of Tamilnadu dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Govt. Thoothukudi Medical College, Thoothukudi under the Tamil Nadu Dr. M.G.R. Medical University, Chennai for the academic year 2016-17.

63. K A P Viswanathan Govt. Medical College, Trichy – Renewal of Permission for admission of 4th 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 K A P Viswanathan Govt. Medical College, Trichy ĩ Renewal of Permission for admission of 4th 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 compliance verification assessment report (19.02.2016), assessment report (15th & 16th October, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Government of Tamilnadu dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 K A P Viswanathan Govt. Medical College, Trichy under the Tamil Nadu Dr. M.G.R. Medical University, Chennai for the academic year 2016-17.

64. Osmania Medical College, Hyderabad – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 200-250 for the academic session 2016-17.

Read: the matter with regard to Osmania Medical College, Hyderabad ĩ Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 200-250 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (05.02.2016), assessment report (3rd & 4th September, 2015) along with an undertaking of the Principal Secretary, Health, Medical & F.W. Deptt., Government of Telangana dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 200 to 250 u/s 10A of the IMC Act, 1956 in respect of Osmania Medical College, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada for the academic year 2016-17.

65. B.R.D. Medical College, Gorakhpur – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to B.R.D. Medical College, Gorakhpur ĩ Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (11.03.2016), assessment report (29th & 30th October, 2015 along with an undertaking of the Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 50 to 100 u/s 10A of the IMC Act, 1956 in respect of B.R.D. Medical College, Gorakhpur under Deen Dayal Upadhyay Gorakhpur University, Gorakhpur for the academic year 2016-17.

66. Lala Lajpat Rai Memorial Medical College, Meerut – Renewal of Permission for admission of 4th 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 Lala Lajpat Rai Memorial Medical College, Meerut ĩ Renewal of Permission for admission of 4th 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 compliance verification assessment report (17.03.2016), previous assessment report (21st & 22nd September, 2015) and noted the letter dated 19.03.2016 of the Principal of the college and representation dated 22.04.2016 from the Shri Alok Ranjan, IAS, Govt. of Uttar Pradesh, Lucknow stating that the Principal, Govt. Medical College, Meerut and Director, Medical General Medical Education, U.P. have communicated that during the period, there was an intense agitation by the students and resident doctors of the said medical college over the death of an intern Dr. Sanjit, thereby hampering the normal functioning of medical college on the day of inspection.

In view of above, the Executive Committee of the Council decided to reassess the institute.

67. North Bengal Medical College, Darjeeling – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17 17 and Continuance of Recognition of MBBS degree (100 seats).

Read: the matter with regard to North Bengal Medical College, Darjeeling
 i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17 17 and Continuance of Recognition of MBBS degree (100 seats).

The Executive Committee of the Council considered the compliance verification assessment report (30.03.2016), previous assessment report (14th & 15th October, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 100 to 150 for the academic year 2016-17 as well as continuance of recognition of 100 MBBS seats at North Bengal Medical College, Darjeeling under the West Bengal University of Health Sciences, Kolkata.

68. Institute of Postgraduate Medical Education & Research, Kolkata – Renewal of Permission for admission of 4th 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 Institute of Postgraduate Medical Education & Research, Kolkata
 i Renewal of Permission for admission of 4th 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 compliance verification assessment report (05.02.2016), assessment report (15th & 16th October, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Institute of Postgraduate Medical Education & Research, Kolkata under West Bengal University of Health Sciences, Kolkata for the academic year 2016-17.

69. Bankura Sammilani Medical College, Bankura – Renewal of Permission for admission of 4th 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 Bankura Sammilani Medical College, Bankura
 i Renewal of Permission for admission of 4th 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 compliance verification assessment report (02.03.2016), assessment report (14th and 15th October, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Bankura Sammilani Medical College, Bankura under West Bengal University of Health Sciences, Kolkata for the academic year 2016-17.

70. R.G. Kar Medical College, Kolkata – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to R.G. Kar Medical College, Kolkata i Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (02.03.2016), assessment report (11th & 12th September, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 150-200 in respect of R.G. Kar Medical College, Kolkata under West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

71. 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 i 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 decided to defer the matter for the next meeting.

72. Increase of seats in MBBS course from 150-200 at Govt. Medical College, Amritsar u/s 10A of the IMC Act 1956 for the academic session 2016-17.

Read: the matter with regard to Increase of seats in MBBS course from 150-200 at Govt. Medical College, Amritsar u/s 10A of the IMC Act 1956 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (04.03.2016), assessment report (1st & 2nd December, 2015) along with an undertaking of the Secretary, Medical Education & Research, Govt. of Punjab, dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for increase of seats in MBBS course from 150 to 200 u/s 10A of the IMC Act 1956 in respect of Govt. Medical College, Amritsar under Baba Farid University of Health Sciences, Faridkot for the academic year 2016-17.

73. 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 compliance verification assessment report (04.04.2016) along with assessment report (12.01.2016 & 13.01.2016) and decided to recommend to the Central Government for 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 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) é

(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.

In view of above, the Executive Committee of the Council further decided to recommend to the Central Government to renew the permission for admission of fresh batch of 200 to 250 MBBS students at Maulana Azad Medical College, New Delhi for the academic year 2016-2017.

74. Approval of the proceedings of the Ethics Committee meetings held on 3rd & 4th March, 2016 and 17th & 18th March, 2016.

Read: the matter with regard to approval of the proceedings of the Ethics Committee meetings held on 3rd & 4th March, 2016 and 17th & 18th March, 2016.

The Executive Committee of the Council perused the proceedings of the Ethics Committee meetings held on 3rd & 4th March, 2016 and 17th & 18th March, 2016 and decided as under:

(1) Proceeding dated 3rd & 4th March, 2016

1.	Appeal dated 02.12.2014 filed by Dr. Naval Bhatia, New Delhi against Order dated 13.11.2014 passed by Delhi Medical Council and Appeal dated 23.12.2014 filed by Sh. K. Rajiv Gupta against Order dated 13.11.2014 passed by Delhi Medical Council.(Item No.3)
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The members of the Executive Committee observed that neither DMC nor Ethics Committee has taken cognizance of the statement of Dr. Naval Bhatia that he never impersonated himself to be from Primus Hospital and the purported letter issued by Stryker India and the complaint lodged by Primus Hospital are forged documents. The lawyer from Stryker India has also acknowledged that the purported letter from Stryker India is forged.

In this view of matter, the Executive Committee decided to refer the matter back to Ethics Committee for appropriate decision.

2.	Appeal filed by Smt. Sangeeta Agrawal against order dated 06.07.2015 passed by Uttar Pradesh Medical Council. (Item No.4).
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In view of above, the Executive Committee decided to approve decision regarding handing over documents within 72 hours. Regarding the issue of medical negligence in the treatment of Mrs. Nidhi Grover, it was decided to refer the matter back to Ethics Committee and take appropriate decision in the matter.

3.	Appeal dated Nil filed by Dr. Leela Bhagavan against order dated 23.08.2015 passed by Karnataka Medical Council. (Item No.5).
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Approved.

4.	Appeal filed by Smt. Asha Rastogi against order dated 11.09.2015 passed by Uttar Pradesh Medical Council. (Item No.8).
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Approved.

5.	Appeal dated 16.11.2015 filed by Sh. Mradul Goel against order dated 13.10.2015 passed by Medical Council of India.(Item No.9).
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Approved.

6.	Appeal dated 01.12.2015 filed by Sh. P.K. Upadhyay against order dated 30.07.2015 passed by Delhi Medical Council.(Item No.10).
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Approved. Further, it be recorded that as per the facts recorded by DMC, LASER procedure was not done under supervision of a doctor and therefore the appeal is beyond the purview and scope of Ethics Code which is applicable to a registered practitioner and not to a LASER center.

7.	Appeal dated 16.11.2015 filed by Dr. Sr. Gladys Menezes against order dated 07.05.2009 passed by Delhi Medical Council. (Item No.11).
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Approved.

8.	Appeal dated 16.11.2015 filed by Dr. Sr. Gladys Menezes against order dated 21.05.2009 passed by Delhi Medical Council . (Item No.12).
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Approved.

9.	Appeal dated 04.12.2015 filed by Sh. Dilip Kumar Upadhyay against order dated 02.09.2014 passed by Uttar Pradesh Medical Council . (Item No.14).
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Approved.

10.	Appeal filed by Mrs. Shreya M. Nimonkar against order dated 26.09.2015 passed by Maharashtra Medical Council. (Item No.17).
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Approved.

11.	Appeal filed by Sh. K. Anand against order dated 05.12.2015 passed by Andhra Pradesh Medical Council .(Item No.20).
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The Executive Committee observed that the decision of Ethics Committee is based upon record only. Neither appellant nor respondent doctors have been called before it.

In view of above, Executive Committee decided to refer back the matter to Ethics Committee to take appropriate decision after hearing all the parties.

12.	Appeal dated 30.12.2015 filed by Sh. Sanjay Seth against order dated 30.12.2015 passed by Delhi Medical Council . (Item No.22).
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The Executive Committee observed that the decision of Ethics Committee is based upon record only. Neither appellant nor respondent doctors have been called before it.

In view of above, Executive Committee decided to refer back the matter to Ethics Committee to take appropriate decision after hearing all the parties.

13.	Appeal dated 09.11.2015 of Sh. Vipul Kumar, New Delhi against the order passed by Bihar Council of Medical Registration dated 21.04.2015 (Item No.24).
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Approved.

(2) Proceeding dated 17th & 18th March, 2016

14.	Appeal dated 27.01.2015 filed by Dr. Durgadas Bhattacharyya Order Dated 16.12.2014 passed by West Bengal Medical Council. (Item No.4)
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Approved.

15.	Appeal dated 11.03.2015 filed by Sh. Athique Ahamed against Order dated 14.02.2015 passed by Karnataka Medical Council (Item No.5).
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The members of the Executive Committee observed that both Dr. H. Shamlabai & Dr. H.L. Mahendra have stated in their statements that proper consent was taken before Caesarean Section. It is not recorded by Ethics Committee how it has come to conclusion that proper consent was not taken. It is also not recorded by Ethics Committee how it has come to conclusion that development of complications stated above are as a result of directly attributable negligence by Dr. H. Shamlabai & Dr. H.L. Mahendra. It was also observed that although medical literature in their defence was produced by both Dr. H. Shamlabai & Dr. H.L. Mahendra, no cognizance is taken by Ethics Committee. No opinion from an expert in Obstetrics, Neonatologist, Geneticist & Paediatrician was taken.

In view of above, it was decided to refer the matter back to Ethics Committee with above observations and with the direction that expert opinion from an Obstetrician, a Neonatologist, a Paediatrician & a Geneticist be taken and the matter be decided afresh accordingly.

16.	Appeal dated 12.03.2015 filed by Sh. Devkinadan Soni against Order dated 22.12.2014 passed by Rajasthan Medical Council(Item No.6).
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Approved.

17.	Complaint regarding usage of fraudulent MD(Radiology) degree by Dr. Alok Madan at Satyakiran Healthcare Pvt. Ltd., Sonapat, Haryana.(Item No.7)
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Approved.

18.	Appeal dated 23.07.2014 filed by Leela Antony against Order dated 10.06.2014 passed by T. C. Delhi Medical Council. (Item No.9).
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Approved.

19.	Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Kalinga Institute of Medical Sciences, Bhubaneswar under KIIT University, Bhubaneswar.(Item No.11)
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Approved.

20.	Appeal dated 16.02.2016 filed by Mr. Nandalal Adhikary against Order dated 05.10.2015 passed by West Bengal Medical Council. (Item No.15)
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Approved.

21.	Appeal dated 16.02.2016 filed by Dr. Rakesh Kumar Jain against Order dated 05.11.2015 passed by Madhya Pradesh Medical Council (Item No.16)
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Approved.

75. To restart the issuance of Eligibility Certificate to the Indian Nationals/Overseas Citizen of India who desirous to take admission in MBBS or equivalent medical course outside India.

Read: the matter with regard to restart the issuance of Eligibility Certificate to the Indian Nationals/Overseas Citizen of India who desirous to take admission in MBBS or equivalent medical course outside India.

The Executive Committee of the Council perused the opinion of Law Officer of MCI, operative part of which reads as under:

“ ...

3. *By virtue of the Indian Medical Council (Amendment) Second Ordinance, 2013 notified in the official gazette of India on 28.09.2013, it was provided that:*

Amendment of section 13: In section 13 of the principal Act, -

[...]

(c) sub-section (4B) and the proviso relating thereto shall be omitted;

Amendment of section 33: In section 33 of the Principal Act, for clause (ma), the following clause shall be substituted, namely:-

“(ma) the modalities for conducting screening test under sub-section (4A) of section 13;

4. Consequently, in view of the aforesaid legislative development the requirement of obtaining eligibility certificate as required under section 13(4B) and the Regulations framed by the Council in exercise of powers conferred by section 33 (ma), namely, the Eligibility Requirement for Taking Admission in an Undergraduate Medical Course in a Foreign Medical Institution Regulations, 2002 stood omitted from the statute book.

5. Concerning the validity of Ordinance, Article 123 of the Constitution of India provides as under:

123. Power of President to promulgate Ordinances during recess of Parliament.—(1) If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require.

(2) An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament, but every such Ordinance—

(a) shall be laid before both Houses of Parliament and shall cease to operate at the expiration of six weeks from the reassembly of Parliament, or, if before the expiration of that period resolutions disapproving it are passed by both Houses, upon the passing of the second of those resolutions; and

(b) may be withdrawn at any time by the President.

Explanation.—Where the Houses of Parliament are summoned to reassemble on different dates, the period of six weeks shall be reckoned from the later of those dates for the purposes of this clause.

(3) If and so far as an Ordinance under this article makes any provision which Parliament would not under this Constitution be competent to enact, it shall be void

6. In view of the above constitutional provision, the Indian Medical Council (Amendment) Second Ordinance was required to have Parliamentary approval by the Winter Session of Parliament in 2013, which was convened from 24th November to 23 December¹. In this context, Department-related Parliamentary Standing Committee on Health and Family Welfare in its Ninety Second Report on “The Functioning of Medical Council of India” Presented to the Rajya Sabha on 08.03.2016 notes that:

The Indian Medical Council (Second Amendment) Bill, 2013 to replace the said Ordinance could not be introduced in the Rajya Sabha, despite all efforts, during the winter session 2013 of Parliament as the House was adjourned sine die on Wednesday, the 18th December, 2013.

7. Thus, the Indian Medical Council (Amendment) Second Ordinance 2013 lapsed on 04th January 2014. It means that the Indian Medical

Council Act, 1956 presently stands as it stood prior to the enactment of Second Ordinance o 28th September 2013. Therefore, the statutory requirement of obtaining Eligibility Certificate as required under section 13 (4B) and the Eligibility Regulations enacted under section 33 (ma) stand revived. Accordingly, in my considered opinion the Council is required to re-start the process of issuance of Eligibility Certificate. The material date for re-starting the issuance of such certificate would be the date of lapse of the Indian Medical Council (Amendment) Second Ordinance, 2013, i.e., 04.01.2014.”

The Committee further observed that the fee for issue of Eligibility Certificate has been fixed @ Rs. 1,000 since long.

In view of above, the Executive Committee of the Council decided to re-start issuance of Eligibility Certificate w.e.f. current Academic Year i.e. 2016-2017. It was also decided to give wide publicity in press by advertisement all over the country regarding restarting issuance of Eligibility Certificate. The fee for issue of Eligibility Certificate be fixed at Rs. 2,000/-.

76. Issuance of Eligibility Certificate in respect of Ms. Kesha Chhaya under Clause 4(1) of the Screening Test Regulation, 2002.

Read: the matter with regard to issuance of Eligibility Certificate in respect of Ms. Kesha Chhaya under Clause 4(1) of the Screening Test Regulation, 2002.

The Executive Committee of the Council perused the opinion of Law Officer, operative part of which reads as under:

“Further, in exercise of powers conferred by section 33 (ma) the Council has with the prior approval of the Central Government had formulated “The Eligibility Requirement for Taking Admission in An Undergraduate Medical Course in Foreign Medical Institution Regulations, 2002.” Regulation 3 that is relevant for the purpose provides as under:-

*3. An Indian citizen, who has passed the qualifying examination either from India **or an equivalent examination from abroad** and is desirous of joining an undergraduate medical course in any foreign medical institution on or after 15th March, 2002 shall approach the Council for issue of an Eligibility Certificate for that purpose.*

4. Regulation 3 provides that an Indian citizen who has passed equivalent examination from abroad is required to make an application for grant of Eligibility Certificate. Thus, in view of the statutory provisions as quoted above the applicant who has passed the qualifying examination from a foreign country – Tanzania is entitled to make an application for grant of Eligibility Certificate and the Council is required to process such application in accordance with the requirements of Regulation. This answers the query posed by the Executive Committee.

5. Further, the applicant has approached the Hon’ble High Court of Delhi by way of WP No. 1901 of 2016. The Hon’ble High Court has disposed of the matter on 08.03.16, and the operative part of the Order reads as under:

“Learned senior counsel for petitioner states that petitioner had done her schooling and MBBS from Tanzania. He states that petitioner’s application for Eligibility Certificate has been pending before respondent no. 1-MCI for more than 1 ½ years and respondent no. 2 has withheld petitioner’s Foreign Medical Graduate Examination [FMGE] December 2015

result on the ground of non-submission of Eligibility Certificate. He contends that petitioner has submitted all the relevant documents to respondent no. 1-MCI.

Since admittedly the petitioner's application dated 26th August, 2014 has not been disposed of till date, this Court directs respondent no. 1-MCI to dispose of petitioner's application within eight weeks. Further, till disposal of the petitioner's application, respondent no. 2 is directed to preserve the result of petitioner's FMGE December 2015 exam.

*With the aforesaid observations, present writ petition and application are disposed of. However, it is clarified that this Court has not expressed any opinion on the merits of the controversy and all rights and contentions of parties are left open.
Order dasti."*

6. *The Council in terms of the aforesaid orders of the Hon'ble High Court is required to dispose of the Ms. Kesha Chhaya application within a period of 08 weeks from 08.03.2016, and the Council office must ensure that the application is disposed of on or before 03rd May 2016 and the decision thereupon is communicated to the applicant in terms of the orders of the Hon'ble High Court by that date."*

The Committee further observed that it is stated in the Agenda Note that as per the documents provided by the applicant it is noted that the applicant has done her Pre-Medical course with Physics, Chemistry and Biology with Information Technology and Communication Skills which comprises of English language.

In view of above, the Executive Committee of the Council decided to direct the office to issue Eligibility Certificate to Ms. Kesha Chhaya immediately. It was further decided that the decision be communicated to Ms. Kesha Chhaya in terms of the order of Hon'ble High Court.

77. Re-admission of Ms. Pampa Shibu in MBBS course at Jubilee Mission Medical College & Research Institute, Thrissur.

Read: the matter with regard to re-admission of Ms. Pampa Shibu in MBBS course at Jubilee Mission Medical College & Research Institute, Thrissur.

The Executive Committee of the Council decided to permit Ms. Pampa Shibu for re-admission in MBBS course at Jubilee Mission Medical College & Research Institute, Thrissur.

78. Request for change of name of University from Rajasthan University of Health Sciences, Jaipur to Mahatma Gandhi University of Medical Sciences & Technology, Jaipur for the award of MBBS Degree in respect of Mahatma Gandhi Medical College, Jaipur.

Read: the matter with regard to request for change of name of University from Rajasthan University of Health Sciences, Jaipur to Mahatma Gandhi University of Medical Sciences & Technology, Jaipur for the award of MBBS Degree in respect of Mahatma Gandhi Medical College, Jaipur.

The Executive Committee of the Council observed that Council vide letter dated 30/3/2015 has recommended to the Central Govt. for recognition/approval of Mahatma Gandhi Medical College & Hospital, Jaipur against the increased

intake i.e. from 100 to 150 seats granted by Rajasthan University of Health Sciences, Jaipur u/s 11(2) of the IMC Act, 1956.

It was further observed that the Executive Committee of the Council at its meeting held in June, 1988 considered the matter with regard to change of name and change of affiliation of the University or the medical colleges whose medical qualifications are already recognized in the 1st schedule of the IMC Act, 1956 and decided as under:-

“No inspection is required where there is change of name and change of affiliation of the University or the college whose medical qualification are already recognized and included in the 1st Schedule to the IMC Act, 1956 unless the Executive Committee decided otherwise.”

The Executive Committee of the Council noted the request of Mahatma Gandhi Medical College & Hospital for change of name from Rajasthan University of Health Sciences, Jaipur to Mahatma Gandhi University of Medical Sciences & Technology, Jaipur.

The Committee further decided to direct the Institute to apply to the Central Government for recognition u/s 11(2) of the Indian Medical Council Act, 1956 through Mahatma Gandhi University of Medical Sciences & Technology, Jaipur when the first batch permitted appears for final examinations in respect of UG/PG courses permitted u/s 10A under Rajasthan University.

79. S.V. Medical College, Tirupati - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

Read: the matter with regard to S.V. Medical College, Tirupati - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (11.04.2016), previous assessment report (6th & 7th October, 2015), representation dated 13.04.2016 received from the Principal, of the college along with an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Andhra Pradesh dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 in respect of S.V. Medical College, Tirupati under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

80. Shri Vasant Rao Naik Govt. Medical College, Yavatmal - Renewal of Permission for admission of 4th 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 Shri Vasant Rao Naik Govt. Medical College, Yavatmal - Renewal of Permission for admission of 4th 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 compliance verification assessment report (11.04.2016), previous assessment report (12th & 13th October, 2015) along with an undertaking of the Additional Chief Secretary, Medical Education & Drugs Deptt, New Mantralaya, Govt. of Maharashtra dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Shri

Vasantrao Naik Govt. Medical College, Yavatmal under Maharashtra University of Health Sciences, Nashik for the academic year 2016-17.

81. Late Shri Bhaliram Kashyap Memorial, NDMC Govt. Medical College, Jagdalpur – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Late Shri Bhaliram Kashyap Memorial, NDMC Govt. Medical College, Jagdalpur i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the assessment report (11th & 12th April, 2016) and noted the following:-

1. Deficiency of faculty is 24 % as detailed in the report.
2. Shortage of Residents is 30.50 % as detailed in the report.
3. OPD: Examination rooms, Capacity of teaching area & Waiting area for patient are inadequate in each department.
4. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Deficit
1	Psychiatry	10	08	02
2	General Surgery	100	95	05
	Total			07

5. Workload of Radiological investigations is inadequate.
6. CT Scan is not functional since September 2015.
7. Histopathological & Cytopathological workload was only 02 each on day of assessment.
8. MRD: ICD X system of 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.
10. O.T.s: Central O₂ and Central Suction are not available.
11. ICUs: Central O₂ and Central Suction are not available.
12. Intercom is not available.
13. Examination Hall: Capacity of available Examination Hall is 100 against requirement of 250.
14. Lecture Theater: Hospital lecture Theater is not of gallery type. Its capacity is 120 against requirement of 150.
15. Central Library: Journals available are 47 against requirement of 60. Internet Nodes are not functional.
16. StudentsôHostels: Available accommodation is 280 against requirement of 300. Visitorsôroom, A.C. Study room with Computer & Internet, Recreation room are not available.
17. InternsôHostel: Visitorsôroom, A.C. Study room with Computer & Internet, Recreation room are not available.
18. Residentsô Hostel: Visitorsô room, A.C. Study room with Computer & Internet, Recreation room are not available.
19. Anatomy Department: Dissection Microscopes are not available.
20. RHTC: It is not affiliated to the college. Specialistsô visits are not organized.
21. UHC: It is not affiliated to the college.
22. Website: Toll free number to report ragging is not available.
23. 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 4th Batch of MBBS students against the increased intake i.e. from 50-100 in respect of Late Shri Bhaliram Kashyap Memorial, NDMC Govt. Medical College, Jagdalpur under Ayush & Health University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

82. Indira Gandhi Govt. Medical College, Nagpur– Renewal of Permission for admission of 4th 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 Indira Gandhi Govt. Medical College, Nagpur Renewal of Permission for admission of 4th 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 compliance verification assessment report (11.04.2016), previous assessment report (12th & 13th October, 2015) along with an undertaking of the Additional Chief Secretary, Medical Education & Drugs Deptt, New Mantralaya, Govt. of Maharashtra dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Indira Gandhi Govt. Medical College, Nagpur under Maharashtra University of Health Sciences, Nashik for the academic year 2016-17.

83. Recognition/approval of Maharani Laxmi Bai Medical College, Jhansi for the award of MBBS degree granted by Bundelkhand University, Jhansi against the increased intake i.e. from 50 to 100 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Maharani Laxmi Bai Medical College, Jhansi for the award of MBBS degree granted by Bundelkhand University, Jhansi against the increased intake i.e. from 50 to 100 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment reports (17.02.2016) and (11.04.2016 & 12.04.2016) and noted the following:-

1. Dr. Harish Chandra, Medical Superintendent has no previous administrative experience; hence not qualified to hold the post.
2. Medical Superintendent's office & Administrative office are smaller than required.
3. OPD: ECG room is not available in General medicine OPD. Minor O.T. is unhygienic.
4. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Deficit
1	Paediatrics	60	52	08

5. MRD: It is partially computerized.
6. O.T.: General Surgery, Orthopaedics & O.G. O.T. have 2 tables in 1 room which is not as per norms. Ophthalmology O.T. is under renovation.
7. Central Research Laboratory is not available.
8. MEU: Complete records of MEU activities are not available.
9. Pharmaco Vigilance Committee: Records are not available.
10. Lecture Theaters: Available Lecture Theaters are 3 against requirement of 4. Capacity of Hospital Lecture Theater is 70 against requirement of 150. It is not of gallery type.

11. Central Library: Area is 1,220 sq.m. against requirement of 1,600 sq.m. Capacity of Students' reading Room (Outside) is 50 against requirement of 100. Capacity of Staff Reading Room is 25. It is not air-conditioned. There are NIL journals. No journals have been subscribed for last 2 years.
12. Students' Hostels: They are partially furnished. Many rooms which are small but shared by 2 students; there is no space for chair & table in the room. Many rooms are not allotted because of maintenance problems like leaking roofs.
13. Nurses' Hostel: maintenance is very poor.
14. Anatomy Department: MRI/CT films are not available in the museum.
15. Physiology department: Haematology laboratory is not available.
16. Microbiology Department: Practical laboratory is not available. There is no work in Parasitology & Mycology laboratories. Specimens are only 05 in the museum.
17. Forensic Medicine Department: Museum facilities are inadequate.
18. 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 Maharani Laxmi Bai Medical College, Jhansi for the award of MBBS degree granted by Bundelkhand University, Jhansi against the increased intake i.e. from 50 to 100 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.

Further the Committee considering the undertaking of Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 decided to recommend to the Central Government to renew the permission for admission of fresh batch of increase of seats from 50 to 100 at Maharani Laxmi Bai Medical College, Jhansi for the academic year 2016-2017.

84. Increase of seats in MBBS course from 150-200 at Calcutta National Medical College, Kolkata for the academic session 2016-17.

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

The Executive Committee of the Council considered the compliance verification assessment report (11.04.2016) along with previous assessment report (10th & 11th December, 2015) along with an undertaking of the Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal dated 28.04.2016 and decided to recommend to the Central Govt. to issue Letter of Permission for increase of seats from 150 to 200 in respect of Calcutta National Medical College, Kolkata under West Bengal University of Health Sciences u/s 10A of the IMC Act 1956 for the academic year 2016-17.

85. Recognition/approval of S.N. Medical College, Agra for the award of MBBS degree granted by Dr. B.R. Ambedkar University, Agra against the increased intake i.e. from 128 to 150 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of S.N. Medical College, Agra for the award of MBBS degree granted by Dr. B.R. Ambedkar University, Agra against the increased intake i.e. from 128 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the Council Assessors reports (10.03.2016) and (11.04.2016 & 12.04.2016) and noted the following:-

1. Deficiency of faculty is 11.11 % as detailed in the report.
2. Casualty: Central O₂ and Central Suction are not available.
3. ICUs: Details of patients in ICCU & ICUs on day of assessment are not provided.
4. CT Scan is single slice against 16 slice required and that too under PPP mode. Details of PPP are not provided.
5. CSSD: It is not available. ETO is not available.
6. Nursing Staff: Only 144 Nurses are available against 372 required.
7. MEU: No activities have been carried out during last year.
8. Examination Halls: Capacity of both Examination Halls is 200 against 250 required.
9. Central Library: Area available is only 0360 sq.m. against requirement of 2,400 sq.m. Capacity of Students' reading Room (Outside) is only 40. Separate Reading Room for Residents is not available. Functional Internet Nodes are only 10 against requirement of 40.
10. Students' Hostels: A.C. study room with Computer & Internet is not available.
11. Residential Quarters: Quarters for faculty are not available within the campus.
12. 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 S.N. Medical College, Agra for the award of MBBS degree granted by Dr. B.R. Ambedkar University, Agra against the increased intake i.e. from 128 to 150 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.

Further the Committee considering the undertaking of Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 decided to recommend to the Central Government to renew the permission for admission of fresh batch of increase of seats from 128 to 150 MBBS students at S.N. Medical College, Agra for the academic year 2016-2017.

86. Recognition/approval of Shri M.P. Shah Medical College, Jamnagar for the award of MBBS degree granted by Saurashtra University, Rajkot against the increased intake i.e. from 175 to 200 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Shri M.P. Shah Medical College, Jamnagar for the award of MBBS degree granted by Saurashtra University, Rajkot against the increased intake i.e. from 175 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment reports (04.02.2016) and (12.04.2016 & 13.04.2016) and decided to recommend to the Central Government for recognition/approval of Shri M.P. Shah Medical College, Jamnagar for the award of MBBS degree granted by Saurashtra University, Rajkot against the increased intake i.e. from 175 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:-

(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.

The Committee further decided to recommend to the Central Government to renew the permission for admission of fresh batch of increase of seats from 175 to 200 MBBS students at Shri M.P. Shah Medical College, Jamnagar for the academic year 2016-2017.

87. Govt. Siddhartha Medical College, Vijayawada – Renewal of Permission for admission of 5th 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 Govt. Siddhartha Medical College, Vijayawada i Renewal of Permission for admission of 5th 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 compliance verification assessment report (18.04.2016), previous assessment report (21st & 22nd September, 2015) alongwith an undertaking of the Principal Secretary, Health & Medical Education, Govt. of Andhra Pradesh, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 5th 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 Govt. Siddhartha Medical College, Vijayawada under Dr. NTR University of Health Sciences, Vijayawada for the academic year 2016-17.

88. Recognition/Approval of Mahamaya Rajkiya Allopathic Medical College, Ambedkarnagar for the award of MBBS degree (100 seats) granted by Dr. R.M.L. Avadh University, Faizabad u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Mahamaya Rajkiya Allopathic Medical College, Ambedkarnagar for the award of MBBS degree (100 seats) granted by Dr. R.M.L. Avadh University, Faizabad u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment reports (24.02.2016) and (11.04.2016 & 12.04.2016) and noted the following:-

1. OPD: Waiting area is inadequate in General Medicine & O.G. OPD.
2. Wards: There is no Intercom.
3. Casualty: Central O₂ was not functional on day of assessment. There is no Intercom.
4. ICUs: Air-conditioning is not working in ICCU or any ICU.
5. Labour Room: Waste disposal is poor. Central Library: Capacity of Staff Reading Room is only 05. Books available are only 4,332 against requirement of 7,000. Journals available are only 60 against requirement

- of 100. Internet Nodes available are only 13. Librarian & Deputy librarian are not available. Other staff is inadequate.
6. Common Rooms for Boys & Girls: Girls's Common Room is not functional. There is no chair or other recreational activity and the room was dirty & ill maintained. There is no recreational facility in Boys's Common Room. There are no attached toilets.
 7. Students's Hostels: Available accommodation is 370 against requirement of 375. In Boys's Hostel, there is no Visitors's room, no A.C. Study room with computer & Internet.
 8. Anatomy Department: NIL Dissection Tables are available.
 9. Pathology Department: There are no chairs in the museum.
 10. Microbiology Department: There are no catalogues in the museum.
 11. RHTC: Specialists's visits are not organized.
 12. 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 Mahamaya Rajkiya Allopathic Medical College, Ambedkarnagar for the award of MBBS degree (100 seats) granted by Dr. R.M.L. Avadh University, Faizabad 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.

Further the Committee considering the undertaking of Principal Secretary, Medical Education, Government of U.P. dated 28.04.2016 decided to recommend to the Central Government to renew the permission for admission of fresh batch of 100 seats at Mahamaya Rajkiya Allopathic Medical College, Ambedkarnagar for the academic year 2016-2017.

89. Renewal of permission for MBBS course for 5th batch of 100 MBBS students at Govt. Medical College, Kannauj, Uttar Pradesh 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 renewal of permission for MBBS course for 5th batch of 100 MBBS students at Govt. Medical College, Kannauj, Uttar Pradesh 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 considered the compliance verification assessment reports (11th April and 22nd February 2016), previous assessment report (9th & 10th October, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 5th batch (100 seats) of MBBS students at Govt. Medical College, Kannauj, Uttar Pradesh under King George's Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

90. 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 noted that the Council Office vide its various communications dated 31.01.2016 followed by reminder dated 04/03/2016, 18/03/2016 & 01/04/2015 had requested the college authorities to submit the compliance for further consideration but they have not furnished the same inspite of repeated opportunities.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government to disapprove the scheme and return the application for 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.

91. Request not to consider academic year 2016-2017 as debar period under the Clause (a) to (d) of Regulation of 8(3)(1)(d) of MCI for Malla Reddy Institute of Medical Sciences, Hyderabad.

Read: the matter with regard to request not to consider academic year 2016-2017 as debar period under the Clause (a) to (d) of Regulation of 8(3)(1)(d) of MCI for Malla Reddy Institute of Medical Sciences, Hyderabad.

The Executive Committee of the Council perused the opinion of Ld. Addl. Solicitor General of India which reads as under:

ñ 1. The querist- Medical Council of India has sought my opinion on the GOI letters dated 18.03.2016 and 21.03.2016 requesting the querist to inspect Malla Reddy Institute of Medical Sciences, Hyderabad (hereinafter referred to as the applicant medical college), for the grant of renewal of permission for the academic year 2016-17 and to send its recommendations to the Central Govt.

2. I have held conference with Shri Gaurav Sharma and Shri T. Singhdev, Counsels for the querist. I have gone through the document forwarded by the querist as well as the various communications received from the Ministry of Health & Family Welfare, Government of India and orders passed by the Honble Delhi High Court and the Honble Apex Court as well as discussed the matter with the Council advocates. Before giving specific opinion in the matter, it is appropriate to consider of following facts:-

- (i) For the grant of renewal of permission for admitting 3rd batch of students for the academic year 2014-15, the applicant medical college was inspected by the assessors of the MCI on 27 & 28.05.2014. During the assessment it was observed that apart from the other deficiencies existing in the applicant medical college, the MCI assessors found that the college has tried to mislead the querist as well as the Central Govt. by submitting false & fabricated experience certificates of the Resident Doctor enclosed with her Declaration Form. It was observed that one of the doctors, Dr. D. Aruna shown as Senior Resident has submitted false experience certificate in connivance with the Principal of the applicant medical college with respect of her experience in MNR Medical College.
- (ii) The Executive Committee of the querist in its meeting held on 13.06.2014, after considering the inspection report, found various deficiencies in the medical college and in view of the same decided to recommend to the Central Govt. not to grant renewal of permission for the academic year 2014-15. The Executive Committee of the querist also decided to enquire into the issue of submitting false and fabricated Declaration Forms as well as the experience certificate by the applicant college and decided to call for the comments from Principal of applicant medical college as well as the Principal of MNR Medical College.
- (iii) In this regard the present Principal of MNR Medical College after delay had submitted his reply in the matter wherein he had categorically admitted that the experience certificate had not been issued to Dr. D.

Aruna and that she had never worked in MNR Medical College. The reply of the Principal of MNR Medical College further revealed that the Principal of the applicant medical college, who was earlier working with MNR Medical College as Principal, had misused his official position as well as rubber stamps to benefit Dr. D. Aruna in order to show her experience for the purposes of grant of renewal of permission to the applicant medical college. The above facts were considered by the Executive Committee of the querist in its meeting dated 03.09.2014 and it was decided to recommend to the Central Govt. to debar the applicant medical college for two academic years i.e. 2014-15 & 2015-16 from admitting fresh batch of MBBS students in terms of Regulation 8(3)(1)(d) of the Establishment of Medical College, 1999 and accordingly communication was sent by MCI to the Central Government vide its letter dated 3.09.2014. The relevant portion of Regulation 8(3)(1)(d) of the Establishment of Medical Council Regulation 1999 is as under:

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8. GRANT OF PERMISSION:

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(3)(1) The permission to establish a medical college and admit students may be granted initially for a period of one year and may be renewed on yearly basis subject to verification of the achievements of annual targets. It shall be the responsibility of the person to apply to the Medical Council of India for purpose of renewal six months prior to the expiry of the initial permission. This process of renewal of permission will continue till such time the establishment of the medical college and expansion of the hospital facilities are completed and a formal recognition of the medical college is granted. Further admissions shall not be made at any stage unless the requirements of the Council are fulfilled. The Central Government may at any stage convey the deficiencies to the applicant and provide him an opportunity and time to rectify the deficiencies.

PROVIDED that in respect of

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(d) Colleges which are found to have employed teachers with faked / forged documents:

If it is observed that any institute is found to have employed a teacher with faked / forged documents and have submitted the Declaration Form of such a teacher, such an institute will not be considered for renewal of permission / recognition for award of M.B.B.S. degree / processing the applications for postgraduate courses for two Academic Years i.e. that Academic Year and the next Academic Year also é é é ò

(iv) The Central Govt. took time in taking a final decision in the case of the applicant medical college in terms Regulation 8(3)(1)(d) of the Establishment of Medical College Regulation 1999. In the meanwhile the college took advantage of the orders dated 18.09.2014 and 25.09.2014 passed by the Honble Supreme Court in W.P. (C) No. 269/2014 titled Hind Charitable Trust Vs. Union of India and made admissions for the academic year 2014-15 after submitting an undertaking to the Honble Supreme Court.

(v) As there was no communication received from the Central Govt., the querist vide their letter dated 08.12.2014 had requested the Central Govt. to forward its decision in respect of the applicant medical college for the furtherance in the matter. Since no reply was received from the Central Govt., the querist vide their letters dated 19.12.2014 & 31.12.2014 had sent reminders to the Central Govt. for the intimation of their decision on the recommendation of the querist dated 03.09.2014.

(vi) The querist, thereafter received Govt. of India letter dated 05.01.2015, inter-alia, requesting the querist to inform that, since the applicant medical college had already been made admissions for the academic year 2014-15, whether the recommendation of the querist dated 03.09.2015 to debar the college for the academic years 2014-15 & 2015-16 will still be in existence or the college will only be barred for the academic year 2015-16. The letter of the Government of India dated 05.01.2015 was placed before the Executive Committee of the querist, wherein it was decided that since the college had already made admission for the academic year 2014-15 in pursuance of the orders dated 18.09.2014 & 25.09.2014 passed by the Hon'ble Supreme Court in W.P. (C) No. 269/2014 titled Hind Charitable Trust Vs. Union of India, it was decided to recommend to the Central Government to debar the college from admitting students in the MBBS course for the academic year 2015-16 & 2016-17 instead of 2014-15 & 2015-16 in terms of Regulation 8(3)(1)(d) of the Establishment of Medical College, 1999. This was communicated to the Central Govt. vide letter dated 21.01.2015.

(vii) Thereafter, the Government of India vide letter dated 30.03.2015 requested the querist to conduct fresh inspection of the college and submit its report for the furtherance in the matter for academic year 2015-16. The above letter dated 30.03.2015 was considered in the Council wherein it was decided to seek an opinion in the matter from the Ld. Additional Solicitor General of India. Accordingly, my opinion was sought in the matter and the relevant portion of the opinion dated 27.03.2015 is reproduced hereunder:-

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12. Indulging in malpractice of forgery and fabrication is a serious offence in law and the same cannot be taken lightly. Especially in the case of medical education, as the same will affect the quality of medical education provided by an institution. The institution which indulge in forgery and fabrication should be penalized as contemplated by statutory provisions as their actions effect the career of students pursuing MBBS education and may eventually affect the citizens.

13. In view of the clear reading of the Regulation 8(3)(1)(d) and the facts of the case, I am of the opinion that querist is not obliged to process the application of a medical college for renewal of permission which has been debarred from making admission for two academic years in conformity with Regulation 8(3)(1)(d) of the aforesaid Regulationsé é ..ò

(viii) The aforesaid opinion dated 27.03.2015, as rendered by me, was placed before the Executive Committee of the querist in its meeting held on 29.04.2015 wherein after due deliberation, it was decided by the Executive Committee to recommend to the Central Govt. to debar the college for two academic years i.e. 2015-16 & 2016-17 in view of Regulation 8(3)(1)(d) of the Establishment of Medical College, 1999. The decision of the querist was communicated to the Central Govt. vide querist letter dated 11.05.2015. The Central Govt. after considering the recommendation of the querist dated 11.05.2015, vide their letter dated 15.06.2015 had forwarded its decision not to grant renewal of permission

to the applicant medical college for admitting fresh batch of MBBS students for the academic year 2015-16.

(ix) The aforesaid decision of the Central Govt. dated 15.06.2015 and the recommendations of the querist dated 11.05.2015 (debarring the medical college from making fresh admissions for two academic years i.e. 2015-16 & 2016-17) were challenged by the applicant college before Hon^{ble} Delhi High Court by way of W.P.(C) No. 7106/2015 titled Malla Reddy Institute of Medical Sciences & Anr. Vs. Union of India & Anr. It is relevant to point out that before the Hon^{ble} Delhi High Court in the aforesaid writ petition, the applicant college also challenged the vires of the notification dated 16.04.2010 whereby Regulation 8(3)(1) of the Establishment of Medical College Regulations, 1999 was amended. The relevant portion of the prayers sought by the applicant medical college in W.P.(C) No. 7106/2015 titled Malla Reddy Institute of Medical Sciences & Anr. Vs. Union of India & Anr. are reproduced hereunder:-

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PRAYER

In view of the submissions made hereinabove, it is most humbly prayed that this Hon^{ble} Court may graciously be pleased to issue a writ of mandamus or Certiorari or any other order / writ or direction:

- a) Declare and hold that the Gazette Notification dated 16.04.2010 amending the Establishment Medical College Regulation, 1999 is ultra vires of the Indian Medical Council Act, 1956 and / or quash the same;
- b) Quash the order of the Central Government contained in letter dated 15.06.2015 bearing no. U.12012/466/2015-ME(P-II);
- c) Quash the recommendation of the Medical Council of India contained in letter dated 11.05.2015;
- d) Directing the Respondents to renew the permission for the admission of the 3rd batch of 150 MBBS students for the Academic Year 2015-16 with the Petitioner Institute; and
- e) Issue such other appropriate Writ or Order or Direction as deemed fit under the facts and circumstances of the case, in the interest of justice and equity.....ò

(x) The Ld. Division Bench of the Hon^{ble} Delhi High Court after hearing the parties, by an order dated 11.08.2015 had directed the querist to carry out fresh inspection of the medical college and submit its report in a sealed cover on the next date of hearing i.e. 07.09.2015. The querist being aggrieved by the order dated 11.08.2015 passed by the Hon^{ble} Delhi High Court had approached the Hon^{ble} Supreme Court by way of SLP (C) No. 24081/2015 - MCI Vs. Malla Reddy Institute of Medical Sciences, wherein the Hon^{ble} Supreme Court after hearing the parties vide its order dated 04.09.2015, while issuing notice in the matter, was pleased to stay the directions passed by the Hon^{ble} High Court of Delhi vide its order dated 11.08.2015. The Hon^{ble} Supreme Court had also directed the Hon^{ble} Delhi High Court to hear and dispose the matter finally before 14.09.2015. The said SLP (C) No. 24081/2015 - MCI Vs. Malla Reddy Institute of Medical Sciences filed by the querist is pending adjudication before the Hon^{ble} Supreme Court.

(xi) The Ld. Division Bench of the Hon^{ble} Delhi High Court heard the aforesaid writ petition at length and vide order dated 11.09.2015 decided

to refer the matter to a Full Bench of the Hon'ble Delhi High Court to decide issue of challenge of vires of the Regulation 8(3)(1) of Establishment of Medical College Regulations, 1999.

(xii) Thereafter, the Full Bench of Hon'ble Delhi High Court heard the matter and after hearing the parties vide its judgement dated 29.09.2015 was pleased to uphold the vires of the Regulation 8(3)(1) of Establishment of Medical College Regulations, 1999, however it observed that the querist as well as the Central Govt. is obliged to provide an opportunity to the medical college before invoking the said Regulations. The relevant portion of the judgement dated 29.09.2015 passed by the Full Bench of the Hon'ble Delhi High Court in W.P.(C) No. 7106/2015 titled Malla Reddy Institute of Medical Sciences & Anr. Vs. Union of India & Anr. and W.P.(C) No. 8541/2015 titled Lord Buddha Siksha Pratisthan & Anr. Vs. Union of India & Anr., is reproduced as hereunder:-

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48. In the light of the above discussion, we are of the view that it is mandatory to provide to the applicant/institute concerned an opportunity to rectify the defects/deficiencies specified by MCI even in cases which fall within the ambit of the provisos (a) to (d) to Regulations 8(3)(1) of the Regulations.

49. It may be added that in fact, the contention of the MCI that the provisos (a) to (d) carves out an exception to the power of the Central Government to provide an opportunity and time to the applicant to rectify the deficiencies and thus in cases where the said provisos are invoked, no opportunity need be given to the applicant is based on an erroneous interpretation of Regulation 8(3)(1) of the Regulations.

50. On a careful reading of Regulation 8(3)(1), it appears to us that what is provided thereunder is grant of permission to establish a medical college initially for a period of one year and the renewal of the same on yearly basis subject to verification of the achievements of annual targets prescribed by MCI under Regulation 8(2). It is no doubt true that Regulation 8(3)(1) also states that "the Central Government may at any stage convey the deficiencies to the applicant and provide him an opportunity and time to rectify the deficiencies". However, the contention of MCI that by virtue of the provisos (a) to (d), an exception has been carved out to the power conferred on the Central Government to provide an opportunity and time to the applicant to rectify the deficiencies, is fallacious. We are afraid that this is not the import of Regulation 8(3)(1). According to us, the provisos (a) to (d) which imposed a bar on grant of renewal in the circumstances specified therein would only work as an exception to the main part of Regulation 8(3)(1) specifying the process of renewal of permission on yearly basis but not to the requirement of providing opportunity to rectify the deficiencies.

51. Therefore, we are of the view that it is not open to MCI and/or Central Government to deny an opportunity to the applicant/institute concerned to rectify the deficiencies specified by MCI even in cases which fall within the ambit of the provisos (a) to (d) of Regulation 8(3)(1) of the Regulations. However, it is essential for both MCI and Central Government to observe the time schedule as held in *Royal Medical Trust (supra)*.

52. For the aforesaid reasons, we hold that the provisos (a) to (d) to Regulation 8(3)(1) of the Regulations shall not in any way circumvent the opportunity of being heard/opportunity to rectify the deficiencies provided

under sub-Sections (3) and (4) of Section 10-A of the Medical Council Act. However, the same shall be in strict adherence to the time Schedule fixed in the Regulations and in conformity with the Schedule as laid down in *Royal Medical Trust (supra)* é é é ò

(xiii) Thereafter, the above writ petition i.e. W.P. (C) No. 7106/2015 filed by the applicant medical college was listed before Hon'ble Delhi High Court on 30.09.2015, wherein the Ld. Division Bench of the Hon'ble High Court of Delhi while placing reliance on the Full Bench decision of the Hon'ble Delhi High Court dated 29.09.2015 passed in W.P.(C) No. 7106/2015 titled Malla Reddy Institute of Medical Sciences & Anr. Vs. Union of India & Anr. and in W.P.(C) No. 8541/2015 titled Lord Buddha Siksha Pratisthan & Anr. Vs. Union of India & Anr., had disposed off the said writ petition vide judgement dated 30.09.2015. The Hon'ble Delhi High Court vide judgement dated 30.09.2015 had allowed the medical college to make provisional admission for the academic year 2015-16 and had also directed the Central Govt. to reconsider the case of the petitioner medical college for the academic year 2015-16 after calling for fresh inspection from the querist. The relevant part of the judgement dated 30.09.2015 passed by the Hon'ble Delhi High Court is reproduced hereunder :-

¶ 16. It may also be stated that the petitioner College is an existing college and has been successfully running the MBBS Course with intake capacity of 150 students from the Academic Year 2012-13 onwards. Under these circumstances, we consider it appropriate to dispose of the writ petition with the following directions:

- i) The impugned order of rejection dated 15.06.2015 shall stand set aside.
- ii) The Central Government shall now re-consider the petitioner's request for renewal of permission for the Academic Year 2015-16 after calling for a fresh inspection report from MCI. Such exercise shall be completed within two weeks from today.
- iii) In the meanwhile, the Central Government shall grant provisional permission to the petitioners to conduct the course for the Academic Year 2015-16 which shall be subject to further orders to be passed by the Central Government.
- iv) The admissions shall be made subject to the fresh order to be passed by the Central Government in terms of direction No.(ii).
- v) The allotment and admission of students shall be made after giving information to the students in writing that the admission will be subject to the fresh order to be passed by the Central Government.
- vi) Neither the petitioners nor the students will claim any equity on the basis of the provisional admission.

17. Accordingly, the Writ Petition is disposed of é é ò

(xiv) It is relevant to consider here that the medical college in W.P.(C) No. 7106/2015 titled Malla Reddy Institute of Medical Sciences & Anr. Vs. Union of India & Anr. filed before the Hon'ble Delhi High Court had also challenged the recommendation dated 11.05.2015 of the querist by which it was recommended to the Central Govt. to debar the medical college for two academic year i.e. 2015-16 & 2016-17, however the said recommendation dated 11.05.2015 has neither been set aside, nor there was any observation made by the Hon'ble Delhi High Court in its judgement dated 30.09.2015 in respect of academic year 2016-17. The said judgement dated 30.09.2015 passed by the Hon'ble Delhi High Court in W.P.(C) No. 7106/2015 titled Malla Reddy Institute of Medical Sciences & Anr. Vs. Union of India & Anr., wherein the medical college has not been granted any relief for the academic year 2016-17, has been accepted by the applicant medical college as they have not challenged the same in

respect to the recommendation of the answering respondent dated 11.05.2014 to debar the medical college for two academic year i.e. 2015-16 & 2016-17.

(xv) The querist being aggrieved by the judgement dated 30.09.2015 passed by the Ld. Division Bench of the Hon'ble High Court of Delhi has approached the Hon'ble Apex Court by SLP (C) No. 31535/2015 - MCI Vs. Malla Reddy Institute of Medical Sciences. The above SLP filed by the querist was listed before the Hon'ble Supreme Court on 16.10.2015 wherein the Hon'ble Apex Court after hearing the parties vide order dated 16.10.2015, was pleased to grant leave in the matter and had stayed the implementation of the judgement dated 30.09.2015 passed by the Hon'ble Delhi High Court as well as cancelled the admissions made by the applicant medical college in pursuance of the judgment dated 30.09.15 passed by the Hon'ble High Court of Delhi. The said SLP (C) No. 31535/2015 filed by the querist is also pending before the Hon'ble Supreme Court.

(xvi) The querist, has separately challenge the judgement dated 29.09.2015 of the Full Bench of the Hon'ble High Court of Delhi, by way of SLP (C) No.30742/2015 ĩ MCI Vs. Lord Buddha Shiksha Pratisthan & Ors. and SLP (C) No. 30142/2015 ĩ MCI Vs. Malla Reddy Institute of Medical Sciences. The Hon'ble Supreme Court after hearing the parties in SLP (C) No. 30142/2015 ĩ MCI Vs. Malla Reddy Institute of Medical Sciences vide order dated 06.11.2015, was pleased to issue notice in the said SLP filed by the querist. The aforesaid SLPs filed by the querist are also pending before the Hon'ble Apex Court.

(xvii) In the meanwhile, the Central Govt. referred the case of the applicant medical college to the Ministry of Law & Justice for their opinion on as to whether the Regulations of the querist denied an opportunity to the medical college for personal hearing. On the basis of the opinion rendered by the Ministry of Law & Justice, the Central Govt. constituted a Hearing Committee to grant a personal hearing to the applicant medical college. Accordingly a personal hearing was granted to the applicant medical college on 17.03.2016 whereby the Hearing Committee constituted by the Central Govt. observed that the decision of the querist to debar the applicant medical college for the academic session 2016-17 need to be reconsidered by the querist.

(xviii) The Central Govt. vide its letter dated 18.03.2016 communicated to the querist its decision that the issue of debarment of the applicant medical college for 2016-17 as well as the issue grant of renewal of permission for admitting fresh batch of MBBS students for the academic year 2016-17 should be clubbed and the applicant medical college be given due hearing / opportunity to show compliance whereafter a decision in this regard be taken.

(xix) Thereafter, the Central Govt. vide its letter dated 21.03.2016 has now conveyed to the querist that in the case of the applicant medical college, since the Hearing Committee constituted by the Central Govt. did not find any justification for debarment of the applicant medical college for 2016-17, thus has requested the querist to inspect the applicant medical college and to send its recommendations for grant of renewal of permission to admit fresh batch of MBBS students for the academic session 2016-17.

3. It is relevant to state that the querist has challenged the Full Bench judgement dated 29.09.2015 passed by the Hon'ble Delhi High Court

before the Hon'ble Supreme Court, wherein notices have been issued and the SLPs are pending before the Hon'ble Supreme Court. The judgement dated 30.09.2015 in respect of the applicant medical college which was based upon the Full Bench judgement dated 29.09.2015, the implementation of same has been stayed by the Hon'ble Supreme Court vide order dated 16.10.2015 passed in SLP (C) No. 31535/2015 - MCI Vs. Malla Reddy Institute of Medical Sciences. In any case, the applicant medical college even as per the judgement dated 30.09.2015 had failed to obtain any relief in respect to the recommendations of the querist dated 11.05.2015 to debar the medical college for the academic years 2015-16 & 2016-17.

4. The matter is now required to be considered in view of the Central Govt. letters dated 18.03.2016 & 21.03.2016 whereby the Central Govt. has requested the querist to inspect the applicant medical college and send its recommendation for grant of renewal of permission to admit fresh batch of MBBS students for the academic year 2016-17.
5. In view of the above, I am of the considered opinion that the querist is required to consider the application of the applicant medical college for renewal of permission for the academic year 2016-17 as per the provisions of the IMC Act, 1956 and the Regulations made thereunder. However, such processing of the application has to be with the condition that the final decision / recommendations of the querist will be subject to the outcome of the appeals filed by the querist before the Hon'ble Supreme Court...ò

After detailed deliberations, the Executive Committee of the Council decided to accept the opinion of Ld. Addl. Solicitor General of India & the office is directed to process the application for renewal of permission for the academic year 2016-17 as per the provisions of the IMC Act, 1956 and the Regulations made thereunder.

92. (i) **Gross irregularities in the functioning of Gold Field Institute of Medical Sciences & Research, Village Chhanisa, Ballabgarh, Faridabad.**
- (ii) **Request to protect the future of the "300 Medical Students" due to inadequacy of the Management of Gold Field Medical College to continue the further studies.**
- (iii) **Provisional registration of students of Gold Filed Institute of Medical Sciences and Research, Faridabad with Delhi Medical Council.**
- (iv) **Regarding continuation of internship of MBBS degree of students of Gold Field Institute of Medical Sciences & Research(GFIMSR).**
- (v) **Grant of Permission for internship training programme for MBBS students of Admission Batch 2011 of Gold Field Institute of Medical.**

Read: the matter with regard to above mention subjects.

The Executive Committee of the Council perused various letters received by Council Office which are as under:

- I. **Letter/Complaint dated 16/03/2016 from the Registrar, Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak against Gold Field Institute of Medical Sciences & Research, Village Chhanisa, Ballabgarh, Faridabad, stating therein as under:-**

“ It is informed that the University had received a complaint of Nishant Gaur through DMER Office in which he has made serious allegations against the Principal and the management of the Institute. The complainant has stated that the management of the Institute has ceased the classes of MBBS 2nd year from the last three months. Moreover, nearly 100 MBBS students of batch 2014 of the institute had made a complaint to the University that the Institute is not meeting the minimum standard requirements of MCI to run a Medical College due to inadequate teaching faculty and insufficient OPD/IPD services in hospital .

The Vice-Chancellor considered the matter urgently and constituted a Committee to conduct a surprise inspection for physical verification of feasibility and infrastructure of Gold Field Institute of Medical Sciences & Research, Faridabad required for running MBBS course alongwith the allegations leveled in the complaints.

The Committee visited the Institute for inspection/enquiry on 09/03/2016 and has submitted its report in which gross irregularities and deficiencies have been pointed out by the Committee. It has been pointed out by the Committee that no principal and Medical Superintendent were there to look after the College and Hospital. The Hospital was almost nonfunctional for many months. There was severe shortage of faculty in the Institution and in Departments like Medicine, Gynaecology, Paediatrics, Forensic Medicine, Psychiatry, Chest & TB, Skin had no faculty. The College and Hospital do not have regular electricity supply and the living conditions in the Student Hostels and Faculty houses are very poor. The electricity is supplied only by means of Generator which runs only for three hours i.e. 7:00 P.M. to 10:00 P.M. out of 24 hours.

On the day of inspection, no faculty members and no person of HR department was available to provide the register of students, enrolment of teachers. The management persons were contacted telephonically and none of them responded. The Incharge of HRD was also contacted telephonically and she promised to give details but she did not reach the institution. Later on, at 7:30 PM, only 6 faculty members came to give representation as enclosed. The students also made statement regarding fate and future and stated that no electrical supply was available

All Departments, Library, Emergency, OPD, Indore Wards, Investigation Labs, Operation Theatres and Demonstration Rooms were locked. Various sections of students, parents and teachers visited the University in this regard during the last few days.. The Reading Room was without books of any kind including journals, papers and books. Security for students was not adequate. No clinical posting was assigned for last three months to the students and interns. Staff members have not received salary for last 6 months. As per report. It is clear that the institute is violating the norms and standards laid down by MCI and also violating the provisions of University Act, Ordinances, Rules and Regulations.

*The matter has been considered and in terms of orders passed by the Vice-Chancellor, the Inspection Report is being sent to your good office with the request to take appropriate and prompt action in view of the future of the students admitted in the Institute. **It is also pertinent to mention here that the Institute has been served upon a Show Cause Notice as to why the provisional affiliation granted to the Institute for running MBBS course should not be withdrawn and a copy of the same has already been sent to your good office vide this office letter No. UHSR/R&A/C-II/2016/585-86 dated 16/03/2016.***

It is also requested that the decision taken in this regard may kindly be communicated to us at the earliest as the future of large number of students is at stake.”

The Registrar, Pt. B.D. Sharma University of Health Sciences, Rohtak vide another letter dated 16/03/2016 issued **Show Cause Notice** to the President and Principal of Gold Field Institute of Medical Sciences & Research, Ballabgarh, Faridabad with regard to withdrawal of affiliation of Gold Field Institute of Medical Sciences & Research, Ballabgarh, Faridabad and copy to this Council stating therein as under:-

“.....The vice Chancellor after considering the report of the Committee and seriousness of the gross irregularities and violation found in your institute, exercising the power u/s 9 of Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak Act, has passed order to issue you a Show Cause Notice for withdrawal of provisional affiliation already granted to you. Accordingly you are hereby asked to show cause as to why provisional affiliation granted to your institute by the University for running MBBS course should not be withdrawn. Your written reply/representation if any, in response to this notice must reach the undersigned within 10 days from the date of the issue of this notice. Non receipt of reply to this notice would be presumed that you have nothing to say in this regard or the reply if not found satisfactory then a final decision as considered just and appropriate under rules shall be taken by the competent authority...”

II. Letter/representation dated 21/03/2016 from the students of Gold Field Medical College, Faridabad stating therein as under:-

“With regards, we the students of Gold Field Medical College, Pt. Bhagwat Dayal Sharma Medical University of Health Science, Rohtak, Haryana are of Bathc-2012, 2013 and 2014 bring to your kind notice the following facts:

- *This college was initially started in the year 2011 after approval of the MCI and classes were running smoothly but sir after 2015 the college Management causing of disturbance and our study got badly affected and since 1st March, 2016 no classes had been held.*
- *The college premises, Hospital, faculty & availabilities of doctors are irregular and at last we can say that it has completely shut down since past few months.*
- *It is also come to our knowledge that the Management of the said college is under custody and it is not seen that no further process of re-opening of the college. After repeatedly request to the Management no positive response is given by them.*

Keeping in view of the above facts and the future of the students is at stake, we humbly request your goodness to kindly intervene personally and take further necessary action as soon as possible i.e. either to reopen the college or shift students to other colleges in Haryana State.

III. Letter dated 21/03/2016 from the Central Govt., Ministry of Health & F.W, Nirman Bhawan, New Delhi stating therein as under:-

“I am directed to refer to representations of seven students of 2011 batch passed out from Gold Field Institute of Medical Sciences and Research, Faridabad regarding provisional registration with Delhi Medical Council

(DMC) for the purpose of internship. The students in their oral and written submission in the Ministry have contended that despite having provision in IMC Act, 1956 for provisional registration with the medical council of any state for doing internship, the DMC is not getting them registered provisionally and hence they are unable to do their internship in Delhi. The students have requested the Ministry to direct DMC to register them provisionally.

2. In this connection, Ministry has noted the following provision of IMC Act, 1956 with regard to provisional registration:-

25.

(2) A person who has passed the qualifying examination of any university or Medical Institution in India for the grant of a recognized medical qualification shall be entitled to be registered provisionally in a State Medical Register for the purpose of enabling him to be engaged in employment in a resident medical capacity in any approved institution, or in the Medical Service of the Armed Forces of the Union, and for no other purpose, on production of proper evidence that he has been selected for such employment.

3. In view of above, MCI is requested to examine the representations of students of Gold Field Institute of Medical Sciences and Research, Faridabad for provisional registration with DMC and take necessary action in this regard.

IV. Letter dated 28/03/2016 from the Central Govt., Ministry of Health & F.W., Nirman Bhawan, New Delhi regarding continuation of internship of MBBS degree of students of Gold Field Institute of Medical Sciences & Research(GFIMSR) stating therein as under:-

“.... a copy of representation dated 21/03/2016 received from the students of Gold Field Institute of Medical Sciences & Research(GFIMSR), Faridabad, Haryana regarding continuation of their internship of MBBS degree by relocating the affected students to some other institution/hospital so that they would be able to continue their internship.

The students of 1st batch i.e. 2011 have represented that they are provisionally registered in Haryana Medical Council & started internship from 1st January, 2016 at their own college. However, presently the college is in a state of complete shutdown. Hence their internship has been stopped. The affected students have requested to relocate them to some other institution/hospital so that they would be able to continue their internship.

The Central Govt. has requested the MCI to take necessary action and offer its comments in this regard to the Ministry.

V. Letter dated 30/03/2016 received through an email dated 30/03/2016 from the Vice-Chancellor, Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana addressed to the Central Govt. and copy to this Council stating therein as under:-

“Gold Field Institute of Medical Sciences and Research Vill- Chhanisa, Ballabgarh, Faridabad hereinafter called ‘College’ is affiliated to Pt. B.D.

Sharma University of Health Sciences, Rohtak for running MBBS course with annual intake of 100 students with effect from admission batch 2011. The 'College' has enrolled MBBS students during 2011, 2012, 2013 and 2014, however, the 'college' was not granted renewal of permission by Medical Council of India for admission of MBBS students in 2015.

During the last few months, our University has received multiple complaints from students as well as their parents that there were serious issues regarding the availability of teachers and the teaching activities being conducted by the 'College'. Further, last assessment was conducted by MCI for considering recognition of the 'College' for award of MBBS degree for annual intake of 100 seats at the time of University examination for MBBS Final Prof. Part-II for MBBS Admission Batch 2011. Following the above said assessment of the 'College' by MCI, our University has received a copy of communication/report from MCI(No.MCI-34(41)(R-28)(UG)/2014-Med./146314, dated 22/12/2014) addressed to Secretary, Govt. of India, Ministry of Health and Family Welfare, New Delhi vide which MCI recommended to Central govt. not to renew the permission for admission of 5th batch (100 seats) of Gold Field Institute of Medical Sciences and Research, Faridabad for the academic year 2015-2016. In the meantime,, the 'College' continued to have serious problems with regard to adherence to Minimum Standard requirements as laid down by the Medical Council of India with regard to teaching of undergraduates.

The University conducted a surprise inspection of the 'College' and Hospital on 09.03.2016 and it was reported that premises were locked and there were no teachers and students. Our University has received a communication from Director Medical Education and Research, Haryana vide letter No.DMER/2016/2137, dated 22.3.2016 to work out proposal for adjustment of students of the various batches of the 'College'. The University has sent its proposal to MCI through Ministry of Health and Family Welfare, Govt. of India for your consideration. I am writing this letter with a request to mainly find a solution to the issue pertaining to MBBS Admission Batch 2011 who have passed in MBBS Final Prof. Part-II examinations conducted by our University. A total of 82 students who have passed the University examination have been pressing hard to start their internship programme at the earliest in one of the medical colleges of Haryana or other States or other hospitals recognized by MCI. As per MCI Regulations on Graduate Medical Education 1997(as amended upto February, 2012) at Clause 5(vii):-

"Provided that where an intern is posted to District/Sub-Divisional Hospital for training, there shall be a committee consisting of representatives of the college/university, the State Government and the District Administration, who shall regulate the training of such trainee.

Provided further that for such trainee a certificate of satisfactory completion of training shall be obtained from the relevant administrative authorities which shall be countersigned by the Principal/Dean of College.'

As conveyed to us by the 'College' Management, presently there is no designated Principal /Dean/Director of the 'College'. Further, in the meeting held in the office of Vice-Chancellor, Pt. B.D. Sharma University of Health Sciences, Rohtak it was decided that 'for purpose of pursuing the internship permission has to sought from MCI through Ministry of Health & Family Welfare, Govt. of India special with regard to outcome of the Assessment of the 'College' conducted by MCI in 2015 for purpose of assessment of standard of examination and recognition of the 'College' at the time of Final Profession Part-II examination for admission batch 2011.

Since 82 students of MBBS Admission batch 2011 have passed Final professional Part-II examination conducted by our University and many of

them have already got provisional registration from the State Medical Council, it is requested that formal permission may be granted by the MCI so that these students may pursue their internship in any of the medical colleges/other hospitals recognized by Medical Council of India. Further, since there is no designated Principal/Dean/Director of the 'College' presently, the Director of Post-Graduate Institute of Medical Sciences(PGIMS), Rohtak, a constituent college of our University may be authorized to countersign Internship Completion Certificate till such time a formal Principal/Dean/Director is appointed at the 'College' subject to adherence to the norms for attendance and satisfactory completion of internship certified by the Administration of the concerned medical college/hospital .

It is also proposed that in view of the uncertain situation about recognition of the 'College' by the MCI, a written undertaking shall be taken from students that "Pt. B.D. Sharma University of Health Sciences, Rohtak shall not have any liability for permanent registration for MBBS qualification which will be decided by the Medical Council of India.

It is therefore requested that in the larger interest of medical students of Admission Batch 2011, permission may be granted to these students for pursuing internship in one of the medical colleges of Haryana or any other State or hospitals recognized by Medical Council of India also to authorize the Director , Pt. B.D. Sharma PGIMS, Rohtak to countersign the Internship Completion Certificate."

The Central Govt. vide its letter dated 6th April, 2016 has also forwarded a copy of the above letter dated 30/03/2016 received from the Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana with the request to provide comments of the Council within 15 days on the matter failing which it will be presumed that the Council have not comments to offer and Central Government will be free to proceed further in the matter.

It was also observed that in a similar case of Swami Vivekanand Institute of Medical Sciences, Walia, Hon. Gujarat High Court in Vivek Kanaiyalal Thankker throu his father Kanaiyalal & 1 Vs. Union of India & 7 had passed the Order dated 05.09.2008, the operative part of which reads as under:

".....Veer Narmad South Gujarat University to permit the petitioners to do their internship for a period of three months after allotting the students to a recognized medical college affiliated to respondent no.5-Veer Narmad South Gujarat University and thereafter, respondent nos. 1 to 6 and 8 shall treat the petitioners as having completed their studies through a recognized medical college for the purpose of recognition of their qualification under the Indian Medical Council Act, 1956.".....

It was also observed that in a similar case of Kesar Sal Medical College, Hon. Gujarat High Court in Agarwal Bhavna Suresh & 70 Vs. Union of India & 8 had passed an Order dated 22.04.2010, the operative part of which reads as under:

"

11.In special facts of these cases therefore, all the petitions as well as civil applications are disposed of with following directions :

(I)

a) In case of those students who have not only completed their M.B.B.S. course, but also complete their internship as permitted by this Court, they shall be granted M.B.B.S. Degree which would be recognized for all purposes.

b) For the above purpose, the institutions where the students complete the internship namely Smt. N.H.L. Municipal College and B.J. Medical

College, as the case may be, shall issue necessary certificate after obtaining required records from the college. The college is directed to supply all necessary details as may be asked for by the said institutions. It will be open for the said institutions to specify on the certificate that concerned student had pursued his studies of M.B.B.S. in the Kesar Sal Medical College but that under the order of the Court he/she was permitted to complete the internship in the Smt. N.H.L. Municipal College and B.J. Medical College as the case may be.

c) However, in any case, degree of M.B.B.S. granted shall be recognized degree for all purposes including for further studies in Post Graduation Medical courses and students concerned shall be deemed to have passed the M.B.B.S. course from Gujarat University.

(II) Those students who were previously under the interim orders of the Court directed to be treated as qualified for Post Graduation Medical Courses shall also be granted Degree Certificate in above terms if not already issued. In any case, their admissions pursuant to appearance in such entrance test shall be regularized and shall be treated to have always been regular.

(III)

a) Those students who are at the verge of completing their M.B.B.S. course with the college, upon their successful passing, they shall be admitted for internship in Smt. N.H.L. Municipal College and B.J. Medical College depending on their merits and preferences for the purpose of completing their internship. They shall however, pay the prescribed fees to the concerned institution and shall file an undertaking before the institution that they shall not seek any stipend from the institution or the Government.

b) Upon their successful completion of internship, they shall be granted Degree Certificate on the same terms as provided in para.

(I) above

(IV) Those students who are still pursuing their studies in different years of M.B.B.S. course, in their cases, the arrangement provided in the order dated 12.8.2009 for formation of the Committee shall continue to operate. Upon their completion of the course with the college, they shall be first permitted to complete their internship as per the arrangement made in para.(I) above on same terms and conditions. Thereafter upon completion of the internship, they shall also be granted Degree Certificate as provided therein.

V) Kesar Sal Medical College shall continue to provide for expenses for running of the course and shall continue to renew the bank guarantee which is in existence presently. In case the college fails to provide for the finance, it will be open for the authority to encash such bank guarantee.”.....

The Executive Committee of the Council also observed that Section 25 of Indian Medical Council Act, 1956 dealing with Provisional Registration reads as under:

“25. PROVISIONAL REGISTRATION

1. A citizen of India possessing a medical qualification granted by a medical institution outside India included in part II of the Third Schedule, who is required to undergo practical training as prescribed under sub section (3) of Section 13, shall, on production of proper evidence that he has been selected for such practical training in an approved institution be entitled to be registered provisionally in a State Medical Register and shall be entitled to practice medicine in the approved institution for the purposes of such training and for no other purpose.

2. A person who has passed the qualifying examination of any university or Medical Institution in India for the grant of a recognized medical

qualification shall be entitled to be registered provisionally in a State Medical Register for the purpose of enabling him to be engaged in employment in a resident medical capacity in any approved institution, or in the Medical Service of the Armed Forces of the Union, and for no other purpose, on production of proper evidence that he has been selected for such employment.

3. The names of all persons provisionally registered under sub-section (1) or sub-section (2) in the State Medical Register shall be entered therein separately from the names of other persons registered therein.

4. A person registered provisionally as aforesaid who has completed practical training referred to in sub section (1) or who has been engaged for the prescribed period in employment in a resident medical capacity in any approved institution or in the Medical service of the Armed Forces of the Union, as the case may be, shall be entitled to registration in the State Medical Register under Section 15.”

Further, the Committee also perused Section 14(5) of Graduate Medical Education Regulations, 1997 dealing with Internship which reads as under:

Section 14
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(5) OTHER DETAILS:

i) All parts of the internship shall be done as far as possible in institutions of India. In case of any difficulties, the matter may be referred to the Medical Council of India to be considered on individual merit.

ii) Every candidate will be required after passing the final MBBS examination to undergo compulsory rotational internship to the satisfaction of the College authorities and University concerned for a period of 12 months so as to be eligible for the award of the degree of Bachelor of Medicine and Bachelor of Surgery (MBBS) and full registration.

iii) The University shall issue a provisional MBBS pass certificate on passing the final examination.

iv) The State Medical Council will grant provisional registration to the candidate on production of the provisional MBBS pass certificate. The provisional registration will be for a period of one year. In the event of the shortage or unsatisfactory work, the period of provisional registration and the compulsory rotating internship may be suitably extended by the appropriate authorities.

After due & detailed deliberations, the Executive Committee of the Council decided as under:

- (1) State Govt. be advised to invoke the condition of Essentiality Certificate and revoke bank guarantee given by the institute and transfer the students studying in this institute to other institutes located in the State;
- (2) Central Govt. be requested to advise Delhi Medical Council & Haryana Medical Council to act as per provisions of Indian Medical Council Act, 1956 & Graduate Medical Education Regulations, 1997.

- (3) Meanwhile students who have already passed out be allowed to be granted provisional registration by Haryana Medical Council and be allowed to do internship in the institutes located in Haryana.

93. Consideration of Compliance Verification Assessment 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.

Read: the matter with regard to consideration of Compliance Verification Assessment 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.

Item withdrawn

94. Compliance verification assessment – assessment of the physical and other teaching facilities available at School of Medical Sciences, Greater Noida under Sharda University.

Read: the matter with regard to compliance verification assessment i assessment of the physical and other teaching facilities available at School of Medical Sciences, Greater Noida under Sharda University.

Item withdrawn

95. 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 50 MBBS Seats.

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 50 MBBS Seats.

Item withdrawn

96. Status of reallocation of students of Sardar Rajas MCH & RC Jaring, Kalahandi – Permission for one time increase of seats of 3 medical colleges.

Read: the matter with regard to status of reallocation of students of Sardar Rajas MCH & RC Jaring, Kalahandi i Permission for one time increase of seats of 3 medical colleges.

The Executive Committee of the Council decided to obtain legal opinion from Senior Advocate in the matter.

97. Patna Medical College, Patna - Renewal of Permission for admission of 4th 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 Patna Medical College, Patna - Renewal of Permission for admission of 4th 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 compliance verification assessment report (18.04.2016), previous assessment report (29th &

30th September, 2015) along with an undertaking of the Principal Secretary, Health Department, Government of Bihar dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th 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 Patna Medical College, Patna under Aryabhata Knowledge University, Patna for the academic year 2016-17.

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

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

The Executive Committee of the Council considered the compliance verification assessment report (18.04.2016), previous assessment report (18th & 19th January, 2016) along with an undertaking of the Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal dated 28.04.2016 and decided to recommend to the Central Govt. 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, Medinipur under West Bengal University of Health Sciences for the academic year 2016-17.

99. Recognition/approval of Mysore Medical College and Research Institute, Mysore for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore against the 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 Mysore Medical College and Research Institute, Mysore for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (21.04.2016), previous assessment report (26.02.2016 & 27.02.2016) and decided to recommend to the Central Government for recognition/approval of Mysore Medical College and Research Institute, Mysore for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore against the increased intake i.e. from 100 to 150 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) é

(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.ò

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

Further the Committee decided to recommend to the Central Government to renew the permission for admission of fresh batch of increase of seats from 100 to 150 at Mysore Medical College and Research Institute, Mysore for the academic year 2016-2017.

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

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

The Executive Committee of the Council considered the compliance verification assessment report (22.04.2016) along with previous assessment report (22nd & 23rd January, 2016) and decided to recommend to the Central Govt. to issue Letter of Permission for increase of seats in MBBS course from 150 to 250 u/s 10A of the IMC Act 1956 in respect of Smt. NHL Municipal Medical College, Ahmedabad under Gujarat University for the academic year 2016-17.

101. Anugrah Narayan Magadh Medical College, Gaya – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

Read: the matter with regard to Anugrah Narayan Magadh Medical College, Gaya i Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (20.04.2016) along with previous assessment report (23rd & 24th November, 2015) and noted the following:-

1. Deficiency of faculty is 27.27 % as detailed in the report.
2. Shortage of Residents is 17.24 % as detailed in the report.
3. OPD attendance is only 259 at 2 p.m. on day of assessment.
4. Bed occupancy is 44 % on day of assessment.
5. OPD: Dressing room for males & females is not separate. Separate Refraction room is not available in Ophthalmology OPD. Sterility is not maintained in Dressing Room of Ophthalmology OPD.
6. Separate Audiometry & Speech Therapy are not available.
7. Teaching beds are deficient by 04 as only 08 beds are available in Psychiatry and Skin & VD against requirement of 10 each.
8. Wards: Examination cum treatment room is not available in any ward. Duty rooms are outside the wards.
9. There were only 03 Major operations for the whole hospital on day of assessment.
10. Casualty: Only 16 beds are available against requirement of 25. There was no defibrillator, Pulse Oximeter, Central Suction & Emergency trolley.
11. ICUs: ICCU has only 04 beds against requirement of 5. It was under lock & key. In OICU & SICU, NIL patient was present.
12. Central Clinical laboratory: Separate sections of Pathology, Biochemistry, Microbiology are not available.
13. O.T.: Infusion Pumps are not available. Basic concept of sterile environment is not maintained. Separate changing rooms for

males/females are not available. There are 2 tables in an O.T. which is not as per norms.

14. Blood Bank: Component Separation facility is not available.
15. Workload of Special investigations like Ba, IVP was NIL on day of assessment.
16. Laboratory investigations workload is inadequate.
17. CSSD: it is not properly maintained. ETO Sterilizer is not available.
18. Residents' quarters are still under construction. Deficiency remains as it is.
19. Available area of Dean's office, College office are smaller than required.
20. There is no Examination Hall.
21. Lecture Theater: Hospital Lecture Theater is not available. E class facility is not available.
22. Central library: Available area is 776 sq.m. against requirement of 1,600 sq.m. Students' Reading room capacity is inadequate as detailed in the report. Staff reading room capacity is only 10. Internet Nodes are not functional. Residents' reading room is not available.
23. Students' Hostels: There are no Recreation rooms. Common rooms are not properly maintained. Hygiene is not properly maintained.
24. Intercom is not available.
25. Central research laboratory is not available.
26. Common Rooms for Boys & Girls are not available.
27. Anatomy Department: Most of the lockers are damaged & unused.
28. Demonstration rooms are smaller than required in departments of Physiology & Community medicine. Audiovisual aids are not available.
29. NIL Demonstration rooms are available in Pathology, Microbiology, Pharmacology & Forensic Medicine departments.
30. 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 4th Batch of MBBS students against the increased intake i.e. from 50-100 in respect of Anugrah Narayan Magadh Medical College, Gaya under Aryabhata Knowledge University, Patna u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

102. Dr. Vaishampayan Memorial Govt. Medical College, Solapur – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2016-17.

Read: with regard to Dr. Vaishampayan Memorial Govt. Medical College, Solapur i Renewal of Permission for admission of 4th 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 compliance verification assessment report (22.04.2016), previous assessment report (12th & 13th October, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 in respect of Dr. Vaishampayan Memorial Govt. Medical College, Solapur under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017

103. Complaints of few medical colleges for re-assessment.

Read: the matter with regard to complaints of few medical colleges for re-assessment.

The Executive Committee of the Council noted that a complaint has been received with regard to Saraswati Instt. Of Medical Sciences, Anwarpur,

Ghaziabad from an RTI Activist which was addressed to the Director, CBI and further that the office has already written to the complainant to appear personally along with documentary proof/evidence.

The Executive Committee directed the office to take action accordingly on receipt of documentary evidence/proof.

104. Renewal of permission for MBBS course for 5th batch (150 seats) of GMERS Medical College, Dharpur, Patan, Gujarat under Hemchandarya North Gujarat University, Patan 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 GMERS Medical College, Dharpur, Patan, Gujarat under Hemchandarya North Gujarat University, Patan u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council decided to defer the matter for the next meeting.

105. Renewal of permission for MBBS course for 2nd batch of 100 MBBS students at Govt. Medical College, Chandrapur, Maharashtra 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 Renewal of permission for MBBS course for 2nd batch of 100 MBBS students at Govt. Medical College, Chandrapur, Maharashtra 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 compliance verification assessment report (25th April, 2016), previous assessment report (20th & 21st November, 2015) along with an undertaking of the Additional Chief Secretary, Govt. of Maharashtra, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of 100 MBBS students at Govt. Medical College, Chandrapur, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

106. Recognition/Approval of College of Medicine & Sagore Dutta Hospital, Kolkata, West Bengal for the award of MBBS degree (100 seats) granted by West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/Approval of College of Medicine & Sagore Dutta Hospital, Kolkata, West Bengal for the award of MBBS degree (100 seats) granted by West Bengal University of Health Sciences, Kolkata u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (22nd April, 2016), previous assessment report (10th & 11th March, 2016) and noted the following:-

1. Deficiency of faculty is 14.1 % as detailed in the report.
2. Shortage of Residents is 28.3 % as detailed in the report.
3. There is shortage of 20 beds in Paediatrics.
4. ICUs: ICCU & ICU are still not available. PICU is not there. There are NIL patients in NICU.
5. Central Research Laboratory: Equipment is inadequate.

6. MRD: It is partly computerized. ICD X classification of diseases is not followed.
7. Lecture Theater: Hospital Lecture Theater is under renovation. 4th Lecture Theater is of flat type.
8. Central Library: It is not air-conditioned. Books available are 6,420 against requirement of 7,000. Journals available are 50 against 100 required.
9. Common Rooms for Boys & Girls are smaller than required.
10. 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 College of Medicine & Sagore Dutta Hospital, Kolkata, West Bengal for the award of MBBS degree (100 seats) granted by West Bengal University of Health Sciences, Kolkata 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.

Further the Committee considering the undertaking of Principal Secretary, Health & F.W. Deptt., Govt. of West Bengal, dated 28.04.2016 decided to recommend to the Central Government to renew the permission for admission of fresh batch of 100 MBBS seats at College of Medicine & Sagore Dutta Hospital, Kolkata, West Bengal for the academic year 2016-2017.

107. Renewal of permission for MBBS course for 2nd batch (100 seats) of Andaman & Nicobar Islands Institute of Medical Sciences, Port Blair under Pondicherry University 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 2nd batch (100 seats) of Andaman & Nicobar Islands Institute of Medical Sciences, Port Blair under Pondicherry University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (21st April, 2016), previous assessment report (20th & 21st November, 2015) and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch (100 seats) of MBBS students at Andaman & Nicobar Islands Institute of Medical Sciences, Port Blair under Pondicherry University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

108. Renewal of permission for MBBS course for 2nd batch of 100 MBBS students at ESIC Medical College, Faridabad, Haryana under Pt. B.D. Sharma University of Health Sciences, Rohtak 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 2nd batch of 100 MBBS students at ESIC Medical College, Faridabad, Haryana under Pt. B.D. Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council considered the compliance verification assessment report (19th April, 2016), previous assessment report (3rd & 4th December, 2015) along with an undertaking of the Financial Commissioner, ESIC (HQ), New Delhi, dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of 100 MBBS students at ESIC Medical College, Faridabad, Haryana under Pt. B.D. Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

109. 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 letter dated 12.04.2016 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding the representation/compliance submitted by the Apollo Institute of Medical Sciences & Research, Chittoor.

The Executive Committee of the Council noted the observations/recommendations of the Committee constituted by the Ministry which is as under:-

“In view of the compliance and documents furnished by the college, recommended for review by MCI .”

The Executive Committee also perused the opinion of Law Officer which reads as under:

“The file of M/S. Apollo Hospitals Educational and Research Foundation for establishment of new Medical College has been referred for my opinion on the issue as to whether the MOU entered into between the Government of Andhra Pradesh and the Apollo Hospitals Educational and Research Foundation is as per the requirement of MCI Regulations.

2. In this regard, it may be noted that the terms and conditions that terms and conditions that has to form part and parcel of the MOU between the Appropriate Government and Person/Agency has been set out in the Amendment to the Establishment of Medical College Regulations, 1999 notified in the official gazette on 14.01.2016 and 02.02.2016.

3. The copy of the MOU regarding utilization of Hospital of the State Government that has been submitted with the Compliance Report furnished by the College and received through Central Government's letter dated 12.04.16 as noted on pre-page note 16 are Annexure 3 (a) and 3 (b). The documents that have been submitted are:

- (i) Government of Andhra Pradesh, Abstract – Permission for utilizing the facilities of Government District Hospital, Chittoor on lease basis for establishment of a Unique Integrated Campus 'The Apollo Health and Knowledge City'- Orders – Issued' Health, Medical and Family Welfare (D) Department dated 04.01.2016. Paragraph 4 of this Order brings out that the Apollo Hospitals Educational and Research Foundation (AHERF) has sought the permission of the State Government to use the existing Chittoor district Government Hospital as a Teaching Hospital for Clinical Training for a period of 3 years through a Memorandum of Understanding as required by the Medical Council of India. Further, perusal of paragraph 8, shows that the “Govt. after careful examination hereby accord permission for lease of the Government District Hospital, Chittoor to Apollo Hospitals Educational and Research Foundation for upgradation facilities and utilization in response to their unsolicited offer on lease basis for a period of (5) years (one full-fledged batch) from the date of entering into MOU to enable to start Medical College from 2016 academic year, extendable by mutual consent.” Further, the recommendations are required to be incorporated in the MOU that is be entered into by the*

Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad on behalf of the Govt. of AP with AHERF.

- (ii) The second document is the Memorandum of Understanding dated 18.01.16 entered between the Government of AP and AHERF. This documents is analyzed herein below in terms of Establishment of Medical College Regulations, 1999 as under:

S.No.	Position in Regulations	Position as in MOU between State Government of Andhra Pradesh and M/S AHERF	Remarks
1.	MOU between the appropriate Government and the "person" for allowing the utilization of the facilities of a hospital owned and managed by an appropriate Government for establishing a Medical College by a person/agency should be in existence at the time of making application.	The MOU between the Government of Andhra Pradesh and M/S AHERF for the utilization of District Headquarters has been entered into on 18.01.2016. Further, paragraph 1 of the MOU states that the State Government has agreed to allow the utilization of services of the Hospital by M/S AHERF from 01.02.16.	This is not as per the requirement of Regulations.
	That the Hospital owned and managed by the appropriate Government should be minimum 300 bedded hospital with necessary infrastructural facilities capable of being developed into a teaching institution situated on a plot of land having an area not less than prescribed under the Regulations. The medical college shall provide free transportation facilities for students and staff. The said Hospital would be on one piece of land and the building of the College including library and hostel for students/interns, PGs/Residents, nurses may be housed on any of the two pieces of land.	Paragraph 4 of the Preamble provides that "District Headquarters Hospital Chittoor" is a 320 bedded Hospital which is wholly managed and financed by the State Government. Paragraph 1 of the MOU states that the State Government has agreed to allow the utilization of services of the Hospital by M/S AHERF from 01.02.16 including permitting AHERF to develop the existing infrastructure, thereby meeting the requirement of running a teaching Institution. By same clause M/S. AHERF have inter alia undertaken to create and strengthen all ICUs like AMC, CCU, RICU and casualty departments and equip with state of art infrastructure and facilities; strengthen OTs by providing additional equipment and monitoring facilities – the total number of OTs shall be increased to meet the requirement of MCI; strengthen the trauma care services by providing additional facilities for Neurosurgery, Intensive Care, Critical Care and	Resolve of the Parties to develop the Hospital into a teaching Institution appears to be in consonance with the requirement of MCI norms, provided they meet the requirement of MCI Regulations for facilities required by the Hospital at the time of establishment. Meets the requirement of land for Hospital being above 5 acres, however, the MOU is silent on the aspect of land for the other piece as also the provision of free transportation facilities for students and staff.

S.No.	Position in Regulations	Position as in MOU between State Government of Andhra Pradesh and M/S AHERF	Remarks
		reconstructive surgery; provide and maintain the unit with around hemodialysis 10 machines; strengthen the wards of existing broad specialties like General Medicine, Orthopaedics, ENT, Ophthalmology, and OBG by providing good cots, bedside lockers etc. By paragraph 7 of the MOU M/s AHERF has undertaken to provide separate OTs and Labour Rooms for OBG and strengthen the diagnostic facilities. Paragraph 7 of the MOU provides that Hospital is constructed in 6.3 Acres land and there is vacant area of 9.8 Acres.	
	The minimum 300 bedded hospital has to be transferred by the Government to the applicant Trust/Society/company through an appropriate MOU of minimum of 33 years or by way of lease upto 99 years, preferably but in any case not less than 33 years. While transferring the Hospital facility, the State Government may safeguard the interest of State particularly in respect of admission of students under Government Quota in the medical College and patient care in affiliated Hospital(s) of the Medical College.	Paragraph 15 of the MOU provides that MOU will be in force for a period of 05 years from the date on which AHERF starts operating the District Headquarters Hospital, Chittoor, and by consensus/mutual consent it is further extendable. Paragraph 16 provides that the minimum lock in period is 05 years and the MOU cannot be terminated during the lock-in period of 05 years and can only be terminated with 06 months' notice by either parties after the minimum lock in period. Paragraph 11 of the MOU provides that "all services so provided by the hospital should be made available free of cost to the public"	The Council Regulations provides for the minimum period of 33 years. Hence, hence it is not permissible. The MOU is silent as to the seat sharing between State and M/S AHERF.
	The hospital must be suitably altered through appropriate modifications into a teaching hospital specially with reference to the breakup of 300 beds into 120 beds for Surgical Specialties and 60 for OBG and also capable of forming clinical units of 30 beds each with required ward size, teaching and training space and other	Paragraphs 2 to 8 of the MOU set out the modalities through which the State Government and AHERF have agreed on the modalities for converting the District Headquarters Hospital into a teaching institution, including upgradation of the facilities, so as to conform to the requirements of MCI Regulations.	This aspect is subject to physical verification by Assessors.

S.No.	Position in Regulations	Position as in MOU between State Government of Andhra Pradesh and M/S AHERF	Remarks
	<i>prescribed requirements as per the Governing Regulations before the application is made for starting the new Medical College.</i>	<i>The MOU is entered into on 18.01.2016 and the utilization of the services by AHERF commences from 01.02.16.</i>	<i>It is clear that at the time of making application there is no MOU for the utilization of the District Hospital between the State Government and M/S AHERF.</i>
	<i>The hospital should have all the feasibility for it being periodically upgraded including the augmentation of the number of beds and commensurate teaching compliment as prescribed by the Governing Regulations with respect to the permitted annual intake for the College of 50/100/150/200/250 as the case may be.</i>	<i>Paragraphs 2 to 8 of the MOU set out the modalities through which the State Government and AHERF have agreed on the modalities for converting the District Headquarters Hospital into a teaching institution, including upgradation of the facilities, so as to conform to the requirements of MCI Regulations.</i>	
	<i>The personnel working in the said hospital, technicians, para clinical staff including nurses and the menial staff, if transferred to the medical college, upon their transfer shall be under the administrative control of the Dean of the Medical College ensuring that there is no "duality" of administrative control of any type.</i>	<i>By paragraph 9 of the MOU the State has constituted a committee consisting with one from Dr. NTRUHS representative, Director of Medical Education, Commissioner of Andhra Pradesh Vaidya Vidhana Parishad, Medical Superintendent, DH, Chittoor and One Representative from AHERF. The Committee will monitor the progress of developmental activities of the hospital and functioning of hospital and eventual conversion of this hospital into a teaching hospital. Suitable remedial action will be initiated by the Committee if there are any deviations regarding time line, maintenance of standards of teaching hospital and delivery of quality services throughout the lease period. The service problem of all government staff shall be dealt with by the committee.</i>	<i>There is no reference to the role of the Dean of the Medical College in the MOU.</i>
	<i>The administrative control so envisaged would include "Academic", "Clinical" and "Financial" aspects as well.</i>		<i>The MOU is silent on this aspect.</i>

S.No.	Position in Regulations	Position as in MOU between State Government of Andhra Pradesh and M/S AHERF	Remarks
	<i>The clinical staff working at the said hospital other than those who conform to the prescribed eligibility for being designated as Assistant Professor, Associate Professor, Professor of the concerned subject, as the case may be prescribed by the Teachers' Eligibility Qualifications Regulations will have to be replaced by full time appointment of the requisite number of duly qualified full time medical teachers, such replacement will not apply to non-teaching position like Casualty Medical Officer, Hospital Administrators etc. in accordance with the prescribed requirements under the governing Regulations. In order to ensure that the binding operational dictum that "teaching physician has to be the treating physician" meaning thereby that the "treating" personnel would be the one who would be the "teaching" personnel.</i>		<i>The MOU is silent on this aspect.</i>

The above comparative study brings out that the MOU entered between the Govt. of Andhra Pradesh and AHERF is not in accordance with the provisions of Establishment of Medical College Regulations, 1999 that set out the condition for Memorandum of Understanding between the Government and Private entity for utilization of Hospital owned and managed by the Government. "

The Committee also perused the opinion of Law Officer dated 28.04.2016 which reads as under:

"The file of M/S. Apollo Hospitals Educational and Research Foundation for establishment of new Medical College has been referred for my opinion on the issue of availability of Hospital at the time of making application by the Apollo Institute of Medical Sciences & Research. In this regard, it is pertinent to point out that the Essentiality Certificate dated 28.08.2015, inter alia states that the "applicant owns Ac. 40 land and manages a 320 bedded hospital."

2. *The Hospital on the basis of which the applicant is seeking to establish the Medical College is the District Hospital Chittoor. The permission for entering into an MOU to hand over the said Hospital was granted by the Government of Andhra Pradesh on 04.01.2016. Subsequently, on 18.01.2016, the State Government and M/S. AHERF have entered into an MOU. The date of commencement of MOU is stated in the MOU as 01.02.2016. Thus, it is evident that at the time of making application the applicant does not fulfill the qualifying*

criteria regarding Hospital as required in the Establishment of Medical College Regulations, 1999. Further, while Regulations provide that the MOU should be for a minimum period of 33 years, whereas in this case it is for a period of 05 years only. Moreover, as per Regulations, the Dean of the Medical College is required to have the administrative control over the personnel working in the said Hospital, herein this case a Committee has been constituted by the State to look into the service problems of the employees. There is no mention in the MOU about the administrative control of the Dean.

3. It may be recalled that the Hon'ble Supreme Court in its judgment dated 20.08.15 in *Royal Medical Trust & Anr. vs. Union of India & Anr.* reported in (2015) 10 SCC 19 has in paragraph 27 of the judgment has laid down as under:-

27. The MCI and the Central Government have been vested with monitoring powers under Section 10A and the Regulations.

(A) Initial assessment 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.

4. Further, the Hon'ble Supreme Court in its recent judgment in the case of *Medical Council of India vs. V.N. Public Health & Educational Trust & Anr.* in Civil Appeal No. 3964 of 2016 (arising out of SLP (C) No. 5326 of 2016) dated 18.04.16 has held as under:

14. In this context, we may profitably refer to the decision in **D.Y. Patil Medical College v. Medical Council of India & Anr 2015 (10) SCC 51** wherein the controversy had arisen due to rejection of the application of the institution on the ground that Essentiality Certificate was not filed along with the application form. The Court dwelled upon the principles stated in

Educare Charitable Trust v. Union of India & Anr AIR 2014 SC 902: (2013) 16 SCC 474, Royal Medical Trust (supra) and various other decisions and, after analysing the scheme of the Act, has held:-

"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."

15. The impugned order passed by the High Court is to be tested and adjudged on the anvil of the aforesaid authorities. The application for grant of approval was filed with the Essentiality Certificate which was a conditional one and, therefore, a defective one. It was not an Essentiality Certificate in law. In such a situation, the High Court could not have directed for consideration of the application for the purpose of the inspection. Such a direction, we are disposed to think, runs counter to the law laid down in **Educare Charitable Trust** (supra) and **Royal Medical Trust** (supra). We may further proceed to state that on the date of the application, the Essentiality Certificate was not in order. The Schedule prescribed by the MCI, which had been approved by this Court, is binding on all concerned. MCI cannot transgress it. The High Court could not have gone beyond the same and issued any direction for conducting an inspection for the academic year 2016-

17. Therefore, the directions issued by the learned single Judge and the affirmation thereof by the Division Bench are wholly unsustainable.

16. Consequently, the appeal is allowed and the judgments and orders passed by the High Court are set aside. It will be open to the Trust to submit a fresh application for the next academic year in consonance with the provisions of the

Regulations of the MCI and as per the time Schedule; and in that event, it will be considered appropriately. In the facts and circumstances of the case, there shall be no order as to costs.

5. *The above factual matrix clearly brings out that at the time of making application there was no MOU in existence between the Government of Andhra Pradesh and Apollo Hospitals Educational and Research Foundation for establishment of new Medical College for establishment of new Medical College at Chittoor. The judgment of the Hon'ble Supreme Court are loud and clear to the effect that an applicant is required at the time of making application to fulfil the qualifying criteria. As per MCI Regulations Hospital is a necessary requirement at the time of making application and an application that does not meet the necessary requirement of Hospital is to be rejected. Therefore, it would be appropriate in my considered view to recommend to the Central Government to disapprove the application of M/s Apollo Hospitals Educational and Research Foundation for establishment of new Medical College at Chittoor amongst other grounds on the ground that it has failed to meet the qualifying criteria regarding owning and managing Hospital at the time of making application. Further, the MOU on which the applicant has placed reliance is also not in accordance with the norms laid down in Regulations."*

In view of above, the Executive Committee of the Council decided to reiterate its earlier decision taken at its meeting held on 30.01.2016 recommending to the Central Government for disapproval of the scheme and 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 u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 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.

110. Recognition/Approval of Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna for the award of MBBS degree (100 seats) by Indira Gandhi Institute of Medical Sciences, Patna u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/Approval of Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna for the award of MBBS degree (100 seats) by Indira Gandhi Institute of Medical Sciences, Patna u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (25th April, 2016) alongwith previous assessment report(2nd & 3rd March, 2016) and decided to recommend to the Central Government for recognition/approval of Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna for the award of MBBS degree (100 seats) by Indira Gandhi Institute of Medical Sciences, Patna 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) é

(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.ò

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

In view of above, the Executive Committee of the Council further decided to recommend to the Central Government to renew the permission for admission of fresh batch of 100 MBBS students at Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna for the academic year 2016-2017.

111. S.C.B. Medical College, Cuttack - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

Read: the matter with regard to S.C.B. Medical College, Cuttack - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2016-17.

The Executive Committee of the Council considered the compliance verification assessment report (21.04.2016), previous assessment report (8th & 9th October, 2015) along with an undertaking of the Principal Secretary, Health & FW Department, Government of Odisha dated 28.04.2016 and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 150 to 250 u/s 10A of the IMC Act, 1956 in respect of S.C.B. Medical College, Cuttack under Utkal University, Bhubaneswar for the academic year 2016-17.

112. Govt. Medical College, Akola – Renewal of Permission for admission of 4th 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 Govt. Medical College, Akola i Renewal of Permission for admission of 4th 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 decided to defer the matter for the next meeting.

113. 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 noted the Order dated 18/02/2106 passed by the Hon'ble High Court of Bombay, Bench at Nagpur in PIL No. 65/2915, which reads as under:-

"Heard.

When the matter was listed on 4.2.2016 before this Court, a statement was made on behalf of the Medical Council of India that in view of pendency of present petition, Medical Council of India had only inspected the facilities at the hospital and had sent its assessment report to the Government of India. It was submitted that neither positive nor negative recommendation was sent to the Central Government as this Court was seized of the matter.

Vide the said order, we had made it clear that pendency of the petition would not come in the way of Medical Council of India in giving either positive or negative recommendations. However, since the Medical Council of India had inspected the facilities available at Government Medical College, Gondia, we had directed it to place on record a copy of inspection report.

When the matter was listed on 11.2.2016, a copy of inspection report was available with the learned counsel for respondent no.3—Medical Council of India. We had requested him to supply the copies of said inspection report to the learned counsel for the petitioner as well as to the learned Government Pleader. We had also directed the learned Government Pleader to take instructions with regard to the deficiencies pointed out in the said report and the period within which the said deficiencies would be rectified.

Accordingly, an affidavit has been filed by Shri Ajay Narmadaprasad Keoliya, Dean, Government Medical College, Gondia pointing out therein that various deficiencies noticed by the Medical Council of India and the compliance of the deficiencies. A perusal of the affidavit would reveal that the major deficiencies pointed out is that the campus is not unitary. It is stated that it is in four places which is not permissible as per regulation. In response to the said deficiencies, it is pointed out in the reply that two hospitals i.e. Bai Gangabai Womens Hospital and Kunwar Tilaksingh Hospitals are situated just across other side of the road. It is stated that for construction of the new Medical College and Hospital, 25 acres of land is already acquired and the process of constructing unitary complex for a Medical College and a Hospital, Hostel and Residential has also commenced. It is further stated that, however, the said process is time consuming and it will not be possible to complete the same within a short period.

It is commonly experienced that whenever new Medical Colleges are established, initially they are attached to either Government Hospitals or other private Hospitals situated in the vicinity. A reference in this respect could be made to the Government Medical Colleges at Akola and Yavatmal, so also the Panjabrao Deshmukh Medical College at Amravati. Initially, when these colleges were established, they were utilizing the facilities already existing in Government Medical Colleges. It is only after certain breathing period, the full-fledged campus including Hospitals, have been constructed. We do hope and expects that this factor will weigh with the Medical Council of India and the Union of India. If the other requirements regarding the requisite number of beds etc. are complied with, merely because the campus is not unitary, should not be a ground for negating the proposal for granting approval to Government Medical Colleges at Gondia.

Insofar as other 19 deficiencies which are noticed in the inspection report, it could be seen that many of the deficiencies are already complied with. Insofar as the deficiencies, which are not complied with, it has been stated that the said deficiencies will be rectified, in any case, by 31st March, 2016. We, therefore, direct the State Government to

ensure that the deficiencies, which are at point nos.2 to 14 and 17 to 20, should be rectified on or before 31st March, 2016.

We further direct the Medical Council of India to again inspect the facilities established at Government Medical College at Gondia and find out, as to whether, the deficiencies at point nos.2 to 14 and 17 to 20 are rectified or not. As already observed in our earlier orders referred to hereinabove, upon inspection of the facilities, the Medical Council of India would be at liberty to give either positive or negative recommendations, as desired, by it.

We are aware about our limitations. We are also aware that we cannot monitor the functioning of the Medical Council of India. However, the past experience of the Medical Council of India, in their dealings with the Government Medical Colleges, compels us to issue certain directions, so that, if for no justifiable reason, the negative recommendations are given by the Medical Council of India, we can pass appropriate orders as deemed fit and proper. In these circumstances, we are inclined to issue these directions.

We are also giving the time frame so that the outer time limit, as determined by the Hon'ble Supreme Court, are complied with. The Medical Council of India shall also submit a copy of their inspection report to this Court on or prior to 22.4.2016. Stand over to 28.4.2014.

By the next date, we also direct the State Government to file an affidavit therein specifying the period within which time the actual construction would start and would be completed. We make it clear that, as has been observed by our earlier orders in the case of Government Medical College at Akola, Government Medical College at Yavatmal, Government Medical College at Chandrapur, Government Medical College and Hospital at Nagpur and Indira Gandhi Medical College at Nagpur, the financial constraints would not be heard as an excuse on behalf of the State Government to complete the construction within the stipulated period."

The Committee further recalled that in the Special Leave Petition SLP (C)No. 7982/2016 filed by the Council before the Hon'ble Supreme Court against the above interim Order passed by the Hon'ble High Court, the Hon'ble Supreme Court on 04.04.2016 when the Hon'ble Supreme Court was pleased to pass the following Order:-

"Heard.

We see no merit in this special leave petition which is hereby dismissed.

The question of law is, however, left open."

Thereafter, in pursuance of the Order of the Hon'ble High Court , compliance verification assessment was carried out on 18th April, 2016.

The Executive Committee considered the compliance verification assessment report (18th April, 2016) alongwith previous assessment report (3rd & 4th December, 2015) and noted the following:

1. Shortage of residents is 33.33 % as detailed in the report.
2. Lecture Theaters: Capacity of 2 Lecture Theaters available is less than 120 required as per Regulations. They are of Stair case type, with only 2 step platform & are flattish, not fully gallery type.

3. Central Library: Available books are 1,688 against requirement of 3,000. Available Journals are 16 against requirement of 20.
4. Residents's Hostel is under construction.
5. Nurses's Quarters are not available in the campus.
6. Residential Quarters are under construction.
7. In Preclinical departments, partition needs to be created between Demonstration rooms and practical laboratories.
8. Students's Hostels: There are no hostels for students as such. ITI students's hostels which are 3-4 kms. away are proposed to be used as Students's Hostels. In Boys's hostel, furniture is procured but yet to be placed. There is no independent Girls's Hostel. In ITI Girls's Hostel, provision is made to accommodate girls of Medical college in separate floors.
9. OPD: Teaching areas are small.
10. Workload of Contrast Radiology like Ba, IVP was NIL on day of assessment.
11. There are only 2 teaching areas in in the whole OPD against independent teaching area required for each departmental OPD and they are smaller than required.
12. Canteen is not available. Deficiency remains as it is.
13. Overall hygiene needs further improvement.
14. Campus is not unitary. The present proposed area of Govt. Medical College & Hospital Campus including under construction residences is only 8 Acres. KTS General Hospital & Medical College are in one piece of land. Women's Hospital & Residential Quarters are across the road. Students's hostel is 3-4 kms. away from college. A plot of land admeasuring 25 Acres is earmarked for the medical college but it is barren piece of land & no construction has started yet.
15. Other deficiencies as pointed out in the assessment report.

In pursuance of the Order dated 18/02/2016 of the Hon'ble High Court of Bombay , Nagpur Bench at Nagpur in PIL No. 65/2015, the Executive Committee of the Council decides that the issue of campus of the Govt. Medical College, Gondia not being a unitary campus as stated under entry 14 above is not material in this case for purpose of making recommendation to the Central Govt.

However, on the basis of deficiencies as stated above from 1 to 13 the Executive Committee of the Council decided to return the application for establishment of a new medical college at Gondia, Maharashtra by Government of Maharashtra under the Maharashtra University of Health Sciences, Nashik to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 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.

114. Recognition/Approval of Rajiv Gandhi Institute of Medical Sciences, Ongole for the award of MBBS degree (100 seats) granted by Dr. N.T.R. 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 Rajiv Gandhi Institute of Medical Sciences, Ongole for the award of MBBS degree (100 seats) granted by Dr. N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council decided to defer the matter for the next meeting.

115. 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 letter dated 04.04.2016 and 11.04.2016 of the Dean of the college as well as the legal opinion of the Law Officer of the Council and decided to verify the compliance by way of assessment.

116. 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 decided to defer the matter for the next meeting.

117. 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 letter dated 21.04.2016 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding the representation/compliance dated 13.04.2016 submitted by the Chairman, G.C.R.G Memorial Trust, Lucknow.

The Executive Committee also noted the observations/recommendations of the Committee constituted by the Ministry which is as under:-

"The college has contended that they were given only 30 minutes to assemble the faculty & residents. Declaration forms have been submitted.

The college pointed out that in the inspection conducted by MCI on 24.04.2015 many facilities were confirmed available by the assessors but the same have been noted as deficient in the last inspection. Their contention was that facilities once made available are not likely to disappear in one year. Infrastructure has only improved over time. The deficiency of faculty was 20% in the last inspection. The deficiency of residents is attributable to their not staying in the campus which is claimed now to be rectified. The deficiency of clinical material was acknowledged by the representative.

The deficiencies regarding faculty, residents and clinical material is of high order but the compliance submitted by the college may be reviewed by MCI."

The Executive Committee of the Council further noted the following deficiencies:-

1. Deficiency of 15 teaching beds in the teaching hospital is as per the report of assessors in the present assessment which is a fact as the report has also been signed by the Principal without raising any objection at that time. Hence the previous history of the college having 300 beds in previous assessments is of no relevance for the present assessment. Even the college has acknowledged that the Principal has signed the assessment report in its compliance. Subsequent act of the Principal to own up his moral responsibility for signing the report and resigning from the post of Principal have no relevance.

In this view of the matter, as the institute did not have teaching beds required as per Establishment of Medical College Regulations, Qualifying Criteria as per Section 3(2)(5) of these Regulations are not fulfilled.

2. With regard to OPD attendance, contention of the institute that the OPD runs upto 4 p.m. is not acceptable as the OPD attendance has to be considered upto 2 p.m. This was communicated to all colleges by way of circular well in advance before the assessments commenced.
3. Bed occupancy was 36 % on day of assessment. Explanation of the institute that it was because of the coldest day in Lucknow is not convincing as the patients who are really sick would not like to be discharged due to cold weather. In fact only those patients who were not sick but admitted just to fill in the beds would like to be discharged in such circumstances.
4. With regard to deficiency of faculty & Residents, in most of the cases the college in its compliance has acknowledged that the concerned faculty / Resident could not sign before 11:00 a.m. The Council has issued a circular well in advance that only those faculty / Residents who sign the attendance sheet before 11:00 a.m. will be considered for subsequent verification. Hence the explanation is not tenable. Further this practice is in vogue for last many years.

In view of above, the Executive Committee of the Council decided to reiterate its earlier decision to return the application recommending disapproval of the scheme as the qualifying criteria 3(2)(5) of Establishment of Medical college Regulations is not fulfilled.

118. Approval of minutes of the Departmental Promotion Committee for considering upgradation of Grade Pay of Personal Assistants.

Read: the recommendations of the Departmental Promotion Committee for considering upgradation of Grade Pay of Personal Assistants.

The Executive Committee of the Council approved the minutes of the Departmental Promotion Committee meeting held on 28.04.2016 recommending to place Smt. Saroj Bhasin and Shri Ravi Bhargava in the Grade Pay of Rs. 4800/-.

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

119. Approval of minutes of the Departmental Promotion Committee for promotion to the post of Section Officer

Read: the recommendations of the Departmental Promotion Committee for promotion to the post of Section Officer.

The Executive Committee of the Council approved the minutes of the Departmental Promotion Committee meeting held on 28.04.2016 recommending that Shri Bijender Singh be promoted to the post of Section Officer in accordance with the Recruitment Rules of the Council.

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

Dr. Reena Nayyar recused herself from the meeting

120. Approval of minutes of the Departmental Promotion Committee for considering promotion to the post of Additional Secretary

Read: the recommendations of the Departmental Promotion Committee for considering promotion to the post of Additional Secretary.

The Executive Committee of the Council approved the minutes of the Departmental Promotion Committee meeting held on 28.04.2016 recommending the name of Dr. (Mrs.) Reena Nayyar for promotion to the one vacant post of Additional Secretary in accordance with the Recruitment Rules of the Council.

The minutes of the above item were read and confirmed in the meeting itself

121. Migration of Sh. Harmanjot Singh from Adesh Instt. Of Medical Sciences & Research, Bhatinda to Govt. Medical College, Patiala.

Read: the matter with regard to Migration of Sh. Harmanjot Singh from Adesh Instt. Of Medical Sciences & Research, Bhatinda to Govt. Medical College, Patiala.

The Executive Committee of the Council deliberated upon the matter at length and noted that the CVO, MCI had submitted the factual report to the Central Vigilance Commission and requested for first stage advice in the matter. However, the CVC has sought specific recommendations of the CVO and Disciplinary Authority.

In view of above, the Executive Committee of the Council decided to refer the matter to the Consultant (Administration) to recommend disciplinary action, as per rules

Dr. Reena Nayyar re-joined the meeting

122. Ninety second report of the Department related Parliamentary Standing Committee on Health & F.W. on the "Functioning of Medical Council of India(MCI)".

Read: the Ninety second report of the Department related Parliamentary Standing Committee on Health & F.W. on the "Functioning of Medical Council of India(MCI).

The Executive Committee of the Council after due deliberations decided to constitute a Sub-Committee consisting of the following members:-

1. Dr. Ajay Kumar, Chairman, Administration & Grievance Committee
2. Dr. Ved Prakash Mishra, Chairman, Academic Committee
3. Dr. D.J. Borah, Chairman, Ethics Committee

The Sub-Committee is directed to study the report and submit their observations/comments within 15 days for further action.

123. Constitution of DPC for the post of Joint Secretary in the Council office.

Read : The matter with regard to constitution of Departmental Promotion Committee for the post of Joint Secretary in the Council office.

The Executive Committee of the Council considered the matter and decided to constitute the Departmental Promotion Committee for the post of Joint Secretary as under:-

Dr. Jayshree Mehta, President
Dr. C.V. Bhirmanandham, Vice-President
Dr. K.K. Gupta, Member, Executive Committee
Dr. V. N. Jindal, Member, Executive Committee
Dr. Vijay Prakash Singh, Member, Executive Committee

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

(Dr. Reena Nayyar)
Secretary I/c.

New Delhi, dated
28.04.2016



APPROVED

(Dr. Jayshree Mehta)
President