

No.MCI-6(1)/2005-Med./

MEDICAL COUNCIL OF INDIA**GENERAL BODY****129 SESSION****Minutes of the General Body meeting held on 18th Feb., 2006.**

The Council met in the Council Office, Aiwan-E-Galib Marg, Kotla Road, New Delhi-100 002 on 18th Feb., 2006 at 10.30 am with Dr. P.C. KesavanKutty Nayar, President (Acting) Medical Council of India in the Chair.

*** **

Present :

1.	Dr. P. C. Kesavankutty Nayar	President (Acting) & Former Dean, Medical College, Trivandrum
2.	Padamshree Prof. P.N. Tandon	Former Prof. & Head of Neuro-Surgery, AIIMS, New Delhi & Member, Adhoc Committee appointed by the Hon'ble Supreme Court
3.	Dr.(Mrs.) S. Kantha	Former Vice-Chancellor, Rajiv Gandhi University of Health Sciences, Karnataka & Member, Adhoc Committee appointed by the Hon'ble Supreme Court
4.	Dr. Amrith Lal	Professor & Head, Department of ENT, Kamineni Instt. of Medical Sciences, Narketpalli, Nalgunda Distt., Andhra Pradesh
5.	Dr. Ajit Kumar Chaudhary	Associate Professor, Darbhanga Medical College, Laheriasarai, Darbhanga, Bihar.
6.	Dr. A.C. Borah	Former Director, Medical Education, Govt. of Assam, Guwahati
7.	Dr. A.K. Bardhan	452/C, FD Block. Sector III, Salt Lake City, Kolkata-700 091.
8.	Dr. Ashok Pangariya	H.No.7, Moti Doongri Road, Jaipur.
9.	Dr.A.Y. Kharangate	142, Kashinath Kunj, 2 nd Floor, Aquem, Margao, Goa-403 601.
10.	B.B. Bhowmik	C/o Mr. Bivekananda Bhowmik, Jail Ashram Road, Dhaleswar, Agartala-799 007.
11.	Dr. B.C. Chhapparwal	Former Vice-Chancellor, Devi Ahilya Vishwavidyalaya, R.N.Tagore Marg, Indore.
12.	Prof. B.C. Das	Director, State Institute of Health & Family Welfare, Govt. of Orissa, Nayapalli, Bhubaneshwar.

13.	Dr. B.S. Kothari	Consultant Surgeon, Kothari Hospital, Mill Para Main Road, Rajkot
14.	Dr.D.Baruah	Consultant, Medical Quarter, Aizwal (Mizoram).
15.	Dr. D.G.Benakappa	Consultant Paediatrician, Bangalore Hospital, R.V. Road, Bangalore
16.	Dr. D.J. Borah	Professor of Medicine & Joint Director, Medical Education, Govt. of Assam, Guwahati
17.	Dr. D.K. Ray	HOD of Surgery, S.C.B, Medical College, Cuttack.
18.	Dr.G.C. Samal	Principal, M.K.C.G. Medical College, Orissa-760 004.
19.	Dr. G.B. Gupta	Professor & Head, Department of Medicine, Pt.J.N.M. Medical College, Raipur (Chhattisgarh)
20.	Dr. G.K. Thakur	Head of the department of Radiology, S.K.Medical College, Muzaffarpur
21.	Dr. H.P.Bhalodiya	Professor of Orthopaedics, B.J.Medical College,Ahmedabad
22.	Dr. Indrajit Ray	Principal, Bankura Medical College, Bankura (WB)
23.	Dr. J.N. Sony	Professor of Forensic Medicine, G.R.Medical College, Gwalior
24.	Dr. K.H. Kenchappa	Consultant Orthopaedic Surgeon, 14. Shanti Nilaya, Basappa Layout, Nagashetty Hall, Bangalore-560 094.
25.	Dr. K.P. Mathur	77, Chitra Vihar, Delhi-110092.
26.	Dr.(Mrs.)Malti Thapar	Dr. Shyam Lal Thapar Nursing Home, G.T. Road, Moga, Punjab.
27.	Dr. M.M. Deka	Principal, Gauhati Medical College, Guwahati.
28.	Dr. Mukesh Kumar Sharma	Department of Surgery, S.M.S. Medical College, Jaipur
29.	Dr. Muzaffar Ahmad	Nagin, Hazratbal Road, Srinagar-190 008
30.	Dr. Naveen Nahar	Consulting Surgeon, Nahar Hospital, Indore
31.	Dr. Ng.Bijoy Singh	Vice-Chancellor, Manipur University, Canchipur, Imphal –795 003, Manipur.
32.	Dr. Nitin S.Vora	F/1, Premanand Apartment, Opp. Panjabi Hall, Navrangpura, Ahmedabad-380 009.
33.	Dr. P.K.Sur	Director, Institute of Postgraduate Medical Education & Research, Kolkatta
34.	Dr. Prakash M. Shah	Chandan Hospital, Baroda
35.	Dr. Pramod Singh	Distt. Hospital Campus, TATIBABDH, Sarona, Raipur. Chhattisgarh.

36.	Dr.(Mrs.) Rani Bhaskaran	Professor & Head, Department of Neurology, Medical College Hospital, Trivandrum
37.	Dr. Ravi Kant	Professor of Surgery, Maulana Azad Medical College, New Delhi.2
38.	Dr. S. Imkong Tushi Ao	Secretary, Indian Red Cross Society, Nagaland Branch, Kohima-797 001.
39.	Dr. Sneh Bhargava	A-103, New Friends Colony, New Delhi-110065.
40.	Prof. Suresh Chandra Mohapatra	Director of Medical Education & Training, Govt. of Orissa, Bhubaneswara-751 001.
41.	Prof. Shameem Jahan Rizvi	J.N. Medical College, Aligarh.
42.	Dr. Shirish Srivastava	B-5, Sri Krishna Hospital Campus, Karamsad
43.	Dr. Samar Deb	Professor of Anatomy, North Bengal Medical College, Siliguri (West Bengal)
44.	Dr. S.K. Sinha	Former Professor of Medicine, Patna Medical College, Patna
45.	Dr. Sahajanand Pd. Singh	Consultant Surgeon, Kankarbagh, Patna
46.	Dr. S.R. Maralihalli	1990, MCC 'A' Block, Davangere, Karnataka.
47.	Dr. S. Tamilarasan	404, HIG TNEB, Valluvar Nagar, Oddapatty, Dharmapuri-636 705(Tamilnadu)
48.	Dr. Rajasekhara Reddy Thnduru	Opp. Municipal Office, Cuddapah-516 001 (Andhra Pradesh).
49.	Dr. U.S. Sinha	Professor & Head, Department of Forensic Medicine, M.L.N. Medical College, Allahabad
50.	Dr. U.G. Nachinolcar	Professor & Head, Department of Orthopaedic Surgery, Goa Medical College, Bambolim
51.	Dr. V. Kanagaraj	Former Professor & HOD, Department of Anaesthesia, Madras Medical College, Chennai
52.	Dr. V.K. Jain	Professor & HOD of Skin & VD Deptt., Pt. B.D. Sharma Postgraduate Instt. of Medical Sciences, Rohtak, Haryana.
53.	Dr. Ved Prakash Mishra	Dean, Faculty of Medicine, Nagpur University, Nagpur
54.	Dr. Vijay Prakash Singh	Department of Medicine, Patna Medical College, Patna

Apology for absence was received from Prof. N. Rangabashyam, member of the Adhoc Committee.

Apologies for absence were received from the following members of the Council:-

1. Prof. A.Rajasekaran
2. Dr. D.K. Sharma
3. Dr. (Mrs. Usha Sharma
4. Dr. Vasant Pawar
5. Dr. J.H. Soren

1. **Notification of New Members**

The Secretary read the notification of the following new members elected/nominated as member of the Council since the last meeting of the Council held on 26.03.2005.

Sl. No.	Name	U/s	Constituency
1.	Dr. P.C. Kesavankutty Nayar	3(1)(a)	Kerala Government
2.	Dr. D.K. Sharma	3(1)(a)	U.P. Government
3.	Dr.(Mrs.) Malti Thapar	3(1)(a)	Punjab Government
4.	Dr. Binoy Bhowmik	3(1)(a)	Tripura Government
5.	Dr. Ravi Kant	3(1)(a)	Govt. of N.C.T. of Delhi
6.	Dr. D.J. Borah	3(1)(a)	Government of Assam
7.	Dr. V.K. Jain	3(1)(b)	M.D. University
8.	Dr. Ajit Kumar Choudhary	3(1)(b)	L.N. Mithila University
9.	Dr.Pawar Vasant Nivrutti	3(1)(b)	Poona University
10.	Prof. G.C. Samal	3(1)(b)	Berhampur University
11.	Dr. T.R. Barbora	3(1)(b)	Dibrugarh University
12.	Dr. Anant Y. Kharangate	3(1)(c)	RMG Goa

2. **Minutes of the last meeting of the Council – confirmation of.**

The minutes of the last meeting of the Council held on 26.03.2005 were confirmed.

3. **Minutes of the last meeting of the Council – Action taken thereon.**

The Council noted the action taken by the office on various items included in the minutes of the meeting of the Council held on 26.03.2005.

4. **Pending items arising out of the decision of the General Body.**

The Council noted the pending items arising out of the decision of the General Body.

5. **Address by the Acting President.**

Dr. P.C. Kesavankutty Nayar delivered the Presidential address and copy of the same was circulated to the august body. Salient features of the Presidential address are as under :-

- The Acting President in his welcome speech informed the members that as a matter of fact, this session of the Council was to be held in the new premises, which got translated, into reality as a "dream project" of all of us. It was an ardent desire to get the new premises inaugurated at the auspicious hands of the Hon'ble Speaker of Lok Sabha. However, due to ongoing parliamentary session and pre-occupied commitments, it had to be postponed.
- The office will be shifting to new premises which is not only a matter of great pride for us, but also a milestone out of which we can derive a great deal of satisfaction. It could be translated into reality exclusively because of your commitment to this cause, consistent and persistent help and unstinted support.
- The selections for Dr. B.C. Roy Memorial Awards for the year 2005 have been made.
- The Hon'ble Supreme Court had sought the opinion of the Medical Council of India pertaining on "Time Schedule for undergraduate and postgraduate admissions", which was promptly rendered.

- The Council has dispensed of in a smooth manner various applications pending before it for starting of new medical colleges, postgraduate medical courses, increase in undergraduate and postgraduate intake and also for approval and recognition and the appropriate recommendations in timely manner have been made and forwarded to the concerned authorities so as to complete the process in a time bound manner.
- Apart from processing the applications received in a time bound manner, an effort has been made to ensure that the admissions to various undergraduate and postgraduate courses are not made not only before the cut out date but also in strict adherence to the sanctioned intake capacity. This is all the more necessary in view of the fact that in case of violation of the same, the Council has been vested with the authority of imposing the disciplinary jurisdiction on the erring institutions.
- The "objectives" entrusted to the Council are fulfilled in a "transparent" manner with a committed sense of "accountability". The fair name and credibility of the Council is and has been paramount to all of us. It's growth has been our endeavor jointly and severally. It is by virtue of your committed support and the learned advice and counsel from the Adhoc Committee members that we have been able to make "positive stride" in the "desired direction".
- The C.B.I. after due investigation has filed closure report before the Hon'ble Designated court stating that the charges against Dr. Ketan Desai, former President, MCI may be closed as nothing was found against Dr. Ketan Desai for misusing his official position as President of MCI in his tenure. This closure report filed by the CBI has been accepted by the Hon'ble Designated court.
- He wished and hoped that the Council shall be able to carry the mantle further in the larger interests of the medical education and public health care delivery system in this country. He also took the pleasure of recording his sense of gratitude to all the respected members of the Council and his thankfulness to the members of the Adhoc Committee for steering him through, but for which his task would not have been accomplished.

Motion of thanks to the Presidential address was moved by Dr. Ved Prakash Mishra and seconded by the whole House.

6. **Executive Committee – Election of members.**

Proposed by Dr. P.C.Kesavankutty Nayar and Seconded by Dr. M.K. Sharma, Dr. Indrajit Ray was appointed as Returning Officer to conduct the elections. Accordingly Dr. Indrajit Ray took the Chair to conduct the elections. At the outset he has proposed Dr. D.J. Borah and Dr. S.K. Sinha to assist him for scrutinizing the nomination papers.

(i) **Nominated Group:**

To elect one member of the Executive Committee upto 11.10.2006 representing Nominated Group in place of Dr. Ajay Kumar whose term has expired on 13.2.2005 as member of the Council.

Proposed by Dr. Ved Prakash Mishra and Seconded by Dr. Sneha Bhargava and Dr. Mukesh Kumar Sharma, Dr. K.P. Mathur was declared elected unopposed as a member of the Executive Committee under nominated group.

(ii) **University Group:**

To elect one member of the Executive Committee upto 11.10.2006 representing University Group in place of Dr. S.K. Sharma whose term has been ceased as member of Punjab University Senate.

Proposed by Dr. S.P. Singh and Seconded by Dr. H.P. Bhalodia, Dr. G.K. Thakur was declared elected unopposed as a member of the Executive Committee under University group.

7. **Postgraduate Medical Education Committee – Election of member.**

To elect one member of Postgraduate Committee upto 21.11.2006 in place of Dr. S. B. Siwach whose term has expired on 30.03.2005 representing of MD University, Rohtak.

Proposed by Dr. Ravi Kant and Seconded by Dr. Mukesh Kumar Sharma, Dr. Sneh Bhargava was declared elected unopposed as a member of the Postgraduate Medical Education Committee.

8. **Representation of the Council on other bodies – Election of –**

(i) **Dr. B.C. Roy National Award Fund – Election of:**

To elect one member of the Council as its representative on Dr. B.C. Roy National Award Fund for the remaining period upto 26.08.2007 in place of Dr. Subhash J. Penkar whose term as Council member has expired on 13.2.2005.

Proposed by Dr.A.C. Borah and Seconded by Dr. Bhavin S. Kothari, Dr. S.Imkong Tushi Ao, was declared elected unopposed as representative of the Council on Dr. B.C. Roy National Award Fund.

(ii) **Drugs Technical Advisory Board – Election of:**

To elect one member as its representative on Drugs Technical Advisory Board upto 11.10.2007 in place of Dr. C.S. Jayachandran whose term has expired on 23.03.2005 as member of the Council.

Proposed by Dr. S.P. Singh and Seconded by Dr. G.K. Thakur, Dr.Vijay Prakash was declared elected unopposed as a representative of the Council on Drugs Technical Advisory Board.

(iii) **Dental Council of India – Election of:**

To elect one member as its representative on Dental Council of India in place of Dr. P.C. Kesavankutty Nayar whose term has been expired on 30.03.2005 as member on Dental Council of India.

Proposed by Dr. V.P. Mishra and Dr. Mukesh Kumar Sharma and Seconded by Dr. N.B. Singh, Dr. P.C. Kesavankutty Nayar was declared elected unopposed as a representative of the Council on Dental Council of India.

The following item was also considered at this point

158. (i) **Sliver Jubilee Research Award Fund – Election of:**

To elect one member of the Council as its representative on Sliver Jubilee Research Award Fund in place of Dr. Samar Deb whose term as representative on Silver Jubilee Research Award Fund has expired on 13.2.2006.

Proposed by Dr. A.C. Borah and Seconded by Dr. S.P. Singh, Dr.Samar Deb was declared elected unopposed as a representative of the Council on Silver Jubilee Research Award Fund.

(ii) **Pharmacy Council of India – Election of:**

To elect one member of the Council as its representative on Pharmacy Council of India in place of Dr. A.C. Borah whose term as representative on Pharmacy Council of India has expired on 13.2.2006.

Proposed by Dr. Mukesh Kumar Sharma and Seconded by Dr. S. Imkong Tushi Ao, Dr.A.C. Borah was declared elected unopposed as a representative of the Council on Pharmacy Council of India.

(iii) **Council of National Society for Prevention of Blindness - Election of.**

To elect one member of the Council as its representative on Council of National Society for Prevention of Blindness in place of Dr. Pramod Singh whose terms as representative on Council of National Society for prevention of Blindness has expired on 15.10.2005.

Proposed by Dr. Naveen Nahar and Seconded by Dr. P.K.Sur, Dr. J.N. Soni was declared elected unopposed as a representative of the Council on Council of National Society for Prevention of Blindness.

9. **Bundelkhand University - Recognition of M.D.(Paediatrics) and D.C.H. qualification in respect of students being trained at M.L.B. Medical College, Jhansi – Notification amendment regarding .**

Read : the letter dated 13.8.2002 from Principal, M.L.B. Medical College, Jhansi with regard to recognition of MD(Paediatrics) with effect from MD -1982 and DCH from 1981.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the letter dated 13.08.2002 from Principal, M.L.B. Medical College, Jhansi and noted that MD (Paediatrics) and DCH qualifications granted by Buldelkhand University in respect of students being trained at MLB Medical College, Jhansi are recognized by the Council and included in the 1st Schedule to the IMC Act, 1956 with the following proviso :-

“The Postgraduate qualifications shall be recognized on or after 1983 and 1982 respectively.”

The said degrees were awarded by the University i.e MD (Paediatrics) in 1982 and Diploma in 1981 as conveyed vide Principal's letter dated 13.08.2002.

In view of above, the Postgraduate Committee recommends that MD (Paediatrics) and DCH qualifications awarded by Bundelkhand University be recognized and included in the 1st Schedule to the IMC Act, 1956 - MD from 1982 and DCH from 1981.”

10. **Sardar Patel University – Recognition of M.S.(Orthopaedics) qualification in respect of students being trained at Pramukhswami Medical College, Karamsad.**

Read : the compliance verification report (February 2005) together with compliance and Council Inspector's report (August 2004) on standard of

examination and other teaching facilities available at Pramukhswami Medical College, Karamsad for purpose of recognition of M.S.(Orthopaedics) qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (February 2005) together with compliance and Council Inspector's report (August 2004) and decided to recommend that MS (Orthopaedics) qualification granted by Sardar Patel University in respect of students being trained at Pramukhswami Medical College, Karamsad be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 1 (one) student per year.”

11. **Sardar Patel University – Recognition of M.S.(General Surgery) qualification in respect of students being trained at Pramukhswami Medical College, Karamsad.**

Read : the compliance verification report (March, 2005) together with compliance and Council Inspector's report (August, 2004) on the standard of examination and other teaching facilities available at Pramukhswami Medical College, Karamsad for purpose of recognition of M.S.(General Surgery) qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (March, 2005) and decided to recommend that MS (Gen. Surgery) qualification granted by Sardar Patel University in respect of students being trained at Pramukhswami Medical College, Karamsa be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2(two) students per year.”

12. **Sardar Patel University – Recognition of M.D.(S.P.M./community Medicine) qualification in respect of students being trained at Pramukhswami Medical College, Karamsad.**

Read : the compliance verification report (April, 2005) together with compliance and Council Inspector's report (August, 2004) on the standard of examination and other teaching facilities available at Pramukhswami Medical College, Karamsad for purpose of recognition of M.D.(S.P.M./Community Medicine) qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (April, 2005) together with compliance and Council Inspector's report (August, 2004) and decided to recommend that M.D.(S.P.M./Community Medicine) qualification granted by Sardar Patel University in respect of students being trained at Pramukhswami Medical College, Karamsad be recognized and included in the 1st Schedule to the IMC Act,. 1956 restricting the number of admissions to 1(one) student per year.”

13. **Guwahati University – Approval of Silchar Medical College, Silchar for the award of MS(Ophthalmology) & D.O. qualification.**

&

Assam University – Recognition of MS(Ophthalmology) & D.O. qualification in respect of students being trained at Silchar Medical College, Silchar.

Read : the Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Silchar Medical College, Silchar for purpose of i) approval of the college for the award of MS (Ophthalmology) & D.O. qualification granted by Guwahati University and ii) recognition of MS (Ophthalmology) & D.O. qualification granted by Assam University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that: -

Silchar Medical College, Silchar be approved for the award of MS(Ophthalmology) & D.O. qualifications earlier granted by Gawhati University restricting the number of admissions 2 (two) students in each course.

MS (Ophthalomology) and DO Qualifications now granted by Assam University in respect of students being trained at Silchar Medical College, Silchar be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year in each course per year.

The Committee further decided to direct the college authorities to prospectively restrict the number of admissions to 2 (two) students for degree and 1(one) for DO course per year.”

14. **Guwahati University – Recognition of MD (Psychiatry) qualification in respect of students being trained at Guwahati Medical College, Guwahati.**

Read : the Council Inspector report (January, 2005) of standard of examination and other teaching facilities available at Guwahati Medical College, Guwahati for purpose of approval of the college for the award of MD (Psychiatry) qualification granted by Guwahati University.

The Council approved the following recommendations of the Postgraduate Committee: -

“The Postgraduate Committee considered Council Inspector report (January, 2005) and decided to recommend that MD (Psychiatry) Qualification granted by Gawahati University in respect of students being trained at Gauhati Medical College, Guwahati be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year in each course.”

15. **Marathwada University/Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad – recognition of DFM Qualification in respect of students being trained at Govt. Medical College, Aurangabad**

Read : the Council Inspector report (February,2005) of standard of examination and other teaching facilities available at Govt. Medical College, Aurangabad for purpose of recognition of DFM qualification earlier granted by Marathwada University and now by Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (February 2005) and decided to recommend that DFM qualification granted by Marathwada University/Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad in respect of students being trained at Govt. Medical College, Aurangabad be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year.”

16. **The Tamilnadu Dr. M.G.R. Medical University, Chennai – Recognition of MD(Geriatrics) qualification in respect of students being trained at Chennai Medical College, Chennai.**

Read : the Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Chennai Medical College, Chennai for purpose of recognition of MD (Geriatrics) qualification granted by The Tamilnadu Dr. MGR Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee: -

“The Postgraduate Committee considered Council Inspector report (February, 2005) and decided to recommend that MD (Geriatrics) Qualification granted by the Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at Chennai Medical College, Chennai. be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year.”

17. **Madurai University, Madurai Kamraj University – Recognition of M.Ch. (Plastic Surgery) qualification in respect of students being trained at Madurai Medical College, Madurai,**

Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of Madurai Medical College, Madurai for the award of M.Ch.(Plastic Surgery) qualification.

Read : the Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Madurai Medical College, Madurai, for purpose of i) approval of the college for the award of M.Ch.(Plastic Surgery) qualification earlier granted by Madurai University & Madurai Kamraj University and ii) recognition of M.Ch.(Plastic Surgery) qualification earlier granted by Madras University and now The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that :-

M.Ch (Plastic Surgery) Qualification earlier granted by Madurai University, Madurai Kamraj University in respect of students trained at Madurai Medical College, Madurai be recognized and included in the 1st Schedule to the IMC Act, 1956.

Madurai Medical College, Madurai be approved for the award of M Ch (Plastic Surgery) qualification earlier granted by Madras University and

now by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions 2 (two) students per year in each course.”

18. **Bombay / University of Mumbai - Recognition of M.Ch.(Surgical Oncology) qualification in respect of students being trained at Tata Memorial Hospital, Mumbai.**

Read : the Council Inspector report (January,2005) on the standard of examination and other teaching facilities available at Tata memorial Hospital, Mumbai for purpose of recognition of M.Ch.(Surgical Oncology) qualification granted by Bombay/University of Mumbai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January, 2005) and decided to recommend that M.Ch. (Surgical Oncology) qualification granted by Bombay/University of Mumbai in respect of students being trained at Tata Memorial Hospital, Mumbai be recognized and included in the first Schedule to the Indian Medical Council Act, 1956 restricting the number of admissions to 2 (two) students per year.”

19. **Manipur University – Recognition of MD (Radio-Diag.) qualification in respect of students being trained at Regional Instt. of Medical Sciences, Imphal.**

Read: the Council Inspector’s report (Feb., 2005) on the standard of examination and other teaching facilities available at Regional Instt. of Medical Sciences, Imphal for purpose of recognition of MD (Radio-Diag.) qualification granted by Manipur University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (February 2005) and decided to recommend that MD (Radio-Diag) qualification granted by Manipur University in respect of students being trained at Regional Instt. of Medical Sciences, Imphal be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year.”

20. **Calcutta University – Recognition of DM(Nephrology) qualification in respect of students being trained at Instt. of Postgraduate Medical Education & Research, Kolkatta.**

Read : the Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at Instt. of Postgraduate Medical Education & Research, Kolkatta for purpose of recognition of DM (Nephrology) qualification granted by Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (April 2005) and decided to recommend that DM(Nephrology) qualification granted by Calcutta University in respect of students being trained at Instt. of Postgraduate Medical Education & Research, Kolkatta be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year.”

21. **Calcutta University – Recognition of DM(Endocrinology) qualification in respect of students being trained at Instt. of Postgraduate Medical Education & Research, Kolkatta.**

Read : the Council Inspector's report (May, 2005) on the standard of examination and other teaching facilities available at Instt. of Postgraduate Medical Education & Research, Kolkatta for purpose of recognition of DM (Endocrinology) qualification granted by Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspector's report (May, 2005) and decided to recommend that DM (Endocrinology) qualification granted by Calcutta University in respect of students being trained at Instt. of Postgraduate Medical Education & Research, Kolkatta be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year."

22. **Calcutta University – Recognition of DM(Gastroenterology) qualification in respect of students being trained at Instt. of Postgraduate Medical Education & Research, Kolkatta.**

Read : the Council Inspector's report (April, 2005) on the standard of examination and other teaching facilities available at Instt. of Postgraduate Medical Education & Research, Kolkatta for purpose of recognition of DM (Gastroenterology) qualification granted by Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspector's report (April, 2005) and decided to recommend that DM (Gastroenterology) qualification granted by Calcutta University in respect of students being trained at Instt. of Postgraduate Medical Education & Research, Kolkatta be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 1 (One) student per year."

23. **Bharthiar University – Recognition of MS(Genl. Surgery) qualification in respect of Coimbatore Medical College, Coimbatore.**

Madras University and The Tamilnadu Dr.M.G.R. Medical University, Tamilnadu – Approval of Coimbatore Medical College, Coimbatore for the award of MS(Genl. Surgery) qualification.

Read : the compliance verification report (April, 2005) together with compliance and Council Inspector's report (March, 2003) on the standard of examination and other teaching facilities available at Coimbatore Medical College, Coimbatore i) for purpose of recognition of MS(Genl. Surgery) qualification earlier granted by Bharthiar University and ii) for approval of the college for the award of MS(Genl. Surgery) qualification earlier granted by Madras University and now by The Tamilnadu Dr. MGR Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the compliance verification report (April, 2005) together with compliance and Council Inspector report (March, 2003) and decided to recommend that :-

1. MS (General Surgery) qualification earlier granted by Bhaithiar University in respect of students being trained at Coimbatore Medical College, Coimbatore be recognised and included in the 1st Schedule to the IMC Act, 1956.

The Committee further decided to direct the college authorities to prospectively restrict the number of admissions to 12 (Twelve) students per year.

Coimbatore Medical College, Coimbatore be approved for the award of MS (Genl. Surgery) qualification earlier granted by Bharthiar University and The Tamilnadu Dr. M.G.R. Medical University, Chennai.”

24. **Jammu University – Recognition of MD (Pathology) qualification in respect of students being trained at Govt. Medical College, Jammu.**

Read : the Council Inspector’s report (March, 2005) on the standard of examination and other teaching facilities available at Govt. Medical College, Jammu for purpose of recognition of MD (Pathology) qualification granted by Jammu University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (March, 2005) and decided to recommend that MD (Pathology) qualification granted by Jammu University in respect of students being trained at Govt. Medical College, Jammu be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 5(five) students per year.”

25. **Annamalai University – Recognition of MD(Physiology) qualification in respect of students being trained at Rajah Muthiah Medical College, Annamalainagar.**

Read : the compliance verification (March, 2005) together with compliance and Council Inspector’s report (September, 2004) on the standard of examination and other teaching facilities available at Rajah Muthiah Medical College, Annamalainagar for purpose of recognition of MD(Physiology) qualification granted by Annamalai University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification (March, 2005) together with compliance and Council Inspector’s report (September, 2004) and decided to recommend that MD(Physiology) qualification granted by Annamalai University in respect of students being trained at Rajah Muthiah Medical College, Annamalainagar be recognized and included in the 1st schedule to the IMC Act, 1956 restricting the number of admissions to 3(three) students per year.”

26. **Calcutta University – Approval of NRS Medical College, Kolkatta for the award of MD(TB & Respiratory Diseases) qualification.**

Read : the Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at NRS Medical College, Kolkatta for purpose of approval of the college for the award of MD (TB & Respiratory Diseases) qualification granted by Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that NRS Medical College, Kolkata be approved for the award of MD (TB & Resp. Diseases) qualification earlier granted by Calcutta University restricting the number of admissions to 1(One) student per year.”

27. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Stanley Medical College, Chennai for the award of MD(Pharmacology) qualification.**

Read : the Council Inspector report (March, 2005) of standard of examination and other teaching facilities available at Stanley Medical College, Chennai for purpose of approval of the college for the award of MD(Pharmacology) qualification earlier granted by Madras University and now by the The Tamilnadu Dr. MGR Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (March, 2005) and decided to recommend that Stanley medical College, Chennai be approved for the award of MD (Pharmacology) qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 2 (two) students per year.”

28. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Kilpauk Medical College, Chennai for the award of M.D.(Obst. & Gynae.) qualifications .**

Read : the Council Inspector report (February,2005) of standard of examination and other teaching facilities available at Kilpauk Medical College, Chennai for purpose of approval of the college for the award of M.D.(Obst. & Gynae.) qualifications earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that Kilpauk Medical College, Chennai be approved for the award of M.D.(Obst. & Gynae.) qualifications earlier granted by Madras University and now by the Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 3 (three) students per year.”

29. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Kilpauk Medical College, Chennai for the award of M.D.(Paediatrics) qualifications .**

Read : the Council Inspector report (February,2005) of standard of examination and other teaching facilities available at Kilpauk Medical College, Chennai for purpose of approval of the college for the award of M.D.(Paediatrics) qualifications earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that Kilpauk Medical College, Chennai be approved for the award of for the award of M.D.(Paediatrics) qualifications earlier granted by Madras University and now by the Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai restricting the number of admissions to 2 (two) students per year.”

30. **Madras University and The Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai- Approval of Kilpauk Medical College, Chennai for the award of M.D.(Pathology) qualifications .**

Read : the Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Kilpauk Medical College, Chennai for purpose of approval of the college for the award of M.D.(Pathology) qualifications earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that Kilpauk Medical College, Chennai be approved for the award of MD (Pathology) qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 1 (one) student per year.”

31. **Madras University and The Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai- Approval of Cancer Institute, Adyar, Chennai for the award of DMRT qualification.**

Read : the Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Cancer Institute, Adyar, Chennai for purpose of approval of the college for the award of DMRT qualifications earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that Cancer Institute, Adyar, Chennai be approved for the award of DMRT qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 2 (two) students per year.”

32. **The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of Chengalpattu Medical College, Chengalpattu for the award of M.S.(General Surgery) qualification.**

Read : the compliance verification report (March, 2005) togetherwith compliance and Council Inspector’s report (March, 2003) on the standard of examination and other teaching facilities available at Chengalpattu Medical College, Chengalpattu for purpose of approval of the college for the award of M.S.(General Surgery) qualification granted by The Tamilnadu Dr.M.G.R. Medical University, Chennai.

The Council approved the following recommendation of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (March, 2005) together with compliance and Council Inspector’s report (March, 2003) and decided to recommend Chengalpattu Medical College, Chengalpattu be approved for the award of for the award of M.S.(General Surgery) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 1 (one) student per year.”

33. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Kilpauk Medical College, Chennai for the award of D.G.O. qualification.**

Read : the compliance verification (March, 2005) together with compliance and Council Inspector’s report (April, 2004) on the standard of examination and other teaching facilities available at Kilpauk Medical College, Chennai for purpose of approval of the college for the award of D.G.O. qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (March, 2005) and decided to recommend that Kilpauk Medical College, Chennai be approved for the award of DGO qualification earlier granted by Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 3 (Three) students per year.”

34. **Madurai University, Madurai Kamraj University, Madras University and The Tamilnadu Dr. MGR Medical University, Chennai – Approval of Tirunelveli Medical College, Tirunelveli for the award of M.D. (General Medicine) qualification.**

Read : the Council Inspector’s report (August, 2004) on the standard of examination and other teaching facilities available at Tirunelveli Medical College, Tirunelveli for purpose of approval of the college for the award of M.D. (General Medicine) qualification earlier granted by Madurai University, Madurai Kamraj University, Madras and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (August, 2004) and decided to recommend that Tirunelveli Medical College, Tirunelveli be approved for the award of MD (General Medicine) qualification earlier granted by Madurai University, Madurai Kamraj University, Madras University and The Tamilnadu Dr. MGR Medical University, Chennai restricting the number of admissions to 2 (two) students per year.”

35. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of Stanley Medical College, Chennai for the award of MD(Dermatology) & D.D. qualifications.**

Read : the Council Inspector’s report (April, 2004) on the standard of examination and other teaching facilities available at Stanley Medical College, Chennai together with the compliance for purpose of approval of the college for

the award of MD(Dermatology) & DD qualifications earlier granted by Madras university and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (April, 2004) and decided to recommend that Stanley Medical College, Chennai be approved for the award of MD(Dermatology) & DD qualifications earlier granted by Madras university and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Committee further decided to direct the college authorities to prospectively restrict the number of admissions to 2 students per year in each course.”

36. **Delhi University - Approval of University College of Medical Sciences, Delhi for the award of MD (Forensic Medicine) qualification.**

Read : the compliance verification report (March, 2005) togetherwith compliance and Council Inspector's report (April, 2001) on the standard of examination and other teaching facilities available at University College of Medical Sciences, Delhi for purpose of approval of the college for the award of MD (Forensic Medicine) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (March, 2005) together with compliance and Council Inspector's report (April, 2001) and decided to recommend that University College of Medical Sciences, Delhi be approved for the award of for the award of MD (Forensic Medicine) granted by Delhi University restricting the number of admissions to 2 (two) students per year.”

37. **Delhi University – Approval of Army Hospital, Delhi Cantt., for the award of DLO qualification.**

Read : the Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at Army Hospital, Delhi Cantt., for purpose of approval of the college for the award of DLO qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that Army Hospital Delhi Cantt., Delhi be approved for the award of DLO qualification granted by University of Delhi restricting the number of admissions to 2 (Two) students per year.”

38. **University of Delhi - Approval of Army Hospital Delhi Cantt., Delhi for the award of M.S. (General Surgery) qualification.**

Read : the Council Inspector’s report (Oct., 2003) on the standard of examination and other teaching facilities available at Army Hospital Delhi Cantt., Delhi together with the compliance for purpose of approval of the college for the award of M.S.(General Surgery) qualification granted by University of Delhi.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (October, 2003) together with compliance and decided to recommend that Army Hospital Delhi Cantt., Delhi be approved for the award of MS (General Surgery) qualification granted by University of Delhi restricting the number of admissions to 5 (Five) students per year.”

39. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of DO qualification.**

Read : The Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of DO qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (April, 2005) and decided to recommend that R.M.L. Hospital, New Delhi be approved for the award of DO qualification earlier granted by Delhi University.

The Committee further decided to direct the institution authorities prospectively to restrict the number of students to 1 (One) student per year commensurate with the single teaching unit.”

40. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of MD(Anaesthesia) qualification.**

Read : The Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of MD(Anaesthesia) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that R.M.L. Hospital, New Delhi be approved for the award of MD (Anaesthesia) qualification granted by Delhi University, restricting the number of admissions to 2 (two) students per year.”

41. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of DVD/DDVL qualification.**

Read : The Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of DVD/DDVL qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that R.M.L. Hospital, New Delhi be approved for the award of DVD/DDVL qualification granted by Delhi

University restricting the number of admissions to 1 (One) student per year.”

42. **Delhi University – Approval of Safdarjung Hospital, New Delhi for the award of MD(Anaesthesia) & D.A. qualification.**

Read : The Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at Safdarjung Hospital, New Delhi for purpose of approval of the college for the award of MD(Anaesthesia) & D.A. qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that Safdarjung Hospital, New Delhi be approved for the award of MD (Anaesthesia) & D.A. qualifications granted by Delhi University restricting the number of admissions to 4 (Four) students for Degree and 7 (Seven) students for Diploma per year.”

43. **Delhi University – Approval of Safdarjung Hospital, New Delhi for the award of DVD/DDVL qualification.**

Read : The Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at Safdarjung Hospital, New Delhi for purpose of approval of the college for the award of DVD/DDVL qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that Safdarjung Hospital, New Delhi be approved for the award of DVD / DDVL qualification granted by Delhi University.

The Committee further decided to advise the Institute authorities to prospectively restrict the number of admissions to 1 (One) student per year commensurate with the single teaching unit.”

44. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of MS (Orthopaedics) qualification.**

Read : The Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of MS(Orthopaedics) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that R.M.L. Hospital, New Delhi be approved for the award of MS (Orthopaedics) qualification granted by Delhi University restricting the number of admissions to 1 (One) student per year.”

45. **Delhi University – Approval of Hindu Rao Hospital, New Delhi for the award of D.A. qualification.**

Read : The Council Inspector's report (April, 2005) on the standard of examination and other teaching facilities available at Hindu Rao Hospital, New Delhi for purpose of approval of the college for the award of D.A. qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that Hindu Rao Hospital, New Delhi be approved for the award of DA qualification granted by Delhi University restricting the number of admissions to 2 (two) students per year."

46. **Delhi University – Approval of Lady Hardinge Medical College, New Delhi for the award of MS (Orthopaedics) qualification.**

Read : The Council Inspector's report (April, 2005) on the standard of examination and other teaching facilities available at Lady Hardinge Medical College, New Delhi for purpose of approval of the college for the award of MS (Orthopaedics) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspector report (April, 2005) and decided to recommend that Lady Hardinge Medical College, New Delhi be approved for the award of MS (Orthopaedics) qualification granted by Delhi University restricting the number of admissions to 2 (two) students per year."

47. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of MD(Radio-Diagnosis) qualification.**

Read : The Council Inspectors report (April, 2005) on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of MD(Radio-Diagnosis) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspectors report (April, 2005) and decided to recommend that R.M.L. Hospital, New Delhi be approved for the award of MD(Radio-Diagnosis) granted by Delhi University restricting the number of admissions to 2 (two) students per year."

48. **Rajasthan University – Approval of Dr. S.N. Medical College, Jodhpur for the award of MD(Physiology) qualification.**

Read : The Council Inspector report (January, 2005) of standard of examination and other teaching facilities available at Dr. S.N. Medical College, Jodhpur for purpose of approval of the college for the award of MD (Physiology) qualification granted by Rajasthan University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (January 2005) and decided to recommend that Dr. S.N. Medical College, Jodhpur be approved for the award of MD (Physiology) qualification granted by Rajasthan University restricting the number of admissions to 1 (one) student per year.”

49. **Rajasthan University – Approval of S.M.S. Medical College, Jaipur for the award of D.C.H. qualification.**

Read : The Council Inspectors report (Aug., 2004) together with the compliance on the standard of examination and other teaching facilities available at S.M.S. Medical College, Jaipur for purpose of approval of the college for the award of D.C.H. qualification granted by Rajasthan University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspectors report (Aug., 2004) together with the compliance and decided to recommend that S.M.S. Medical College, Jaipur be approved for the award of D.C.H. qualification granted by Rajasthan University.

The Committee further decided to direct the college authorities to prospectively restrict the number of admissions to 4 (four) students per year.”

50. **Approval of MR Medical College, Gulbarga for the award of DCP qualification affiliation with Rajiv Gandhi University of Health Sciences, Bangalore**

Read : The Council Inspector report (February, 2005) on physical and other teaching facilities available at M.R. Medical College, Gulbarga together with college's letter dated 15.12.2004 for purpose of approval of the college for the award of DCP qualification granted by Rajiv Gandhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee further decided to recommend that M. R. Medical College, Gulbarga be approved for the award of DCP qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.”

51. **Rajiv Gandhi University of Health Sciences, Bangalore – Approval of M.S. Ramaiah Medical College, Bangalore for the award of D.G.O. qualification in respect of increased intake capacity.**

Read : The compliance verification report (March, 2005) together with compliance and Council Inspector's report (May, 2004) on the standard of examination and other teaching facilities available at MS Ramaiah Medical College, Bangalore for purpose of approval of the college for the award of DGO qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of increased intake capacity.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (March, 2005) together with compliance and Council Inspector's report (May, 2004) and noted that M. S. Ramaiah Medical College, Bangalore is

already approved for the award of DGO qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore with the intake capacity of 2 seats and the matter is now for consideration of approval of the college for the award of DGO qualification with increased intake of 4 (four) seats; decided to approve the college for the award of said qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Committee further decided to direct the college authorities to prospectively restrict the number of admissions to 3 (three) students per year as the incharge of the Unit - III does not possess requisite recognized postgraduate qualification."

52. **Rajiv Gandhi University of Health Sciences, Bangalore– Approval of Sree Siddhartha Medical College, Tumkur for the award of MD(Anaesthesia) qualification.**

Read : The Council Inspector's report (April, 2005) on the standard of examination and other teaching facilities available at Sree Siddhartha Medical College, Tumkur for purpose of approval of the college for the award of MD(Anaesthesia) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspector's report (April, 2005) and decided to recommend that Sree Siddhartha Medical College, Tumkur be approved for the award of MD(Anaesthesia) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 1(one) student per year."

53. **Rajiv Gandhi University of Health Sciences, Bangalore – Approval of St. John's Medical College, Bangalore for the award of D.M. (Cardiology) qualification.**

Read : The compliance verification report (March, 2005) together with the compliance Council Inspectors report (Oct., 2003) on the standard of examination and other teaching facilities available at St.John's Medical College, Bangalore for approval of the college for the award of D.M.(Cardiology) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the compliance verification report (March, 2005) together with the compliance Council Inspectors report (Oct., 2003) and decided to recommend that St.John's Medical College, Bangalore be approved for the award of D.M.(Cardiology) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 1(one) student per year."

54. **Panjab University and Baba Farid University of Health Sciences, Faridkot – Approval of Christian Medical College, Ludhiana for the award of MD(Physiology) qualification.**

Read : The Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Christian Medical College, Ludhiana for purpose of approval of the college for the award of MD (Physiology) qualification earlier granted by Punjab University and now by Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that Christian Medical College, Ludhiana be approved for the award of MD (Physiology) qualification earlier granted by Panjab University and now by Baba Farid University of Health Sciences, Faridkot restricting the number of admissions to 1 (one) student per year.”

55. **Punjab University and Baba Farid University of Health Sciences, Faridkot – Approval of Christian Medical College, Ludhiana for the award of MS(Ophthalmology) qualification.**

Read : The Council Inspector report (February, 2005) of standard of examination and other teaching facilities available at Christian Medical College, Ludhiana for purposes of approval of the college for the award of MS (Ophthalmology) qualification earlier granted by Punjab University and now by Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (February, 2005) and decided to recommend that Christian Medical College, Ludhiana be approved for the award of MS (Ophthalmology) qualification earlier granted by Punjab University and now by Baba Farid University of Health Sciences, Faridkot restricting the number of admissions to 2 (two) students per year.”

56. **Panjab University – Approval of Govt. Medical College, Chandigarh for the award of M.S.(Orthopaedics) qualification.**

Read : The Council Inspectors report (Feb.,2005) together with the compliance on the standard of examination and other teaching facilities available at Govt. Medical College, Chandigarh for purpose of approval of the college for the award of M.S.(Orthopaedics) qualification.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspectors report (Feb.,2005) together with the compliance and decided to recommend that Govt. Medical College, Chandigarh be approved for the award of M.S.(Orthopaedics) granted by Panjab University restricting the number of admission to 1 (one) student per year.”

57. **Saurashtra University – Approval of Pt. Deen Dayal Upadhyay Medical College, Rajkot for the award of MD(General Medicine) qualification.**

Read : The Council Inspector report (December, 2004) of standard of examination and other teaching facilities available at Pt. Deen Dayal Upadhyay Medical College, Rajkot for purpose of approval of the college for the award of MD(General Medicine) qualification granted by Saurashtra University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (December 2004) and decided to recommend that Pt. Deen Dayal Upadhyay Medical College, Rajkot be approved for the award of MD

(General Medicine) qualification granted by Saurashtra University restricting the number of admissions to 2 (two) student per year.”

58. **Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and N.T.R. University of Health Sciences, Vijayawada - Approval of Rangaraya Medical College, Kakinada for the award of M.D.(Paed.) & DCH qualifications.**

Read : The Council Inspector report(May, 2001) together with the compliance & compliance verification report on the standard of examination and other teaching facilities available at Rangaraya Medical College, Kakinada for approval of the college for the award of M.D.(Paed.) & DCH qualifications granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada & NTR University of Health Sciences, Vijayawada.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspectors report (May, 2001) together with the compliance & compliance verification report and decided to recommend that Rangaraya Medical College, Kakinada be approved for the award of M.D.(Paed.) & DCH qualifications granted by granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada & NTR University of Health Sciences, Vijayawada restricting the number of admissions to 2 (two) & 4(four) students per year respectively.”

59. **Approval of Narayana Medical College, Nellore for the award of MBBS degree granted by N.T.R. University of Health Sciences, Vijayawada.**

Read : The Council Inspectors report (20th & 21st April, 2005) for approval of Narayana Medical College, Nellore for the award of MBBS degree granted by N.T.R. University of Health Sciences, Vijayawada.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (20th and 21st April, 05) and decided to recommend that Narayana Medical College, Nellore be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada with an annual intake of 100 students.”

60. **Approval of Kakatiya Medical College, Warangal for the award of MBBS degree granted by N.T.R. University of Health Sciences, Vijayawada for the increased number of seats i.e. 100-150.**

Read : The Council Inspectors report (18th & 19th April, 2005) for approval of Kakatiya Medical College, Warangal for the award of MBBS degree granted by N.T.R. University of Health Sciences, Vijayawada for the increased number of seats i.e. 100-150.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the inspection report (18th and 19th April, 05) and decided to recommend that Kakatiya Medical College, Warangal be approved for the award of

MBBS degree granted by NTR University of Health Sciences, Vijayawada for the increased number of seats i.e. 100-150.”

61. **Approval of Rangaraya Medical College, Kakinada for the award of MBBS degree granted by N.T.R. University of Health Sciences, Vijayawada for the increased number of seats i.e. 100-150.**

Read : The Council Inspector report (21st & 22nd April, 2005) of Rangaraya Medical College, Kakinada for approval of the college for the award of MBBS degree for the increased number of seats i.e. 100-150.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the inspection report (21st & 22nd April, 05) and decided to recommend that Rangaraya Medical College, Kakinada be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada for the increased number of seats i.e. 100-150.”

62. **Approval of Kurnool Medical College, Kurnool for the award of MBBS degree granted by N.T.R. University of Health Sciences, Vijayawada for the increased number of seats i.e. 130-150.**

Read : The Council Inspector report (20th & 21st April, 2005) of Kurnool Medical College, Kurnool for approval of the college for the award of MBBS degree for the increased number of seats i.e. 130-150.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the inspection report (20st & 21st April, 05) and decided to recommend that Kurnool Medical College, Kurnool be approved for the award of MBBS degree granted by NTR University of Health Sciences, Vijayawada for the increased number of seats i.e. 130-150.”

63. **Approval of Burdwan Medical College, Burdwan for the award of MBBS degree granted by Burdwan University against the increased intake i.e. 50 to 100.**

Read : The Council Inspectors report (03rd & 04th May, 2005) for approval of Burdwan Medical College, Burdwan for the award of MBBS degree granted by Burdwan University for the increased number of seats i.e. 50-100.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the inspection report (3rd and 4th May, 2005) and decided to recommend that Burdwan Medical College, Burdwan be approved for the award of MBBS degree granted by Burdwan University for the increased number of seats i.e. 50-100.”

64. **Approval of Govt. Medical College, Aurangabad for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik for the increased number of seats i.e. 100-150.**

Read : The Council Inspectors report (18th & 19th May, 2005) for approval of Govt. Medical College, Aurangabad for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik for the increased number of seats i.e. 100-150.

The Council approved the following recommendations of the Executive Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report 18th & 19th May, 2005 alongwith letter dated 15.7.2004 from the Joint Secretary, Govt. of India, Ministry of Health & F.W. and decided to recommend that Govt. Medical College, Aurangabad be approved for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik for the increased number of seats i.e. 100 to 150."

65. **Approval of Smt. N.H.L. Municipal Medical College, Ahmedabad for the award of MBBS degree granted by Gujarat University for increased number of seats i.e. 100-150.**

Read : The Inspection report (2nd & 3rd August, 2005) carried out to assess the undergraduate teaching & training facilities available at Smt. N.H.L. Municipal Medical College, Ahmedabad alongwith standard of examination held under Gujarat University for the increased number of seats from 100 to 150.

The Council approved the following recommendations of the Executive Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (2nd & 3rd August, 2005) and decided to recommend that Smt. N.H.L. Municipal Medical College, Ahmedabad be approved for the award of MBBS degree granted by Gujarat University for the increased number of seats i.e. 100 to 150."

66. **Recognition of MBBS and Post Graduate courses awarded by King George's Medical University, Lucknow in the first schedule of IMC Act, 1956.**

Read : The request of the Registrar, King George's Medical University, Lucknow received through the Central Govt. u/s. 11(2) of the IMC Act, 1956 for recognition of MBBS and Post Graduate courses awarded by the University, being change of name of the University.

The Council approved the following recommendations of the Executive Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Central Govt.'s letter dated 18th May, 2005 forwarding the request of Registrar, King George's Medical University, Lucknow u/s 11(2) of the I.M.C. Act, 1956 for recognition of MBBS and Postgraduate courses under King George's Medical University, Lucknow being change of name of University from Chhatrapati Shahuji Maharaj Medical University, Lucknow.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council in view of the

decision taken by the Executive Committee at its meeting held in June,1988 viz "No inspection is required where there is change of name and change of affiliation of the University or the college whose medical qualifications are already recognised and included in the 1st Schedule to the I.M.C. Act,1956 unless the Executive Committee decides otherwise" decided to recommend that M.B.B.S. and following postgraduate courses be recognised and included in the first schedule to the I.M.C. Act,1956 under King George's Medical University, Lucknow being change of name of University from Chhatrapati Shahuji Maharaj Medical University, Lucknow:-

1.	Bachelor of Medicine and Bachelor of Surgery	M.B.B.S.
2.	Diploma in Oto-Rhino-Laryngology	D.L.O.
3.	Diploma in Obstetrics and Gynaecology	D.G.O.
4.	Diploma in Medicine Radiology and Electrolgy	D.M.R.E.
5.	Diploma in Ophthalmic Medicine and Surgery	D.O.M.S.
6.	Diploma in Clinical Pathology	D.C.P.
7.	Diploma in Orthopaedics	D.Ortho.
8.	Diploma in Tuberculosis Diseases	D.T.D.
9.	Diploma in Tuberculosis and Chest Diseases	D.T.C.D.
10.	Diploma in Public Health	D.P.H.
11.	Diploma in Anaesthesiology	D.A.
12.	Diploma in Child Health	D.C.H.
13.	Doctor of Medicine (General Medicine)	M.D.(General Medicine)
14.	Master of Surgery (Surgery)	M.S.(Surgery)
15.	Master of Surgery (Anatomy)	M.S.(Anatomy)
16.	Master of Surgery (Orthopaedics)	M.S.(Ortho.)
17.	Master of Surgery (Ophthalmology)	M.S.(Ophth.)
18.	Master of Surgery (Obstetrics and Gynaecology)	M.S.(Obst. & Gynae.)
19.	Doctor of Medicine(Obstetrics and Gynaecology)	M.D.(Obst. & Gynae.)
20.	Master of Surgery (Oto-Rhino-Laryngology)	M.S.(ENT)
21.	Doctor of Medicine (Physiology)	M.D.(Phy.)
22.	Doctor of Medicine (Pharmacology)	M.D.(Pharm.)
23.	Doctor of Medicine (Pathology)	M.D.(Path.)
24.	Doctor of Medicine (Tuberculosis)	M.D.(T.B.)
25.	Doctor of Medicine (TB & Chest Diseases)	M.D.(TB & Chest Dise.)
26.	Doctor of Medicine (TB & Resp. Diseases)	M.D.(TB & Resp. Dis.)
27.	Doctor of Medicine (Social and Preventive Medicine)	M.D.(S.P.M.)
28.	Doctor of Medicine (Radiology)	M.D.(Radio.)
29.	Doctor of Medicine (Anaesthesiology)	M.D.(Anaes.)
30.	Master of Surgery (Plastic Surgery)	M.S.(Pl.Surg.)
31.	Master of Surgery (Plastic Surgery)	M.Ch.(Pl.Surg.)
32.	Doctor of Medicine (Paediatrics)	M.D.(Paed.)
33.	Doctor of Medicine (Psychiatry)	M.D.(Psy.)
34.	Master of Surgery (Neuro-Surgery)	M.Ch.(Neuro-Surg.)
35.	Doctor of Medicine (Cardiology)	D.M.(Cardio.)
36.	Doctor of Medicine (Radio-therapy)	M.D.(Rad. Therapy)
37.	Doctor of Medicine (Neurology)	D.M.(Neuro.)

67. **W.P.No.3372/2005 – Dr.B.Naravana Reddy & 28 others – Vs. – The Medical Council of India & Ors. in the High Court of AP at Hyderabad.**

Read : The matter togetherwith W.P.No.3372/2005 – Dr.B.Naravana Reddy & 28 others – Vs. – The Medical Council of India & Ors. in the High Court of AP at Hyderabad regarding having Postgraduate in one speciality shall be

treated as equivalent to the combined speciality i.e. Dermatology, Venerology, Leprosy.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the matter togetherwith W.P. W.P.No.3372/2005 – Dr.B.Naravana Reddy & 28 others – Vs. – The Medical Council of India & Ors. in the High Court of AP at Hyderabad and decided to recommend that MD (Derm.)/MD (Ven.)/MD (Derm. & Ven.) be treated at par with the combined speciality i.e. MD Dermatology, Venerology, Leprosy.”

68. **To add Clinical Psychologist in the Teachers' Eligibility Qualification.**

Read : The matter with regard to add clinical psychologist in the teachers eligibility qualification.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee decided that the post of Clinical Psychologist in the Dept. of Psychiatry should be incorporated in the Teachers' Eligibility Qualification Regulation and the requirements of qualification and the teaching experience for the said posts should be “A postgraduate qualification and Clinical Psychologist from a recognized University and thereafter a minimum of 2 years clinical experience in the Dept. of Psychiatry in a medical college/institution.”

69. **Change of name of teaching institution from Dr. B.C. Roy Instt. of Basic Medical Sciences, University College of Medicine, Kolkatta to Instt. of Postgraduate Medical Education & Research, Kolkatta under University of Calcutta and West Bengal University of Health Sciences for conducting postgraduate degree and diploma courses.**

Read : The letter dated 24/1/2005 & 17/3/2005 received from the Director, Instt. of Postgraduate Medical Education & Research, Kolkatta for change of name of teaching institution from Dr. B.C. Roy Instt. of Basic Medical Sciences, University College of Medicine, Kolkatta to Instt. of Postgraduate Medical Education & Research, Kolkatta under University of Calcutta and West Bengal University of Health Sciences for conducting postgraduate degree and diploma courses.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the letter dated 24/1/2005 & 17/3/2005 received from the Director, Instt. of Postgraduate Medical Education & Research, Kolkatta and decided to recommend that the name of teaching institution from Dr. B.C. Roy Instt. of Basic Medical Sciences, University College of Medicine, Kolkatta to Instt. of Postgraduate Medical Education & Research, Kolkatta be changed under University of Calcutta and West Bengal University of Health Sciences.

The Committee further decided that all the PG degree/diploma qualifications already recognized in respect of Dr. B.C. Roy Instt. of Basic Medical Sciences, University College of Medicine, Kolkatta be recognized in respect of Institute of Postgraduate Medical Education & Research, Kolkatta and included in the 1st Schedule to the IMC Act, 1956.”

70. **Teaching/Research Experience for the post of Medical Superintendent of affiliated Teaching Hospital – Reg.**

Read : The letter dated 19/10/2003 received from the Secretary Trust, Uttaranchal Forest Hospital Trust, Haldwani together with the report of the Sub-Committee with regard to Teaching/Research Experience for the post of Medical Superintendent of affiliating teaching hospital as approved by the Postgraduate Committee.

The Council noted the report of the Sub-Committee and decided to defer the consideration till the revised Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 approved by the Council at its meeting held in March, 2004 are approved by the Central Government.

71. **Extension of services of Dr. Malti Mehra and Dr. Vandana Ajay Khanolkar as Whole Time Inspector in the Council office.**

Read : The matter with regard to extension of services of Dr. Malti Mehra and Dr. Vandana Ajay Khanolkar as Whole Time Inspector in the Council office.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted that the services of Dr. Malti Mehra and Dr. Vandana Ajay Khanolkar, Whole Time Inspectors are going to expire on 13.5.2005 & 16.5.2005 respectively. The Committee decided to extend the services of Dr. Malti Mehra and Dr. Vandana Ajay Khanolkar as Whole Time Inspectors for a period of six months i.e. upto 13.11.2005 & 16.11.2005 respectively.”

Office Note: Dr. Vandana Ajay Khanolkar has since resigned from the post of Whole-time Inspector and she has been relieved w.e.f. 02.01.2006.

72. **Extension of services of Dr. S.B. Agarwal as Zonal Inspector on consolidated salary.**

Read : The matter with regard to extension of services of Dr. S.B. Agarwal as Zonal Inspector on consolidated salary.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted that the service of Dr. S.B. Agarwal as Zonal Inspector is going to expire on 31.5.2005. The Committee decided to extend the services of Dr. S.B. Agarwal as Zonal Inspector on consolidated salary for a period of six months i.e. upto 30th November, 2005.”

73. **Extension of services of Dr. K. Anandakannan as Zonal Inspector on consolidated salary.**

Read : To consider the matter with regard to extension of services of Dr. K. Anandakannan as Zonal Inspector on consolidated salary.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted that the service of Dr. K. Anandakannan as Zonal Inspector is going to expire on 7.5.2005. The Committee decided to extend the services of Dr. K. Anandakannan as Zonal Inspector on consolidated salary for a period of six months i.e. upto 7.11. 2005.”

74. **Request for resignation as “Advocate on Retainership” by Sh. Kiritiman Singh and appointment of “Advocate of Retainership”.**

Read : The request for resignation as “Advocate on Retainership” by Sh. Kiritiman Singh and of Mr. J.S. Bhasin for appointment as “Advocate on Retainership”.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 18.7.2005 from Shri Kiritiman Singh informing the Council that he would not be able to continue any longer as Retainer Advocate for the Council.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council further noted that Shri J.S. Bhasin, Advocate has requested the Council to appoint him as Retainer Advocate and it was decided to appoint Shri J.S. Bhasin, Advocate as Retainer Advocate for the Council.”

75. **Removal of name of deceased person from the Indian Medical Register.**

Read : The letter dt. 29th March, 2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Ramesh Chandra Sharma bearing Regn. No. 5109, dated 01/02/1975 has expired and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 29.03.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Ramesh Chandra Sharma bearing Regn. No. 5109, dated 01/02/1975 had expired on 1/2/1975 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.”

76. **Removal of name of Dr. Wazir Chand Chandhok.**

Read : The letter dt. 11/05/2005, received from the Registrar, Rajasthan Medical Council intimating that Dr. Wazir Chand Chandhok, Regn. No. 1198, dt. 02/07/1964 has expired on 23/04/2005 and his name has been erased from the register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dated 11.05.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Wazir Chand Chandhok (Registration No.1198) has expired on 23.04.2005 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country."

77. **Clarification as requested by Mr. Yadav (F.No. 91/2005).**

Read : The queries of Mr. S.K. Yadav, D.G.C. (Criminal) Kanpur along with the recommendations of the Executive Committee/Adhoc. Committee:-

The Council approved the following recommendations of the Executive Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council perused the queries of Mr. S.K. Yadav, D.G.C. (Criminal) Kanpur and decided to approve the following decision of the Ethics Committee dated 19th & 20th May,2005:-

"The Ethics Committee considered the queries forwarded by Mr. S.K. Yadav, DGC (Criminal), Kanpur Nagar and decided to reply as follows:-

Q.No.1:What is meant by a qualified Psychiatrist – A Doctor holding a MCI recognized Post Graduate degree or diploma in psychiatry or any other Doctor.

Ans: A Doctor holding a recognized Post Graduate degree or diploma in psychiatry should be a qualified Psychiatrist.

Q.No.2:Can a Doctor seeing psychiatric patients for long times be called as psychiatrist who does not have any degree or diploma in psychiatric postgraduate.

Ans: No.

Q.No.3:Can a medical officer not holding a qualification in psychiatry can run psychiatric OPD in a medical college recognized by MCI.

Ans: No."

78. **Undertaking given by a medical teacher for working in more than one medical college – Action to be taken in view of Code of Medical Ethics.**

Read : The matter with regard to undertaking given by a medical teacher for working in more than one medical college.

Item Withdrawn.

79. **Complaint against Dr. Sheetal K. Bandhi and other doctors as alleged by Mr. Raj Kumar Sugandhi.**

Read : The complaint against Dr. Sheetal K. Bandhi and other doctors as alleged by Mr. Raj Kumar Sugandhi along with the recommendations Executive Committee/Adhoc. Committee.

The Secretary informed the Council that so far as in respect of Dr. Ashok Kasat, Anaesthetist, the office has received copies of orders of Hon'ble M.P. High Court in which the proceedings against him have been kept in abeyance till the disposal of the writ. As this order was not available with the office when the item was discussed by the Ethics Committee and Executive Committee, this agenda item, so far as it pertains to Dr. Ashok Kaasat, Anaesthetist, is withdrawn and it would be placed before the Ethics Committee again along with the relevant documents and court orders.

The Council approved the following recommendations of the Executive Committee in respect of Dr. S.K. Bandhi, Surgeon and Dr. M. Jain who look after the administration of the hospital:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the following :-

"The Ethics Committee perused the records of the case and disposition of all the three doctors – 1. Dr.S.K. Bandi-Surgeon, 2.Dr.Ashok Kasat-Anaesthetist, and 3. Dr. M.Jain, who looks after the surgical administration of the hospital.

The Ethics Committee also noted that the Hon'ble High Court of Madhya Pradesh has directed MCI to take necessary action for misconduct of the above doctors.

The Ethics Committee noted that the charges of medical negligence has been upheld by Hon'ble High Court in case of Dr. S.K. Bandi.

The Ethics Committee noted that Dr. Sheetal Bandi is a Paediatric Surgeon and at the relevant time was employed in Government M. Y. Hospital, Indore. Dr. Ashok Kasath is a Private Anaesthetist. Dr. Mukesh Jain was the Incharge of a private hospital namely, Noble Hospital, situated at Indore. On 8/10/1993, around 9.00 O'Clock in the morning, a child Sumit Jain aged about two years was to be operated by Dr. Sheetal Bandi for Hernia in the said Noble Hospital. However, by mistake another child Rishi Tinku of the same age, who had come to the Hospital along with his father Rajkumar Sugandhi in connection with the DNC operation of his mother, was taken by the Hospital Staff to the Operation Theatre. He was administered Anaesthesia by Dr. Ashok Kasath. Dr. Sheetal Bandi started surgical procedure on the child when it was reported that he is not the child to be operated upon by Dr. Bandi. On realising the mistake, the cut given to child Rishi was stitched and he was discharged after necessary treatment.

The operating Doctor was under a bounden duty to first ascertain and be hundred per cent sure about the identity of his patient before using knife on him. Operating a wrong person in the opinion of the Ethics Committee was an act of negligence per se and a clear proof of breach of duty on his part. Needless to say that a little care before embarking on surgical procedure would have avoided the incident. Obviously, no such care was taken either by Dr. Kasath, Anaesthetist or by the operating Doctor which thus led to that unfortunate incident.

After detailed deliberation and examination of the relevant documents the Ethics Committee was of the unanimous opinion that Dr.S.K. Bandi, Surgeon has started operation on a wrong patient namely the s/o Mr.Raj Kumar Sugandhi and therefore he can be held guilty of misconduct which

is clear from the records and judgement of Hon'ble High Court. Therefore the Ethics Committee unanimously recommends that his name may be removed from IMR for a period of one year.

The Ethics Committee was of the unanimous opinion that Dr.A. Kasath-Anaestheists, cannot be exonerated from the charge of medical misconduct for his failure to identify a patient to whom he had administered Anaesthesia. Hence it recommends that his name may be removed from IMR for a period of one year.

The Ethics Committee is of the unanimous opinion that charge of medical misconduct could not be substantiated against Dr.M.Jain though there is grounds to believe that there is gross administrative failure on part of Dr.M.Jain who looks after the surgical side of administration of the hospital. Hence it has decided to administer a caution to Dr.M.Jain to be vigilant against each administrative lapses resulting in unfortunate and avoidable suffering of patients and public."

The members of the Adhoc Committee appointed by the Hon'be Supreme Court and of the Executive Committee of the Council decided to approve the above recommendations of the Ethics Committee dated 1-2 April 2005."

80. **Pre – natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994. (F.No. 80/2004).**

Read : The matter with regard to Pre – natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994. (F.No. 80/2004) along with the recommendations of the Executive Committee/Adhoc. Committee:-.

The Council approved the following recommendations of the Executive Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the decision of the Ethics Committee dated 19th & 20th May,2005 which reads as under:-

"The Ethics Committee considered the letter from Dr. Rattan Chand, Director (PNDT/Stats.) Govt. of India, Ministry of Health & F.W., New Delhi and decided to draw attention of clause 7.6 of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations,2002 as amended from time to time which is reproduced below:-

Sex Determination Tests: On no account sex determination test shall be undertaken with the intent to terminate the life of a female foetus developing in her mother's womb, unless there are other absolute indications for termination of pregnancy as specified in the Medical Termination of Pregnancy Act,1971. Any act of termination of pregnancy of normal female foetus amounting to female foeticide shall be regarded as professional misconduct on the part of the physician leading to penal erasure besides rendering him liable to criminal proceedings as per the provisions of this Act."

It was further decided that this decision be given wider publicity and it should be put on the MCI Website and it should also be circulated to the National and State Branches of IMA and all the State Medical Councils, Directors of Health Services of all the States with a request to circulate amongst all the doctors."

81. **Approval of Minutes of the Building Committee meeting held on 26/05/2005.**

Read : The minutes of the Building Committee meeting held on 26/05/2005 duly approved by the Executive Committee/Adhoc Committee.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Building Committee meeting held on 26/05/2005.”

82. **Legal Opinion furnished by Additional Solicitor General of India in respect of “term” of a member of the Council.**

Read : The legal opinion furnished by Solicitor General of India in respect of “term” of a member of the Council and also approved the recommendation of the Executive Committee/Adhoc. Committee:-

The Council approved the following recommendations of the Executive Committee:-

“The members of the Executive Committee and of the Ad hoc Committee appointed by the Hon'ble Supreme Court perused the Opinion dated 29.06.2005 received from the Id. Additional Solicitor General of India wherein, having regard to the judgement of the Hon'ble Supreme Court in the case of Dr. H.R. Prem Sachdeva Vs. UOI & Ors. - (1999) 8 SCC 471, it has been advised that though the Council should always take necessary steps for the filling-up of the vacancies in the Council, however, the members of the Council would be entitled to continue to act in that position after the expiry of the term of 5 years till such time the successor is duly elected/nominated, whichever is longer. The members observed that the primary responsibility for filling-up of the vacancies, as per the provisions of the Act and the rules, rests with the Govt. of India. The Council is obliged to inform the Govt. of India, 3 months prior to the likelihood of any vacancy on the expiry of the term of 5 years of any member enabling the Govt. to initiate the process for nomination/election of the successor.

In view of the opinion of the Id. Additional solicitor General of India it was decided that the earlier decision restricting the term of an elected/nominated member of the Council to be five years and three months or till his successor is elected/nominated, whichever is earlier, is reviewed and altered to the extent that henceforth the term of the elected/nominated member of the Council shall be in terms of Section 7(2) which reads as under : -

- "7. Term of office of President, Vice-President and members-
- (1)
 - (2) Subject to the provisions of this section, a member shall hold office for a term of five years from the date of his nomination or election or until his successor shall have duly nominated or elected, whichever is longer....."

83. **Minutes of the Postgraduate Committee- Approval of.**

Read : The minutes of the Postgraduate Committee meetings held on 26.3.2005, 30.3.2005.

The Council approved the minutes of the Postgraduate Committee meetings held on 26.03.2005 & 30.06.2005.

84. **Removal of the name of deceased person from Register of Registered Medical Practitioners – Dr. Mrs. Santosh Sharma.**

Read : The letter dated 2.2.2005 received from the Registrar, Rajasthan Medical Council intimating that Mrs. Santosh Sharma bearing Regn.No.2435 dated 11.2.1970 has expired on 11.2.2005 as per the news published in the Daily News Paper Rajasthan Patrika and her name has been removed from the Register of the Registered Medical Practitioners alongwith the following decision of the Executive Committee/Adhoc Committee.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 2.2.2005 received from the Registrar, Rajasthan Medical Council intimating that Mrs. Santosh Sharma (Registration No. 2435, dated 11/2/1970) has expired on 11.2.2005 and her name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country.”

85. **Removal of name of deceased person from the Indian Medical Register.**

Read : The letter dated 2.2.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr.Girdhari Singh bearing Regn.No.510 dated 17.6.1961 has expired on 19.2.2005 as per the news published in the Daily News Paper Rajasthan Patrika and his name has been removed from the Register of the Registered Medical Practitioners alongwith the decision of the Executive Committee/Adhoc Committee.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 2.2.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Girdhari Singh (Registration No. 510, dated 17/6/1961) has expired on 19.2.2005 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country.”

86. **Removal of the name of deceased person from the Indian Medical Register.**

Read : The letter dated 3.2.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr.L.M.Sanghvi bearing Regn.No.710 has expired on 2.2.2005 and his name has been removed from the Register of the Registered Medical Practitioners alongwith the decision of the Executive Committee/Adhoc Committee.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 3.2.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. L.M. Sanghvi (Registration No.710) has expired on 2.2.2005 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country.”

87. **Removal of the name of deceased person from Indian Medical Register.**

Read : the letter dated 8.2.2005 received from the Registrar, Delhi Medical Council intimating that Dr.Sudhakar Midha’s bearing Regn.No.5016 dated 31.8.2000 has expired on 7.1.2003 and his name has been removed from the State Medical Register of the Delhi Medical Council alongwith the decision of the Executive Committee/Adhoc Committee.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 8.2.2005 received from the Registrar, Delhi Medical Council intimating that Dr. Sudhakar Midha's (Registration No.5016, dated 31/8/2000) has expired on 7.1.2003 and his name has been removed from the State Medical Register of the Delhi Medical Council. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country.”

88. **Removal of name of deceased person from the Indian Medical Register.**

Read : The letter dated 3.3.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr.Satya Deo Arya bearing Regn.No.88 dated 7.7.1960 has expired on 1.3.2005 as per the news published in the Daily News Paper Rajasthan Patrika and his name has been removed from the Register of the Registered Medical Practitioners alongwith the decision of the Executive Committee/Adhoc Committee.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 3.3.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. Satya Deo Arya (Registration No.88, dated 7.7.1960) has expired on 1.3.2005 and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country.”

89. **Approval of Shri Vasantarao Naik Govt. Medical College, Yavatmal for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik for the increased number of seats from 50 to 100.**

Read: the Council Inspectors report (24th & 25th August, 2005) for approval of Shri Vasantarao Naik Govt. Medical College, Yavatmal for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik for the increased number of seats from 50 to 100.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (24th & 25th August, 2005) and decided to recommend that Shri Vasantarao Naik Govt. Medical College, Yavatmal be approved for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik for the increased number of seats from 50 to 100.”

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

Read: the Council Inspectors report (08th & 09th September, 2005) of Rajendra Institute of Medical Sciences, Ranchi for continuation of recognition of MBBS degree granted by Ranchi University in respect of students being trained at Rajendra Institute of Medical Sciences, Ranchi.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (08th & 09th September, 2005) and decided that "Type of Inspection" on page 1 be corrected as under:-

"Type of Inspection - Inspection for continuance of recognition of MBBS degree granted by Ranchi University for the Rajendra Institute of Medical Sciences, Ranchi".

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council also noted as under:-

1. (a) The shortage of teaching faculty is 34.5%
 - (i) Professor-Nil
 - (ii) Assoc.Professors-7 (Anatomy-1, Biochemistry-1, Forensic Medicine-1, General Medicine-1, Anaesthesiology-1, Radio-Diagno.1, Dentistry-1)
 - (iii) Asstt.Professor-23 (Anatomy-3, Physiology-2, Biochemistry-3, Pfharmacology-1, Microbiology-1, Forensic Medicine-1, Community Medicine-2, RHTC-1, UHC-1, TB & Chest-1, Psychiatry-1, Orthopaedics-1, Anaesthesiology-3, Radio-Diagnosis-2)
 - (iv) Tutor-18 (Anatomy-5, Physiology-4, Lecturer in Biophysics-1, Biochemistry-2, Pharmacology-2, Microbiology-2, Forensic Medicine-2)
- (b) The shortage of Residents is 5% as under:-
 - (i) Sr. Residents-2
 - (ii) Jr. Residents-12
2. The clinical material is inadequate in terms of OPD attendance, Radiological Investigations and Laboratory investigations as under:-

	Daily Average	Day of inspection
OPD attendance	650	700
Radiological Investigations		
X-ray	60	70
Ultrasonography	10	15
Special Investigations		
CT Scan	10	15
Laboratory Investigations		
Biochemistry	65	80
Microbiology	32	40
Serology	10	15
Parasitology	05	10
Haematology	05	07
Histopathology	06	08
Cytopathology		06
Others		

3. The distribution of units in different departments is not as per MCI norms as given in the Postgraduate Medical Education Regulations, 2000.
4. The number of postgraduate students admitted in each department is more than the recognised postgraduate teachers in each respective department. Thus, there is an anomaly in the number of units, faculty and PG students admitted.
5. There are only 2 mobile units in the Radiology department against the recommended 6 for the present stage. The availability of para medical staff in different categories is not as per MCI norms. Out of the sanctioned posts of 57 Laboratory Technicians, only 22 are available.
6. There is no lecture theatre in the hospital.
7. Other deficiencies/remarks in the report.

In view of the above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee decided to initiate action under section 19 of the Indian Medical Council Act, 1956 recommending withdrawal of recognition of Rajendra Institute of Medical Sciences, Ranchi for the award of MBBS degree granted by Ranchi University."

91. **Continuance of recognition of MBBS degree granted by Amravati University, in respect of students being trained at Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati.**

Read: the Compliance Verification Inspection report (15th & 16th Sept., 2005) for continuance of recognition of MBBS degree granted by Amravati University, in respect of students being trained at Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the compliance verification inspection report (15th & 16th Sept., 2005) and decided that "Type of Inspection" on page 1 and remark no.1 of General Remarks on page 7 of the report be corrected as under:-

"Type of Inspection -compliance inspection for continuance of recognition of MBBS degree granted by Amravati University in respect of students being trained at Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati, Maharashtra- compliance verification inspection".

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

1. (a) Shortage of faculty staff is more than 5% as under:-
 - i) Professor - 2 (Biochemistry -1, Ophthalmology -1)
 - ii) Associate Professors - 4 (Anatomy-2, Biochemistry -1, Dentistry -1)
 - iii) Assistant Professors - 5 (Anatomy -1, Physiology -1, Biochemistry -1, Forensic Medicine -1, Comm. Med.-1)
- (b) Shortage of residents is 4.7% is as under:-
 - (i) Residents - 4 (General Surgery -3, Ophthalmology -1)
2. The clinical material is grossly inadequate in terms of OPD attendance, Bed occupancy, surgical workload and Radiological investigations as under:-

	Daily Average	Day of inspection
OPD attendance	530	396
Bed occupancy	72%	71%
Operative work		
Number of major surgical operations	6	7
Number of minor surgical operations	8	4
Number of normal deliveries	2 per day	5
Number of caesarian sections	1 per day	Nil
Radiological Investigations		
X-ray	45	47
Ultrasonography	25	28

3. There is over crowding in most wards. The female patients of Ortho. & Surgery are sharing the same wards.
4. Although the construction of para clinical department at the new site is complete, this department have not been shifted to the new site and made functional at the new site. The departments of Anatomy, Physiology & Biochemistry are still at the old site and construction at new site is yet to start.
5. The hostel facilities at the primary health centre are in the process of being organised. The college has submitted an undertaking showing time frame of construction.
6. The Urban Health Center of the college has no water supply in its own premises. The available space in the UHC is not as per MCI norms.
7. Medico-legal work is not carried out in the hospital.
8. There are no quarters for Residents & nursing staff. College has provided an undertaking giving time frame of construction.
9. The mechanization of laundry is under process.
10. All faculty in the department of Biochemistry are non-medical and from science faculty except one Tutor.
11. Other deficiencies/remarks in the report.

In view of the above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee decided to initiate action under section 19 of the Indian Medical Council Act, 1956 recommending withdrawal of recognition of Dr. Panjabrao Alias Bhausaheb Deshmukh Memorial Medical College, Amravati for the award of MBBS degree granted by Amravati University.

92. **Request for permission of Illrd MBBS semester VIIIth student to carry out the one of the clinical terms i.e. Medicine, Surgery, Obst. &**

Gynae. & Pediatrics at University of Massachusetts Medical School, Woreester, Massachusetts, USA – letter received from Dean, Seth G.S. Medical College, Mumbai.

Read: the letter received from the Dean, Seth G.S. Medical College, Mumbai for permission of IIIrd MBBS semester VIIIth student to carry out the one of the clinical terms i.e. Medicine, Surgery, Obst. & Gynae. & Pediatrics at University of Massachusetts Medical School, Woreester, Massachusetts, USA.

The Council noted the decision of the Executive Committee/Adhoc Committee and decided to refer the matter to a Sub-Committee and authorized President (Acting) to constitute the Sub-Committee and further decided to defer the consideration of the matter till the report of the Sub-Committee is received:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the contents of the letters received from the Dean, Seth G.S. Medical College, Mumbai and Dr. Avinash Patwardhan, Massachusetts, USA and further noted as under:

"The college has requested the Council to give No Objection to permit the following:-

1. To permit the IIIrd MBBS semester VIIIth student to carry out the one of the clinical terms i.e. Medicine, Surgery, Obst. & Gynae. & Pediatrics at University of Massachusetts Medical School, Worcester, Massachusetts, USA.
2. To treat this term as a part of requirement for completion of terms to be eligible for appearing for the final MBBS examination."

93. **Draft Bill – “The Protection against Sexual Harassment of Women Bill, 2005”.**

Read: the Draft Bill – “The Protection against Sexual Harassment of Women Bill, 2005”.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council accepted the following recommendations of the Ethics Committee and decided that the same be placed before the General Body of the Council for approval:-

"Observations on “The Protection Against Sexual Harassment of Women Bill, 2005”

1. The draft bill is a highly comprehensive document, which has covered almost all the aspects imaginable on conferring a women the right to protection against sexual harassment, and to implement this right, the measures for the prevention and redressal of sexual harassment of women.
2. The Ethics Committee feels after perusal of draft bill, that this draft is possibly one of the most progressive, comprehensive and humane piece of legislation in the world that is contemplated for enactment in our country.
3. In the Preliminary part of the Bill, in para 2, where definitions have been given; in part (b) “Apex Internal Complaints Committee” has been defined, the Ethics Committee feels that the following lines may be included.

- (b) “Apex Internal Complaints Committee” setup at the Head office of any Public establishment/University either at the State/Central level including Medical Colleges.
 - In (g) wherein “Contractual Services” has been defined. The Ethics Committee feels that in section where illustration of contractual services have been made, a point may be added as under:- Service of a doctor/nurse/medical trained personnel in any home/nursing home/hospital/medical establishment for patients care or other medical services.
 - In (m) where educational institutions has been defined; it is felt that specific mention of medical college would be suitable and therefore the Ethics Committee feels this may be stated as under: (m) The educational institutions means a school, college including Medical colleges.
- (q) Establishment – in the section (q) where establishment has been defined and in the illustration part where in sub-section (ix) list of hospital, nursing homes has been included, the Ethics Committee feels that the word “hospital be replaced by “Medical Colleges and Hospitals.”
- In sub-section (ab) – where “misconduct” has been defined, the Indian Medical Council Act, 1956 has been mentioned. The Ethics Committee feels that alongwith this Act, Indian Medical Council (Professional Conduct, Etiquette and Ethics Regulations, 2002 should also be mentioned.
 - In the chapter II where the right to be free from sexual harassment has been placed, there mention has been made of different categories of personnel/officers who shall not indulge in the sexual harassment. The Ethics Committee feels that after sub-section 12 of this lists another point may be added as under:- No doctor/nurse/medical workers shall sexually harass a women in any health establishment/hospital/medial educational institutions who has entered such premises as a patients seeking medical advise or help, or as a attendant, as a visitors or student or for any other legitimate purposes.
4. In chapter 3 wherein the “Authorities Under This Act” has been stated in para 27 mention of the duty of the Medical Council of India under Indian Medical Council Act, 1956 has been laid down in the draft. The Ethics Committee feels that following inclusions/omissions are required in this para as under:-
- (e) In sub-section(e) of the para 27 where the Chairman of the Medical Council of India has been empowered to designate for each State and Union Territory one member of Medical Council of India, it has been stated that such members should be elected from the State Medical Register of such State/Union Territory. This signify that only the RMG member from each state can only be designated as members responsible to address sexual harassment in connection with the Members of Medical Council of India.

The Ethics Committee feels that

- (a) The line “should be elected from the State Medical Register from State and Union territory may be omitted so that the Chairman of the Medical Council of India shall be free to designate the most suitable member from a particular State or union territory as member responsible to address the complaints of the sexual harassment.
- (b) The Ethics Committee has observed that many of the doctors in a state may not be registered directly under Medical Council of India and they may be registered with individual State Medical Councils. Such members who are registered with

Medical Council of India are automatically included in the Indian Medical Register. The Indian Medical Council Act, 1956, does not allow direct intervention by Medical Council of India in case of doctors registered in the State Medical Councils. Therefore, this draft bill must give authority to MCI to intervene in cases of all doctors whose name are included in the Indian Medical Register (IMR).

5. Other observations – The Ethics Committee observed that :-
It has been mentioned in chapter 5 “Procedure for lodging a complaint” in para 43 (2), that “the consent given under sub-section (1) herein may be withdrawn at any stage of the proceedings by the aggrieved women or her legal heir/representative”.

Again in para 63 the provision of withdrawal of complaint at any stage after filing a complaint is included.

The Ethics Committee feels that the withdrawal of complaint should be allowed only after a judicial review in order to avoid corruption, coercion, application of force etc. to the women who is victim of sexual harassment.

6. In Schedule - I of draft act, In para – 6, it has been stated that the following item shall be added as explanation to section 7.4 of Indian Medical Council (Professional Conduct, Etiquette and Ethics Regulations, 2002, “any form of sexual harassment shall be an improper conduct”. The Ethics Committee feels that it can be changed as under:-

“7.4. Adultery and improper conduct: Abuse of professional position by committing adultery or including any form of sexual harassment with a patient, attendant, visitors, students or/ by maintaining improper association with a patient, attendant will render a physician liable for disciplinary action including permanent erasure of his name as provided by the IMC Act, 1956 or the concerned State Medical Council Act.”

7. In Para 13(j) where shops and establishment are included in (j) mention had been made of “Health Service”.

94. **Clarification regarding entitlement to be partner in a drug/manufacturing/ distribution firm as requested by Dr. Santhosh John Abraham.**

Read: the matter with regard to entitlement to be partner in a drug/manufacturing/distribution firm as requested by Dr. Santhosh John Abraham.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 23rd and 24th June, 2005:-

The Ethics Committee noted the clarification sought by Dr. Santhosh John Abraham as follows :-

“I am a registered medical practitioner practicing surgery in the State of Kerala. I am registered with Travencore Cochin Medical Council with number 13707.

I would like to know whether I am entitled to be partner in a drug manufacturing /distribution firm”

After detailed deliberation, the Ethics Committee was of the opinion that the reply of the said query would be as follows :-

"It appears that there is no bar to be a partner in a drug manufacturing/distribution firm. However, your attention is being drawn to Section 6.1, 6.3 and 7.22 of the IMC Professional Conduct (Etiquette and Ethics) Regulations, 2002 as amended from time to time, which are as follows :-

6.1 Advertising:

6.1.1 Soliciting of patients directly or indirectly, by a physician, by a group of physicians or by institutions or organisations is unethical. A physician shall not make use of him / her (or his / her name) as subject of any form or manner of advertising or publicity through any mode either alone or in conjunction with others which is of such a character as to invite attention to him or to his professional position, skill, qualification, achievements, attainments, specialities, appointments, associations, affiliations or honours and/or of such character as would ordinarily result in his self aggrandisement. A physician shall not give to any person, whether for compensation or otherwise, any approval, recommendation, endorsement, certificate, report or statement with respect of any drug, medicine, nostrum remedy, surgical, or therapeutic article, apparatus or appliance or any commercial product or article with respect of any property, quality or use thereof or any test, demonstration or trial thereof, for use in connection with his name, signature, or photograph in any form or manner of advertising through any mode nor shall he boast of cases, operations, cures or remedies or permit the publication of report thereof through any mode. A medical practitioner is however permitted to make a formal announcement in press regarding the following:

- (1) On starting practice.
- (2) On change of type of practice.
- (3) On changing address.
- (4) On temporary absence from duty.
- (5) On resumption of another practice.
- (6) On succeeding to another practice.
- (7) Public declaration of charges.

6.3 Running an open shop (Dispensing of Drugs and Appliances by Physicians): - A physician should not run an open shop for sale of medicine for dispensing prescriptions prescribed by doctors other than himself or for sale of medical or surgical appliances. It is not unethical for a physician to prescribe or supply drugs, remedies or appliances as long as there is no exploitation of the patient. Drugs prescribed by a physician or brought from the market for a patient should explicitly state the proprietary formulae as well as generic name of the drug.

7.22 Research: Clinical drug trials or other research involving patients or volunteers as per the guidelines of ICMR can be undertaken, provided ethical considerations are borne in mind. Violation of existing ICMR guidelines in this regard shall constitute misconduct. Consent taken from the patient for trial of drug or therapy which is not as per the guidelines shall also be construed as misconduct."

95. **Undertaking given by Dr. R. Anuradha for working in more than one medical college – Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. R. Anuradha for working in more than one medical college and action to be taken in view of Code of Medical Ethics.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 11th & 12th August, 2005:-

"The Ethics Committee heard Dr. R. Anuradha who appeared before the Ethics Committee at its meeting held on 11th & 12th August, 2005. Written statements was also taken from him which are as under: -

Statement of Dr. R. Anuradha

I Dr. R. Anuradha did my MBBS from Gandhi Medical College, Hyderabad in the year 1986 and I did my MD (Biochemistry) from the same institute in 2000. My date of birth is 07.12.1961. My registration no. is 12050 of A.P. Medical Council.

I joined in Govt. Health Service of A.P on 7.11.1994 and I was transferred to Govt. Medical College, Anantpur since 17.07.2000, till date I am a Govt. servant under the A.P. State Govt. I was physically present during the MCI inspection at Govt. Medical College, Anantpur on 15.04.2004.

On 08.09.2003, I was physically present during the MCI inspection at Chalmers Instt. of Medical Sciences, Karimnagar which I should not have done. I will assure that it will not be repeated in future.

I have submitted my resignation letter to Director of Medical Education, Hyderabad, A.P. on 18.08.2003 and I have withdrawn the resignation in a letter dated 15.10.2003

Sd/-
(Dr. R. Anuradha)
12.07.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. She had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by her are correct and true to her knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by her to the effect and to the result that she has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued “Show Cause Notices” calling upon her to explain why appropriate action be not

taken against her for submitting more than one Declaration Forms signed and submitted by her claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which she had submitted to the inspection team of the Council were also sent to her.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to her, has submitted her written response giving her clarifications and explanations for the submission of more than one Declaration Form by her.

Upon consideration of the case of Dr. R. Anuradha, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law."

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

"Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. R. Anuradha along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that she has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. R. Anuradha constitutes PROFESSIONAL MISCONDUCT, which render her liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that her name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The Ethics Committee of MCI also recommends that as Dr. R. Anuradha has been found working in Govt. Institution & simultaneously in another private medical college, this case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end."

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

- (a) The names of Dr. R. Anuradha be erased temporarily from the Indian Medical Register upto 31st July, 2008.
- (b) She will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
- (c) The name of Dr. R. Anuradha be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also noted that Dr. R. Anuradha has been found working in Govt. Institution & simultaneously in another private medical college, her case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end."

96. **Undertaking given by Dr. Sunil Singhvi for working in more than one medical college – Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. Sunil Singhvi for working in more than one medical college and action to be taken in view of Code of Medical Ethics.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 11th & 12th August, 2005:-

The Ethics Committee heard Dr. Sunil Singhvi who appeared before the Ethics Committee at its meeting held on 11th & 12th August, 2005. Written statements was also taken from him which are as under: -

Statement of Dr. Sunil Singhvi

I Dr. Sunil Singhvi did my MBBS from Jawaharlal Medical College, Wardha in the year 1998 and I did my MD (Pharmacology) from the Madras Medical College in 2003. My date of birth is 01.07.1974. My registration no. is 63688 of Tamilnadu Medical Council.

I joined at GSL Medical College, Rajamundari on 10.09.2003 and till date I am working there and was physically present during the MCI inspection on 09.03.2004.

Meanwhile, Prathima Instt. of Medical Sciences, Karimnagar approached me to appear for MCI inspection on 17.09.2003 not knowing that it is an unethical as well as its consequences, I appeared for the MCI inspection at Prathima Instt. of Medical Sciences on 17.09.2003. I took leave from GSL Medical College, Rajamundari during that period. It was done due to ignorance. I assure that it will not be repeated in future.

Sd/-
(Dr. Sunil Singhvi)
12.07.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued “Show Cause Notices” calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along

with the respective “Show Cause Notice”, all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. Sunil Singhvi, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

“Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon’ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.”

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue

and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. Sunil Singhvi along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who-so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character

and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Sunil Singhvi constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

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

- (a) The names of Dr. Sunil Singhvi be erased temporarily from the Indian Medical Register upto 31st July, 2008.
- (b) He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
- (c) The name of Dr. Sunil Singhvi be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.”

97. **Undertaking given by Dr. B. Anand Rajan for working in more than one medical college – Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. B. Anand Rajan for working in more than one medical college and action to be taken in view of Code of Medical Ethics.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 11th & 12th August, 2005:-

"The Ethics Committee heard Dr. B. Anand Rajan who appeared before the Ethics Committee at its meeting held on 11th & 12th August, 2005. Written statements was also taken from him which are as under: -

Statement of Dr. B. Anand Rajan

I Dr. B. Anand Rajan I did my MBBS from Govt. Kilpauk Medical College, in the year 1984 and I did my MD (Physiology) from the same institute in 1991. My date of birth is 02.08.1953. My registration no. is 39443 of Tamilnadu Medical Council.

I joined at Chengalpatu Medical College on 10.07.2002 and continuously working there and I was physically present during the MCI inspection on 09.01.2004 voluntary retirement from Govt. Service on 18.06.2004

On 13.09.2003 I requested by the authorities of MES Medical College to be present in their institute during the MCI inspection going to be held on that day. I did it because I got a good offer from that institute in future. I know that I should not have done this and I assure that it will not be repeated in future. Kindly excuse me for the same.

I have never worked at Pinaminani Instt. of Medical Sciences, Chinnoutpali, the photograph and the signature are not of mine in the declaration form of that institute.

Sd/-
(Dr. B. Anand Rajan)
12.07.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. B. Anand Rajan, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

“Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon’ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.”

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. B. Anand Rajan along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. B. Anand Rajan constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

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

- (a) The names of Dr. B. Anand Rajan be erased temporarily from the Indian Medical Register upto 31st July, 2008.
- (b) He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
- (c) The name of Dr. B. Anand Rajan be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.”

98. Undertaking given by Dr. S.N. Mohanty for working in more than one medical college – Action to be taken in viw of Code of Medical Ethics.

Read: the undertaking given by Dr. S.N. Mohanty for working in more than one medical college and action to be taken in view of Code of Medical Ethics.

The Council approved the following recommendation of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 11th & 12th August, 2005:-

"The Ethics Committee heard Dr. S.N. Mohanty who appeared before the Ethics Committee at its meeting held on 11th & 12th August, 2005. Written statements was also taken from him which are as under: -

Statement of Dr. S.N. Mohanty

I Dr. S.N. Mohanty did my MBBS from MKCJ Medical College, Brahampur in the year 1986 and I did my MD (Forensic Medicine) from the same institute in 1996. My date of birth is 18.05.1961. My registration no. is 9562 of Orissa Medical Council.

I joined in the Orrisa Health Services in the year 1987 and was posted in the MKCJ Medical College on 23.05.1997 and till date I am working as a Govt. servant in the Orissa Govt. and was physically present during the MCI inspection on 12.02.2004 at MKCJ Medical College. I was physically present during the MCI inspection at K.S. Hegde Medical

Academy on 28.01.2003, which I should not have done. I am enclosed herewith my detailed explanation for perusal. Although I submitted one letter of information to State Govt. regarding queting my job before my joining at KHESMA, however, as I came back because of illness of my wife from KHESMA I did not pursue the same at State Govt. and continued as such.

I may kindly be permitted to conclude with the aforesaid explanation and would undertake that such type of mistake whether knowingly or unknowingly will not be committed in the rest of my service carrier being a bonafide Govt. Servant for which I beg excuse before the Hon'ble Committee. Further, I undertake that I will not repeat such conduct in future.

I sincerely pray before the Hon'ble Committee to be gracious enough to consider my aforesaid explanation sympathetically and exonerate from the charges and for this act of generosity I shall be ever grateful to the Hon'ble Committee.

Sd/-
(Dr. S.N. Mohanty)
12.07.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. S. N. Mohanti, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration

and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law."

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

"Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been

issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. S. N. Mohanti along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. S. N. Mohanti constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls

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

The Ethics Committee of MCI also recommends that as Dr.S.N. Mohanty has been found working in Govt. Institution & simultaneously in another private medical college, this case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end."

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

- (a) The names of Dr.S.N. Mohanty be erased temporarily from the Indian Medical Register upto 31st July, 2008.
- (b) He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
- (c) The name of Dr. S.N. Mohanty be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also noted that Dr. S.N. Mohanty has been found working in Govt. Institution & simultaneously in another private medical college, his case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end."

99. **Undertaking given by Dr. Balamurali for working in more than one medical college – Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. Balamurali for working in more than one medical college and action to be taken in view of Code of Medical Ethics.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 11th & 12th August, 2005:-

"The Ethics Committee heard Dr. Balamurali who appeared before the Ethics Committee at its meeting held on 11th & 12th August, 2005. Written statements was also taken from him which are as under: -

Statement of Dr. S.T. Balamurali

I Dr. S.T. Balamurali did my MBBS from Madurai Medical College in the year 1999 and I did my MD (Pharmacology) from the Madras Medical

College in 2003. My date of birth is 27.06.1976. My registration no. is 62862 of Tamilnadu Medical Council.

At present I am working as Lecturer at Mahatma Gandhi Medical College, Pondicherry where I joined on 15.12.2003 and was physically present during the MCI inspection held there on 16.03.2004.

On 31.03.2004 I was physically present at PES Instt. of Medical Sciences, Kuppam when MCI Inspection was being held. Actually, I was mis-guided by the authorities of PES instt. of Medical Sciences they assured me of a higher pay which did not reach me ultimately. While appeared before the MCI inspection on 31.03.2004 at PES Instt. of Medical Sciences, I did not take any permission from my parent institute i.e. Mahatma Gandhi Medical College but I appeared there after availing casual leave from my parent institute. I accept that I have done wrong thing and I assured that it would not be repeated in future.

Sd/-
(Dr. S.T. Balamurali)
12.07.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. S. T. Balamurli, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the

individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.”

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. Balamurli along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Raghupati P. constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council

of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”

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

- (a) The names of Dr. Balamurali be erased temporarily from the Indian Medical Register upto 31st July, 2008.
- (b) He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.

The name of Dr. Balamurali be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.”

100. **Undertaking given by Dr. Raghupati P. for working in more than one medical college – Action to be taken in viw of Code of Medical Ethics.**

Read: the undertaking given by Dr. Raghupati P. for working in more than one medical college and action to be taken in view of Code of Medical Ethics.

The Council approved the following recommendation of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 11th & 12th August, 2005:-

The Ethics Committee heard Dr. Raghupati. P who appeared before the Ethics Committee at its meeting held on 11th & 12th August, 2005. Written statements was also taken from him which are as under: -

Statement of Dr. Raghupati P

I Dr. Raghupati P did my MBBS from Mysore Medical College in the year 1973 and I did my MS (Anatomy) from the same Instt. in 1995. My date of birth is 24.04.1942. My registration no. is 12237 of Karnatka Medical Council.

I joined at MVJ Medical College as Associate Professor on 16.11.2001 and till date I am continuing their in the same capacity and appear before the MCI inspection team during its inspection held on 25.05.2004 in the same institute. On June, 2003 I was physically present during the MCI inspection held at Amla Instt. of Medical Sciences, Amlanagar. But I did not take any salary / remuneration from that institute for being present there. I was physically present at Amla Instt. of Medical Sciences because an assurance was given to me by the authorities of that institute that I will paid Rs. 45000/- per months as salary if I want to join there. However, after the inspection was over they offered me only Rs. 35000/- per month as salary hence, I did not join there.

Sd/-
(Dr. Raghupati P)
12.07.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. Raghupati P., the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law."

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable

prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. Raghupati P along with the opinion of Advocate of this Council. Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Raghupati P. constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

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

- (a) The names of Dr. Raghupati P. be erased temporarily from the Indian Medical Register upto 31st July, 2008.
- (b) He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
- (c) The name of Dr. Raghupati P. be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions."

101. **Amendment in permanent registration certificate – Reg.**

Read: the amendment in present format used for grant of Permanent Registration Certificate.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the amendment in the permanent registration certificate."

102. **Removal of name of Dr. P.P. Singhal from the Indian Medical Register.**

Read: the letter dt. 20/09/2005 received from the Registrar, Rajasthan Medical Council, Jaipur intimating that Dr. P.P. Singhal bearing Registration No. 3736 dated 22/07/1972 has expired and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter dated 20.09.2005 received from the Registrar, Rajasthan Medical Council intimating that Dr. P.P. Singhal (Registration No.3736, dated 22.7.1972) has expired and his name has been removed from the Register of Registered Medical Practitioners. The Committee decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country. "

103. **Extension of services of Dr. Malti Mehra & Dr. Vandana Ajay Khanolkar as Whole Time Inspector in the pay scale of Rs. 18,400-500-22,400.**

Read: the matter with regard to extension of services of Dr. Malti Mehra & Dr. Vandana Ajay Khanolkar as Whole Time Inspector in the pay scale of Rs. 18400-500-22400.

The Council approved the following recommendation of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to extend the services of Dr. Malti Mehra and Dr. Vandana Ajay Khanolkar

as Whole Time Inspectors for a period of one year i.e. upto 13.11.2006 & 16.11.2006 respectively.”

Office Note: Dr. Vandana Ajay Khanolkar has since resigned from the post of Whole-time Inspector and she has been relieved w.e.f. 02.01.2006.

104. **Extension of services of Dr. C.A. Desai, Dr. K. Ananda Kannan and Dr. S.B. Aggarwal as Zonal Inspectors of the council on consolidated salary.**

Read: the matter with regard to extension of services of Dr. C.A. Desai, Dr. K. Ananda Kannan and Dr. S.B. Aggarwal as Zonal Inspectors of the council on consolidated salary.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to extend the services of Dr. C.A. Desai, Dr. K. Ananda Kannan and Dr. S.B. Aggarwal on consolidate salary for a period of one year i.e. upto 1.11.2006, 7.11.2006 and 30.11.2006 respectively.”

105. **Recommendations of D.P.C. for confirmation of Council Employees.**

Read: the recommendations of D.P.C. for confirmation of Council Employees.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the recommendations of the Departmental Promotion Committee for confirmation of the following employees of the Council in their entry grade with retrospective effect – i.e from the date of completion of their probation period as mentioned against each :-

Sl.No	Name & Designation	Date of Joining	Date of completion of probationary period
1.	Mrs. Sarabjeet Chopra, LDC	20.5.2002	19.5.2004
2.	Shri Mahender Singh, LDC	16.5.2002	15.5.2004
3.	Shri Manoj Kumar, LDC	16.5.2002	15.5.2004
4	Ms. Manju Rani, LDC	3.6.2002	2.6.2004
5.	Sh. Satish Kumar, LDC	27.11.2002	26.11.2004
6.	Sh. Sanjay Ujjainwal, LDC	2.12.2002	1.12.2004
7.	Sh. Jayant Kumar Arora, Jr. Stenographer	22.7.2003	21.7.2005
8.	Ms. Puja, Jr. Stenographer	9.7.2003	8.7.2005
9.	Ms. Kiran Bala Pathak, Computer Operator	9.7.2003	8.7.2005
10.	Mrs. Bhawna Sharma, LDC	3.7.2003	2.7.2005
11.	Sh. Vinod Singh Negi, LDC	3.7.2003	2.7.2005
12.	Sh. Rajesh PD. Rathuri, LDC	4.7.2003	3.7.2005
13.	Sh. Lokesh Kumar, Staff Car Driver	14.8.2003	13.8.2005
14.	Sh. Brij Lal Panjla, Staff Car Driver	21.8.2003	20.8.2005

15.	Sh. Devanand, Peon	7.5.2003	6.5.2005
16.	Sh. Man Singh, Peon	9.5.2003	8.5.2005
17.	Sh. Kishan Singh Chauhan, Messenger	9.5.2003	8.5.2005
18.	Sh. Umesh Chandra, Peon	13.5.2003	12.5.2005

106. **Finalisation of contract for Security agency in the Council Office.**

Read: the matter with regard to finalisation of Security agency in the Council Office.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to award the contract to the lowest bidder i.e. M/s. Safety Fort Services, Pappan Kalan, Palam Colony, New Delhi for Security Supervisor, Guard, Gunmen, subject to the verification of their credentials from the reputed / Government / Semi-Government / Autonomous Bodies / PSUs organisations who have employed their services.”

107. **Annual Report of the Medical Council of India for the year 2004-05.**

Read : the annual report of the Medical Council of India for the year 2004-05.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the annual report of the Medical Council of India for the year 2004-05.”

108. **Creation of Post of Chief Vigilance Officer in the Council Office.**

Read: the matter with regard to creation of post of Chief Vigilance Officer in the Council Office.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted para 10 of the observations/recommendations of the 8th Report of the Estimate Committee on the subject of MCI which was presented to Lok Sabha on 29.4.2005 which reads as under:-

“It is pertinent to note that there is no vigilance section or post of Chief Vigilance Officer in an organization like MCI that is engaged in granting of approval of courses in medical colleges and monitoring of medical education in the country where there are ample opportunities of red tapism, corruption and favouritism. It is astonishing to note that even a Public Grievances Redressal Cell does not exist in MCI. A person who has a grievance has no proper channel to get it redressed. Moreover, there is no mechanism for an ongoing surveillance on the functioning of official of MCI. The Committee, therefore, recommend that a post of Chief Vigilance Officer should be created in MCI who will report directly to the President of the Council and the post be filled up expeditiously. A Public Grievances Redressal Cell should also be set up in MCI which should function under

the Chief Vigilance Officer, who should be a person belonging to an organized service, like the Indian Police Service. The Committee would like to be apprised of the action taken for implementation of these recommendations.”

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council also noted the letter of Central Government wherein the Council has been asked to forward the action taken report to the Central Government by 14th November, 2005.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to create the post of Chief Vigilance Officer in the Council Office and also directed office to obtain details of Recruitment Rules/Pay Scales/any other relevant information from other Govt./Semi-Govt./Autonomous Institutions wherever such post is existing and place the same before the Executive Committee.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council in view of the recommendations of the Estimate Committee to fill up the post expeditiously perused the Bio-Data of Lt. Gen. Kapil Vij (AVSM) who was commissioned on February 9, 1964 into the Indian Armed Forces and retired as Director General Rashtriya Rifles in the rank of Lt. Gen. and who has also held the command appointments including Command of Tank Regiment and brigade and Infantry Division and strike corps during mobilization of operation Parakram. The Committee further observed that he has been Military, Naval and Air attache at Indian Embassy in Belgrade, Yugoslavia for three years and has held important assignments from time to time.

In view of the recommendations of the Estimate Committee to fill up the post expeditiously, the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to appoint Lt. Gen. Kapil Vij on purely adhoc basis for a period of one year or till the creation of post and the recruitment rules are approved by the Central Government and the post is filled up on regular basis, whichever is earlier, on the same terms & conditions by which the retired Central Government officers are re-employed.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council took cognizance of the recommendations contained in the Eight Report of the Estimate Committee on the subject of MCI recommending that the post of Chief Vigilance Officer be filled expeditiously and directed the Secretary of the Council to issue the appointment order to Lt. Gen. Kapil Vij (AVSM) immediately and place the matter before the General Body of the Council.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council further decided that Public Grievance Redressal Cell will work directly under the Chief Vigilance Officer.”

109. **Selection for the post of Law Officer in the Office of the Medical Council of India.**

Read: the members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the recommendations of the Selection Committee and decided to appoint Shri Annam Tirupati Rao, Sl. No. 16 on the post of Law Officer.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council took cognizance of the recommendations contained in the Eight Report of the Estimate Committee on the subject of MCI on this matter which reads as under:-

"The Committee therefore desires that the post should be advertised and fill up within a period of 3 months and the Committee be apprised of the same."

In view of above, the Secretary of the Council was directed to issue the appointment order for the selected candidate Shri Annam Tirupati Rao immediately in the pay scale of Rs. 12000-375-16500."

110. **Approval of the Minutes of the meetings of the Building Committee held on 26/07/2005 and 03/08/2005.**

Read: the minutes of the meetings of the Building Committee held on 26.7.05 and 3.8.2005.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the minutes of the Building Committee meetings held on 26/07/2005 and 03/08/2005."

111. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Stanley Medical College, Chennai for the award of MD(Paediatrics) qualification.**

Read: the compliance verification reports (August, 2004 & July 2005) together with compliance and Inspectors report (April, 2004) on the standard of examination and other teaching facilities available at Stanley Medical College, Chennai for purpose of approval of the college for the award of MD(Paediatrics) qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee.

"The Postgraduate Committee considered the compliance verification reports (August, 2004 & July 2005) together with compliance and Council Inspectors report (April, 2004) and decided to recommend that Stanley Medical College, Chennai be approved for the award of MD(Paediatrics) qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 4(four) students per year."

112. **Marathwada University/Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad – recognition of MS(Ortho.) & D.Ortho. qualification in respect of students being trained at Govt. Medical College, Aurangabad**

Read: the Council Inspector's report (February, 2005) together with the compliance on the standard of examination and other teaching facilities available

at Govt. Medical College, Aurangabad for purpose of recognition of MS(Ortho.) & D.Ortho. qualification earlier granted by Marathwada University and now by Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Inspectors report (February, 2005) together with the compliance and decided to recommend that MS(Ortho.) & D.Ortho. qualification earlier granted by Marathwada University and now by Dr.Baba Saheb Ambedkar Marathwada University, Aurangabad in respect of students being trained at Govt. Medical College, Aurangabad be recognized and included in the first Schedule to the Indian Medical Act, 1956 restricting the number of admissions to 2 (two) students per year in each course.”

113. **Rajiv Gandhi University of Health Sciences, Bangalore - Approval of Al-Ameen Medical College, Bijapur for the award of D.A. qualification.**

Read: the Council Inspector's report (June, 2005) on the standard of examination and other teaching facilities available at Al-Ameen Medical College, Bijapur for purpose of approval of the college for the award of D.A. qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Inspectors report (June, 2005) and decided to recommend that Al-Ameen Medical College, Bijapur be approved for the award of D.A. qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admission to 1(one) student per year.”

114. **Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and N.T.R. University of Health Sciences, Vijayawada - Approval of Rangaraya Medical College, Kakinada for the award of M.S.(E.N.T.) & D.L.O. qualifications.**

Read: the compliance verification report (May,2005) together with compliance and Inspectors report (May, 2001) on the standard of examination and other teaching facilities available at Rangaraya Medical College, Kakinada for approval of the college for the award of M.S.(E.N.T.) qualification granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada & NTR University of Health Sciences, Vijayawada.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the compliance verification report (May,2005) together with compliance and Inspectors report (May, 2001) and decided to recommend that Rangaraya Medical College, Kakinada be approved for the award of M.S.(E.N.T.) qualification granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada & NTR University of Health Sciences, Vijayawada restricting the number of admissions to 2(two) students for degree & 2(two) students for diploma course per year.

115. **Annamalai University- Recognition of D.D./D.D.V.L. qualification in respect of students being trained at Rajah Muthiah Medical College, Annamalainagar.**

Read: the Council Inspector's report (July 2005) on the standard of examination and other teaching facilities available at Rajah Muthiah Medical College, Annamalainagar for purpose of recognition of D.D./D.D.V.L. qualification granted by Annamalai University.

The Council approved the following recommendations of the Postgraduate Committee.

"The Postgraduate Committee considered the Inspector's report (July 2005) and decided to recommend that D.D./D.D.V.L. qualification granted by Annamalai University in respect of students being trained at Rajah Muthiah Medical College, Annamalainagar be recognized and included in the first Schedule to the I.M.C.Act, 1956 restricting the number of admission to 1(one) student per year."

116. **Rajiv Gandhi University of Health Sciences, Bangalore – Approval of M.R. Medical College, Gulbarga for the award of M.D.(General Medicine) qualification in respect of increased intake.**

Read: the Council Inspector's report (June, 2005) on the standard of examination and other teaching facilities available at M.R. Medical College, Gulbarga for purpose of approval of the college for the award of M.D.(General Medicine) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore for increased intake.

The Council approved the following recommendations of the Postgraduate Committee.

"The Postgraduate Committee considered the Inspector's report (June, 2005) and noted that M.D.(General Medicine) qualification is already recognized and included in the 1st Schedule to the I.M.C. Act,1956 and now the matter is for approval of the college against increase of seats; decided to recommend that M.R. Medical College, Gulbarga be approved for the award of M.D.(General Medicine) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 10(Ten) students per year."

117. **Nagpur University – Approval of J.L.N. Medical College, Swangi, Wardha for the award of D.G.O. qualification.**

Read: the Council Inspector's report (April 2005) on the standard of examination and other teaching facilities available at J.L.N. Medical College, Swangi for purpose of approval of the college for the award of D.G.O. qualification granted by Nagpur University.

The Council approved the following recommendations of the Postgraduate Committee.

"The Postgraduate Committee considered the Inspector's report (April 2005) and decided to recommend that J.L.N. Medical College, Swangi be approved for the award of D.G.O. qualification granted by Nagpur University restricting the number of admissions to 3 (three) students per year."

118. **Rajiv Gandhi University of Health Sciences, Bangalore – Approval of St. John’s Medical College, Bangalore for the award of M.D. (Psychiatry) qualification in respect of increased intake.**

Read: the Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at St. John’s Medical College, Bangalore for purpose of approval of the college for the award of M.S. (Psychiatry) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Inspectors report (April, 2005) and decided to recommend that St. John’s Medical College, Bangalore be approved for the award of M.S. (Psychiatry) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 2 (two) students per year.”

119. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of M.D. (General Medicine) qualification.**

Read: the Council Inspector’s report (April, 2005) of the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of M.D. (General Medicine) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee :

“The Postgraduate Committee considered the Inspector report (April 2005) together with the compliance and decided to recommend that RML Hospital, New Delhi be approved for the award of MD (General Medicine) qualification granted by Delhi University.

The Committee further decided to direct the college authorities prospectively to restrict the number of admissions to 2(two) students in MD(General Medicine) qualification per year.”

120. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of MS(General Surgery) qualification.**

Read: the Council Inspector’s report (April, 2005) together with the compliance on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of MS(General Surgery) qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee by majority of 53 to 1 (Dr. Ravi Kant, Member representing Govt. of NCT of Delhi). Dr. Ravi Kant, member of the Council recorded his note of dissent in the said decision:-

“The Postgraduate Committee considered the Inspector’s report (April, 2005)together with compliance and decided to recommend that R.M.L. Hospital, New Delhi be approved for the award of M.S. (General Surgery) qualification granted by Delhi University restricting the number of admissions to 2 (two) students per year.”

121. **Berhampur University-Recognition of M.D.(Biochemistry) qualification in respect of students being trained at M.K.C.G. Medical College, Berhampur.**

Read: the Council Inspector's report (August, 2005) on the standard of examination and other teaching facilities available at M.K.C.G. Medical College, Berhampur for purpose of recognition of M.D.(Biochemistry) qualification granted by Berhampur University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (August, 2005) and decided to recommend that M.D.(Biochemistry) qualification granted Berhampur University in respect of students being trained at M.K.C.G. Medical College, Berhampur be recognized and included in the first Schedule to the Indian Medical Act, 1956, restricting the number of admission to 1 (one) student per year."

122. **Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and N.T.R. University of Health Sciences, Vijayawada - Approval of Rangaraya Medical College, Kakinada for the award of M.D.(Pharmacology) qualification.**

Read: the Council Inspector's report (May, 2005) on the standard of examination and other teaching facilities available at Rangaraya Medical College, Kakinada for purpose of approval of the college for the award of M.D. (Pharmacology) qualification earlier granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and now by N.T.R. University of Health Sciences, Vijayawada.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (May, 2005) and decided to recommend that Rangaraya Medical College, Kakinada be approved for the award of M.D. (Pharmacology) qualification earlier granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and now by N.T.R. University of Health Sciences, Vijayawada restricting the number of admissions to 7 (seven) students per year."

123. **Delhi University – Approval of Safdarjung Hospital, New Delhi for the award of DLO qualification.**

Read: the Council Inspector's report (April, 2005) on the standard of examination and other teaching facilities available at Safdarjung Hospital, New Delhi for purpose of approval of the college for the award of DLO qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (April, 2005) and decided to recommend that Safdarjung Hospital, New Delhi be approved for the award of DLO qualification granted by Delhi University restricting the number of admissions to 2 (two) students per year."

124. **Rajiv Gandhi University of Health Sciences, Bangalore – Approval of M.R. Medical College, Gulbarga for the award of M.S. (Orthopaedics) & D. Ortho qualification in respect of increased intake.**

Read: the Council Inspector's report (June, 2005) on the standard of examination and other teaching facilities available at M.R. Medical College, Gulbarga for purpose of approval of the college for the award of M.S. (Ortho) and D. Ortho qualifications granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (June, 2005) and noted that M.S. (Ortho.) and D.Ortho. qualifications are already recognized and included in the 1st Schedule to the I.M.C. Act,1956 and now the matter is for approval of the college against increased seats; decided to recommend that M.R. Medical College, Gulbarga be approved for the award of M.S. (Ortho) and D. Ortho qualifications granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 3 (three) students per year in each course."

125. **Delhi University – Approval of Safdarjung Hospital, New Delhi for the award of DCH qualification**

Read: the Council Inspector's report (April, 2005) togetherwith compliance on the standard of examination and other teaching facilities available at Safdarjung Hospital, New Delhi for purpose of approval of the college for the award of DCH qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (April 2005) together with the compliance and decided to recommend that Safdarjung Hospital, New Delhi be approved for the award of DCH qualification granted by Delhi University.

The Committee further decided to direct the college authorities prospectively to restrict the number of admissions to 3(three) students in DCH qualification per year."

126. **Delhi University – Approval of R.M.L. Hospital, New Delhi for the award of DCH qualification.**

Read: the Council Inspector's report (April, 2005) together with the compliance on the standard of examination and other teaching facilities available at R.M.L. Hospital, New Delhi for purpose of approval of the college for the award of DCH qualification granted by Delhi University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector report (April 2005) together with the compliance and decided to recommend that RML Hospital, New Delhi be approved for the award of DCH qualification granted by Delhi University.

The Committee further decided to direct the college authorities prospectively to restrict the number of admissions to 1(one) students in DCH qualification per year."

127. **Rajiv Gandhi University of Health Sciences, Bangalore - Recognition of M.D. (T.B. & Resp. Diseases) qualification in respect of students being trained at J.N. Medical College, Belgaum.**

Read: the Council Inspector's report (May, 2005) on the standard of examination and other teaching facilities available at J.N. Medical College, Belgaum for purpose of recognition of M.D. (T.B. & Resp. Diseases) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (May, 2005) and decided to recommend that MD (TB & Resp. Diseases) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of students being trained at J. N. Medical College, Belgaum be recognised and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 1 (one) student per year."

128. **Mumbai University – Recognition of D.M.(Medical Oncology) qualification in respect of students being trained at Tata Memorial Hospital, Mumbai.**

Read: the Council Inspector's report (July, 2004) togetherwith the compliance & compliance verification report (March, 2005) on the standard of examination and other teaching facilities available at Tata Memorial Hospital, Mumbai for purpose of recognition of D.M. (Medical Oncology) qualification granted by Mumbai University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (July 2004) together with the compliance and compliance verification report (March 2005) and reviewing its earlier decision decided to recommend that DM (Medical Oncology) qualification granted by Mumbai University in respect of students being trained at Tata Memorial Hospital, Mumbai be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year."

129. **Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University) – Recognition of D.A. qualification in respect of students being trained at Dr. D.Y. Patil Medical College, Pimpri, Pune.**

Read: the Council Inspector's report (June, 2005) on the physical and other teaching facilities available at Dr. D.Y. Patil Medical College, Pimpri, Pune for purpose of recognition of D.A. qualification granted by Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University).

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (June, 2005) and decided to recommend that DA qualification granted by Dr. D. Y. Patil University in respect of students being trained at Dr. D. Y. Patil Medical College, Pimpri, Pune be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year."

130. **H.N.B. Garhwal University – Recognition of MS(E.N.T.) qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.**

Read: the Council Inspector's report (June, 2005) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of MS(E.N.T.) qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (June, 2005) and decided to recommend that MS (ENT) qualification granted by H.N.B. University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year."

131. **Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University) – Recognition of D.G.O. qualification in respect of students being trained at Dr. D.Y. Patil Medical College, Pimpri, Pune.**

Read: the Council Inspector's report (July, 2005) on the standard of examination and other teaching facilities available at Dr. D.Y. Patil Medical College, Pimpri, Pune for purpose of recognition of D.G.O. qualification granted by Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University).

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector's report (July 2005) and decided to recommend that D.G.O. qualification granted by Dr. D. Y. Patil University in respect of students being trained at Dr. D. Y. Patil Medical College, Pimpri, Pune be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 3 (three) students per year."

132. **Kerala University – Approval of T.D. Medical College, Alappuzha for the award of MD(Dermatology, Venereology & Leprosy).**

Read: the Council Inspector's report (June, 2004) togetherwith compliance & compliance verification report (July, 2005) on the standard of examination and other teaching facilities available at T.D. Medical College, Alappuzha for purpose of approval of the college for the award of MD(Dermatology, Venereology & Leprosy) qualification granted by Kerala University.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Inspector report (June 2005) together with the compliance verification report (July 2005) and decided to recommend that T. D. Medical College, Alappuzha be approved for the award of MD (Dermatology, Venereology & Leprosy) qualification granted by Kerala University.

The Committee further decided to direct the college authorities prospectively to restrict the number of admissions to 1(one) student per year in MD(Dermatology, Venereology & Leprosy) qualification."

133. **Guwahati University – Approval of Silchar Medical College, Silchar for the award of MS(General Surgery) qualification.**

&

Assam University – Recognition of MS(General Surgery) qualification in respect of students being trained at Silchar Medical College, Silchar.

Read: the Council Inspector's report (February, 2005) togetherwith compliance on the standard of examination and other teaching facilities available at Silchar Medical College, Silchar for purpose of i) approval of the college for the award of MS(General Surgery) qualification granted by Guwahati University and ii) recognition of MS(General Surgery) qualification granted by Assam University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector's report (February 2005) and decided to recommend that :

- i) Silchar Medical College, Silchar be approved for the award of MS (General Surgery) qualification granted by Guwahati University.
- ii) MS (General Surgery) qualification granted by Assam University in respect of students being trained at Silchar Medical College, Silchar be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year.”

134. **Guwahati University – Approval of Silchar Medical College, Silchar for the award of MS(E.N.T.) qualification.**

&

Assam University – Recognition of MS(E.N.T.) qualification in respect of students being trained at Silchar Medical College, Silchar.

Read: the Council Inspector's report (August, 2005) on the standard of examination and other teaching facilities available at Silchar Medical College, Silchar for purpose of i) approval of the college for the award of MS(E.N.T.) qualification granted by Guwahati University and ii) recognition of MS(E.N.T.) qualification granted by Assam University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector's report (August 2005) and decided to recommend that

- i) Silchar Medical College, Silchar be approved for the award of MS (ENT) qualification granted by Guwahati University.
- ii) MS (E.N.T.) qualification granted by Assam University in respect of students being trained at Silchar Medical College, Silchar be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students per year.”

135. **Nagpur University – Approval of J.L.N. Medical College, Swangi, Wardha for the award of M.D.(General Medicine) qualification.**

Read: the Council Inspector's report (Nov., 2003 & April, 2005) on the standard of examination and other teaching facilities available at J.L.N. Medical College, Swangi, Wardha for approval of the college for the award of M.D.(General Medicine) qualification.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector report (Nov. 2003 & April, 2005) and decided to recommend that J. L. N. Medical College, Swangi, Wardha be approved for the award of MD (General Medicine) qualification granted by Nagpur University restricting the number of admissions to 3 (three) students per year.”

136. i) **Sri Venkateshwara University, Tirupati – Recognition of M.S.(Ophthalmology) and D.O. qualifications in respect of students being trained at S.V.Medical College, Tirupati.**
- ii) **Andhra Pradesh University of Health Sciences, Vijayawada and N.T.R.University of Health Sciences, Vijayawada - Approval of S.V. Medical College, Tirupati for the award of M.S.(Ophthalmology) & D.O. qualifications.**

Read: the Council Inspector's report (May, 2001) on the standard of examination and other teaching facilities available at S.V. Medical College, Tirupati together with the compliance & compliance verification report (June, 2005) for i) recognition of MS(Ophthalmology) & D.O. qualifications granted by Sri Venkateshwara University and ii) approval of the college for the award of M.S.(Ophthalmology) & D.O. qualifications granted by Andhra Pradesh University of Health Sciences, Vijayawada & NTR University of Health Sciences, Vijayawada.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector report (May, 2001) together with compliance and compliance verification report (June 2005) and decided to recommend that

- i) MS (Ophthalmology) and DO qualifications granted by Andhra Pradesh University in respect of students being trained at S. V. Medical College, Tirupati be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 2 (two) students each per year.
- ii) S. V. Medical College, Tirupati be approved for the award of MS (Ophthalmology) and DO qualifications granted by Andhra Pradesh University of Health Sciences and NTR University of Health Sciences, Vijaywada. ”

137. **Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University) – Recognition of D.O. qualification in respect of students being trained at Dr. D.Y. Patil Medical College, Pimpri, Pune.**

Read: the Council Inspector's report (June, 2005) on the standard of examination and other teaching facilities available at Dr. D.Y. Patil Medical College, Pimpri, Pune for purpose of recognition of D.O. qualification granted by Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University).

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector's report (June, 2005) and decided to recommend that DO qualification granted by Dr. D.Y. Patil University in respect of students being trained at Dr. D. Y. Patil Medical College, Pimpri, Pune be recognized and included in the 1st

Schedule to the IMC Act, 1956 restricting the number of admissions to 1 (one) student per year.”

138. **Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University) – Recognition of D.C.H. qualification in respect of students being trained at Dr. D.Y. Patil Medical College, Pimpri, Pune.**

Read: the Council Inspector’s report (June, 2005) on the standard of examination and other teaching facilities available at Dr. D.Y. Patil Medical College, Pimpri, Pune for purpose of recognition of D.C.H. qualification granted by Dr. D.Y. Patil Medical College, Pimpri, Pune (Deemed University).

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (June, 2005) and decided to recommend that DCH qualification granted by Dr. D.Y. Patil University in respect of students being trained at Dr. D. Y. Patil Medical College, Pimpri, Pune be recognized and included in the 1st Schedule to the IMC Act, 1956 restricting the number of admissions to 3 (three) students per year.”

139. **Manipur University- Recogniton of M.D.(Pathology) qualification in respect of Regional Institute of Medical Sciences, Imphal granted by Manipur University.**

Read: the Council Inspectors report (July, 2003) on the standard of examination and other teaching facilities available at Regional Institute of Medical Sciences, Imphal together with the compliance and compliance verification report (April,2004) for purpose of recognition of MD (Pathology) qualification in respect of Regional institute of Medical Sciences, Imphal.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (July, 2003) together with the compliance and compliance verification report (April,2004) and decided to recommend that M.D.(Pathology) qualification granted by Manipur University in respect of students being trained at Regional Institute of Medical Sciences, Imphal be recognized and included in the 1st Schedule to the IMC Act,1956 restricting the number of admissions to 2 (two) students per year.”

140. **Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and N.T.R. University of Health Sciences, Vijayawada - Approval of Rangaraya Medical College, Kakinada for the award of M.S.(Anatomy) qualification.**

Read: the Council Inspectors report (May, 2005) on the standard of examination and other teaching facilities available at Rangaraya Medical College, Kakinada for purpose of approval of the college for the award of M.S. (Anatomy) qualification earlier granted by Andhra University, Andhra Pradesh University of Health Sciences, Vijayawada and now by N.T.R. University of Health Sciences, Vijayawada.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (May,2005) and decided to recommend that Rangaraya Medical College, Kakinada be approved for the award of M.S.(Anatomy) qualification earlier granted by Andhra University, Andhra Pradesh University of Health

Sciences, Vijayawada and now by N.T.R. University of Health Sciences, Vijayawada restricting the number of admission to 1(one) student per year.”

141. **Bangalore University & Rajiv Gandhi University of Health Sciences, Bangalore – Approval of Dr. B.R. Ambedkar Medical College, Bangalore for the award of M.D. (Pathology) qualification.**

Read: the Council Inspectors report (Oct., 2005) on the standard of examination and other teaching facilities available at Dr. B.R. Ambedkar Medical College, Bangalore for purpose of approval of the college for the award of M.D. (Pathology) qualification earlier granted by Bangalore University & now by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (Oct.,2005) and decided to recommend that Dr. B.R.Ambedkar Medical College, Bangalore be approved for the award of M.D.(Pathology) qualification earlier granted by Bangalore University & now by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admission to 3 (three) students per year.”

142. **Gujarat University - Approval of Smt. NHL Municipal Medical College, Ahmedabad for the award of MD (Anaesthesia) & D.A. qualification.**

Read: the Council Inspectors report (Oct., 2005) on the standard of examination and other teaching facilities available at Smt. NHL Municipal Medical College, Ahmedabad for purpose of approval of the college for the award of MD (Anaesthesia) & D.A. qualification granted by Gujarat University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (Oct.,2005) and decided to recommend that Smt. NHL Municipal Medical College, Ahmedabad be approved for the award of M.D.(Anaesthesia) & D.A. qualifications granted by Gujarat University.

The Postgraduate Committee further decided to direct the institution authorities to restrict the number of admission to 14 (fourteen) for degree and 7 for diploma courses prospectively.”

143. **Punjab University & Baba Farid University of Health Sciences, Faridkot - Approval of Dayanand Medical College, Ludhiana for the award of M.D. (Physiology) qualification.**

Read: the Council Inspectors report (August, 2005) on the standard of examination and other teaching facilities available at Dayanand Medical College, Ludhiana for purpose of approval of the college for the award of M.D. (Physiology) qualification earlier granted by Punjab University and now granted by Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (August,2005) and decided to recommend that Dayanand Medical College, Ludhiana be approved for the award of M.D.(Physiology) qualification granted by Punjab University & Baba Farid University of

Health Sciences, Faridkot restricting the number of admission to 2(two) students per year.”

144. i) **Bharathidasan University – Recognition of M.D.(Obst. & Gynae.) and D.G.O. qualifications in respect of students being trained at Thanjavur Medical College, Thanjavur.**

ii) **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of Thanjavur Medical College, Thanjavur for the award of M.D.(Obst. & Gynae.) and D.G.O. qualifications- Consideration of compliance regarding.**

Read: the Council Inspectors report (October, 2002) on the standard of examination and other teaching facilities available at Thanjavur Medical College, Thanjavur togetherwith compliance & compliance verification report (August, 2005) for purpose of i) recognition of M.D.(Obst. & Gynae.) & D.G.O. qualifications earlier granted by Bharathidasan University and also ii) approval of the college for the award of M.D.(Obst. & Gynae.) & D.G.O. qualifications earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspectors report (October, 2002) togetherwith compliance & compliance verification report (August, 2005) and decided to recommend that –

- i) M.D.(Obst. & Gynae.) & D.G.O. qualifications earlier granted by Bharathidasan University in respect of Thanjavur Medical College, Thanjavur be recognized and included in the first Schedule to the IMC Act, 1956.
- ii) Thanjavur Medical College, Thanjavur be approved for the award of M.D.(Obst. & Gynae.) & D.G.O. qualifications earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Committee further decided to direct the institution authorities to restrict the number of admission to 1(one) student for degree & 3(three) students for diploma course per year prospectively.”

145. **Baba Farid University of Health Sciences, Faridkot– Recognition of DM (Cardiology) qualification in respect of Christian Medical College, Ludhiana.**

Read: the Council Inspectors report (July, 2005) on the standard of examination and other teaching facilities available at Christian Medical College, Ludhiana together with compliance and Inspector’s report (July, 2004) for purpose of recognition of DM (Cardiology) qualification granted by Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (July, 2005) together with compliance and Inspector’s report (July, 2004) and decided to recommend that DM (Cardiology) qualification granted by Baba Farid University of Health Sciences, Faridkot in respect of students being trained at Christian Medical College, Ludhiana be recognized and included in the 1st schedule to the IMC Act, 1956 restricting the number of admission to 1(one) student per year.”

146. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Stanley Medical College, Chennai for the award of D.O./D.O.M.S. qualification .**

Read: the Council Inspectors report (August, 2005) on the standard of examination and other teaching facilities available at Stanley Medical College, Chennai for purpose of approval of the college for the award of D.O./D.O.M.S. qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspectors report (August, 2005) and decided to recommend that Stanley Medical College, Chennai be approved for the award of D.O./D.O.M.S. qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Committee further decided to direct the institution authorities to restrict the number of admissions to 2(two) students per year prospectively in commensurate with Postgraduate Medical Education Regulation,2000.”

147. **Dr. Baba Saheb Ambedkar Marathwada University-Approval of the college for the award of MD(Obst. & Gynae.) qualification in respect of students being trained at M.G.M. Medical College, Aurangabad.**

Read: the Council Inspectors report (August, 2005) on the standard of examination and other teaching facilities available at M.G.M. Medical College, Aurangabad for purpose of approval of the college for the award of MD(Obst. & Gynae.) qualification granted by Dr. Baba Saheb Ambedkar Marathwada University.

The Council approved the following recommendations of the Executive Committee:-

“The Postgraduate Committee considered the Inspectors report (August, 2005) and decided to recommend that M.G.M. Medical College, Aurangabad be approved for the award of MD (Obst. & Gynae.) qualification granted by Dr. Baba Saheb Ambedkar Marathwada University restricting the number of admissions to 4(four) students per year.”

148. **Gujarat University - Approval of Smt. NHL Municipal Medical College, Ahmedabad for the award of MD (Physiology) qualification.**

Read: consider the Council Inspectors report (Oct., 2005) on the standard of examination and other teaching facilities available at Smt. NHL Municipal Medical College, Ahmedabad for purpose of approval of the college for the award of MD (Physiology) qualification granted by Gujarat University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspectors report (Oct., 2005) and decided to recommend that Smt. NHL Municipal Medical College, Ahmedabad be approved for the award of MD (Physiology) qualification granted by Gujarat University restricting the number of admissions to 3(three) students per year.”

149. i) **Gujarat University – Recognition of MD (General Medicine) qualification in respect of students being trained at Smt. NHL Municipal Medical College, Ahmedabad.**

ii) **Gujarat University - Approval of Smt. NHL Municipal Medical College, Ahmedabad for the award of MD (Medicine & Therapeutic) qualification .**

Read: the Council Inspectors report (Oct., 2005) on the standard of examination and other teaching facilities available at Smt. NHL Municipal Medical College, Ahmedabad for purpose of (i) of recognition of MD (General Medicine) qualification granted by Gujarat University and (ii) approval of the college for the award of MD (Medicine & Therapeutic) qualification granted by Gujarat University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspectors report (Oct., 2005) and decided to recommend that –

- (i) MD (General Medicine) qualification granted by Gujarat University in respect of students being trained at Smt. NHL Municipal Medical College, Ahmedabad be recognized and included in the first Schedule to the IMC Act, 1956 restricting the number of admissions to 24(twenty four) students per year.
- (ii) Smt. NHL Municipal Medical College, Ahmedabad be approved for the award of MD (Medicine & Therapeutic) qualification granted by Gujarat University.”

150. **The Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai- Approval of Coimbatore Medical College, Coimbatore for the award of M.S.(Ophthalmology) & D.O. qualifications .**

Read: the Council Inspector’s report (August, 2005) on the standard of examination and other teaching facilities available at Coimbatore Medical College, Coimbatore for purpose of approval of the college for the award of MS(Ophthalmology) & D.O. qualifications granted by The Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (August, 2005) and decided to recommend Coimbatore Medical College, Coimbatore be approved for the award of M.S (Ophthalmology) & D.O. qualifications granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Committee further decided to direct the college authorities to restrict the number of admissions to 1 (one) student per year in each course prospectively.”

151. **The Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai- Approval of Govt. Mohan Kumarmangalam Medical College, Salem for the award of M.D.(General Medicine) qualification.**

Read: the Council Inspector’s report (August, 2005) on the standard of examination and other teaching facilities available at Govt. Mohan Kumarmangalam Medical College, Salem for purpose of approval of the college

for the award of M.D.(General Medicine) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (August, 2005) and decided to recommend Govt. Mohan Kumarmangalam Medical College, Salem be approved for the award of M.D.(General Medicine) qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 2 (two) students per year.”

152. **Madras University and The Tamilnadu Dr. M.G.R. Medical University, Chennai- Approval of Stanley Medical College, Chennai for the award of D.Ortho. qualification .**

Read: the Council Inspector’s report (August, 2005) on the standard of examination and other teaching facilities available at Stanley Medical College, Chennai for purpose of approval of the college for the award of D.Ortho. qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (August, 2005) and decided to recommend that Stanley Medical College, Chennai be approved for the award of D.Ortho. qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 4(four) students per year.”

153. **Sri Ramachandra Medical College & Research Institute (Deemed University), Chennai – Recognition of M.D. (Biochemistry) qualification in respect of students being trained at Sri Ramachandra Medical College & Research Institute, Chennai.**

Read: The Council Inspector’s report (June, 2005) on the standard of examination and other teaching facilities available at Sri Ramachandra Medical College & Research Institute, Chennai for purpose of recognition of M.D. (Biochemistry) qualification granted by Sri Ramachandra Medical College & Research Institute (Deemed University), Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (June, 2005) and decided to recommend that M.D. (Biochemistry) qualification granted by Sri Ramachandra Medical College & Research Institute (Deemed University), Chennai in respect of students being trained at Sri Ramachandra Medical College & Research Institute, Chennai be recognized and included in the first Schedule to the Indian Medical Act, 1956 restricting the number of admissions to 2(two) students per year.”

154. **Rajasthan University – Approval of J.L.N. Medical College, Ajmer for the award of M.S.(Orthopaedics) qualification.**

Read: the Council Inspector’s report (August, 2004) on the standard of examination and other teaching facilities available at J.L.N. Medical College, Ajmer together with the compliance and compliance verification report (June, 2005) for purpose of approval of the college for the award of M.S.(Orthopaedics) qualification.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (August, 2004) together with the compliance and compliance verification report (June, 2005) and decided to recommend that J.L.N. Medical College, Ajmer be approved for the award of M.S.(Orthopaedics) qualification granted by Rajasthan University restricting the number of admissions to 3 (three) students per year.”

155. **Variation in nomenclatures of Postgraduate Degree/Diploma qualification awarded by respective universities – consideration of recognition regarding.**

Read: the matter with regard to additional registration with Medical Council of India by the nomenclature of MD(Obst. & Gynae. & diseases of children) granted by Gujrat University at K.M. School of P.G. Medicine and Research, Ahmedabad as the qualification is recognised by the MCI and included in the 1st Schedule by the nomenclature of MD(Obst. & Gynae.) in respect of the said college.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the matter in view of the decision of the General Body taken at its meeting held on 26.03.2005 and decided that the qualification by nomenclature of MD (Obst. & Gynae. and diseases of Children) be treated as deemed recognised qualification at par with MD (Obst. & Gynae) in respect of K. M. School of P.G. Medicine and Research is already recognised and included in the 1st Schedule to the IMC Act, 1956.

The Postgraduate Committee also decided that all similarly placed cases may be decided on merit in the light of the decision of the General Body taken at its meeting held on 26.03.2005”.

156. **Rajiv Gandhi University of Health Sciences, Bangalore - Approval of M.S. Ramaiah Medical College, Bangalore for the award of M.D.(Radio-therapy) qualification.**

Read: the Council Inspector’s report (April, 2005) on the standard of examination and other teaching facilities available at M.S. Ramaiah Medical College, Bangalore for purpose of approval of the college for the award of M.D. (Radio-therapy) granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Inspector’s report (April, 2005) and decided to recommend that M.S. Ramaiah Medical College, Bangalore be approved for the award of M.D. (Radio-therapy) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 2 (two) students per year.”

157. **Rajiv Gandhi University of Health Sciences, Bangalore - Approval of Kempegowda Institute of Medical Sciences, Bangalore for the award of M.D. (Forensic Medicine) qualification.**

Read: the Council Inspector's report (May, 2005) on the standard of examination and other teaching facilities available at Kempegowda Institute of Medical Sciences, Bangalore for purpose of approval of the college for the award of M.D. (Forensic Medicine) granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

"The Postgraduate Committee considered the Council Inspector's report (May, 2005) and decided to recommend that Kempegowda Institute of Medical Sciences, Bangalore be approved for the award of M.D. (Forensic Medicine) granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admission to 1(one) student per year."

158. **Representation of the Council on other bodies – Election of .**

This item was considered alongwith item No. 8 of the main Agenda.

159. **Approval of Bankura Sammilani Medical College & Hospital, Bankura for the award of MBBS degree granted by University of Calcutta for increase number of seats i.e. 50 to 100.**

Read: the Council Inspectors report (5th & 6th Dec., 2005) for approval of Bankura Sammilani Medical College & Hospital, Bankura for the award of MBBS degree granted by Calcutta University for the increased number of seats i.e. 50 to 100.

The Council approved the following recommendation of the Executive Committee/Adhoc. Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (5th & 6th Dec., ,2005) alongwith the letter dated 15.7.2004 from the Joint Secretary, Govt. of India, Ministry of Health & F.W. and decided to recommend that Bankura Sammilani Medical College & Hospital, Bankura be approved for the award of MBBS degree granted by Calcutta University for the increased number of seats i.e. 50 to100."

160. **Approval of Pt. B.D. Sharma Postgraduate Instt. of Medical Sciences, Rohtak for the award of MBBS degree granted by Maharishi Dayanand University, Rohtak against the increased intake i.e. 115 to 150.**

Read: the Council Inspectors report (22nd & 23rd Dec., 2005) for approval of Pt. B.D. Sharma Postgraduate Instt. of Medical Sciences, Rohtak for the award of MBBS degree granted by Maharishi Dayanand University, Rohtak against the increased intake i.e. 115 to 150.

The Council approved the following recommendation of the Executive Committee/Adhoc. Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report (22nd & 23rd Dec.,2005) along with the letter dated 15.07.2004 from the Joint Secretary, Ministry of Health & F.W. and

decided to recommend that Pt. B.D. Sharma Postgraduate Instt. of Medical Sciences, Rohtak be approved for the award of MBBS degree granted by Maharishi Dayanand University, Rohtak for the increased number of seats from 115 to 150.”

161. **Madras University and The Tamilnadu Dr. M.G.R. Medical Univerisity, Chennai- Approval of Kilpauk Medical College, Chennai for the award of D.A. qualification .**

Read: the Council Inspectors report (August, 2005) on the standard of examination and other teaching facilities available at Kilpauk Medical College, Chennai for purpose of approval of the college for the award of D.A. qualification earlier granted by Madras University and now by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspectors report (August, 2005) and decided to recommend that Kilpauk Medical College, Chennai be approved for the award of DA qualification earlier granted by Madras University and now by The Tamil Nadu Dr. M.G.R. Medical University, Chennai restricting the number of admissions to 4(four) students per year.

162. **Conducting of DNB courses at medical colleges/institutions – Regarding.**

Read: the following recommendations of the Postgraduate Committee at its meeting held on 23/11/2005 alongwith letter dated 4.1.2006 received from the Govt. of India, Ministry of Health & F.W. with regard to conducting of DNB courses at Medical Colleges/ Institutions:-

The Council after detailed disussion and deliberatons on the issue deided to approve the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Central Govt. letter dated 19.09.2005 together with report of the Sub-Committee constituted in the matter and decided to approve the following report of the Sub-Committee:-

“The present Committee has been constituted by the President (Acting), Medical Council of India in terms of the authorization made by the Executive Committee of the Council along with members of the Adhoc Committee appointed by the Hon’ble Supreme Court in the meeting of the Committee held on 30.12.2004 wherein letter dated 17.8.2004 received from the Director, Govt. of India, Ministry of Health & F.W. was considered.

The Executive Committee decided that the said letter should be placed before the next meeting of the General Body of the Council. The Executive Committee further decided that regarding starting of DNB courses already approved by the National Board of Examination in the teaching institutions, a Sub-Committee be constituted to go through in detail about the academic fall-outs of the said decision.

The meeting of the Committee was held on 6th June,2005 at 11.00 a.m. in the office of the Council. Upon careful scrutiny and perusal of the relevant documents that have been brought out before the Committee, the Committee thought it appropriate to take stock of chronological details of the events that have taken place in the past. They are catalogued here-in-below for ready reference:-

- The General Body of the Council at its meeting held on 17.10.1993 on the basis of approved recommendation of the Postgraduate Committee decided as under:-

“It is recommended that for teaching appointments in the broad specialities the holders of Diplomate NBE should have at least 1(one) year teaching experience as a Tutor/Registrar/Demonstrator or equivalent post in a recognized medical college imparting undergraduate teaching and training for appointment as Lecturer. Regarding the candidates holding Diplomate NBE in superspeciality subjects, the training shall be for 2 (two) years in a recognized medical college having recognized postgraduate medical degree in the concerned speciality for appointment as a Lecturer.”

- The matter of eligibility of DNB qualification holder for admission to DM/M.Ch. courses was deliberated in the PG Committee meeting held on 28.11.1994 wherein the Committee extended provision of “two years teaching experience in a recognized medical college having recognized postgraduate medical degree in the concerned speciality applicable to DNB holder for being eligible for appointment as Lecturer”, as referred to in the decision of the General Body of the Council at its meeting dated 17.10.1993.
- Further, the Postgraduate Committee of the Council at its meeting held on 10.9.1998 considered the issue of equivalence of DNB qualifications with that of MCI recognized MD/MS or DM/M.Ch. qualifications and decided that for teaching appointments in the broad specialities, DNB qualification holder with one year teaching experience as a Tutor/Registrar/Demonstrator or equivalent post in a recognized medical college imparting undergraduate teaching and training can be appointed. Further, with regard to holders of DNB qualification in superspeciality subjects, the required training shall be of 2(two) years in a recognized medical college having recognized postgraduate course in the concerned speciality can be appointed as Lecturer. The aforesaid decision of the PG Committee dated 10.9.1998 was approved by the General Body of the Council at its meeting held on 29.10.1998.
- Further, the Postgraduate Committee upon consideration of a letter dated 07.02.2002 from the Ministry of Health & F.W. forwarding therewith a copy of letter dated 28.12.2001 from President, National Board of Examination in regard to consideration of DNB qualifications granted by National Board of Examination as equivalent to postgraduate MD/MS or DM/M.Ch. degrees, in its meeting dated 16.9.2002 constituted a Sub-Committee of 3 members namely Dr. B.Ray Chaudhuri, Chairman with Dr. Subhash Penkar and Dr. G. Sham Sunder as members to consider the matter in all its aspects.
- Due to sad demise of Dr. B. Ray Chaudhuri, Chairman of the Sub-Committee, Dr. L.S. Chawla was appointed as Chairman in his place. The Committee submitted its report on 12.5.2003 which was considered by the General Body of the Council in its meeting held on 20.10.2003 wherein the recommendations of the Sub-Committee were approved by the Council. The reasons included in the said report facilitated in drafting of the conclusion approved by the General Body are catalogued as under:-
 - (a) The reasons for not equating DNB degrees with MD/MS/DM/M.Ch. are as follows:-

- (1) Admissions to DNB course is only by qualifying examination whereas admission to postgraduate course is by competent examination in all States and for all colleges.
- (2) A definite teaching faculty along with other infrastructural facilities as prescribed in the regulations governing the postgraduate education by the Council has to be made whereas for DNB training the faculty possessing required teaching experience is not a pre-requisite. Moreover, the said courses by and large are conducted in non-teaching hospitals and are under the supervision of consultants who are by and large not eligible to be qualified teacher in terms of MCI regulations.
- (3) The facilities of basic sciences training which is essential and vital for postgraduate teaching and training is non-existent in such non-teaching hospitals. Some facilities of para-clinical departments like Pathology, Microbiology, Biochemistry may be available but the facilities of pre-clinical and other para-clinical departments namely that of Anatomy, Physiology, Community Medicine, Forensic Medicine are non-existent. The said facilities even in case where they are available are 'service oriented' and not 'teaching oriented'.
- (4) The candidates possessing postgraduate courses i.e. MD/MS/DM/M.Ch. in recognized teaching institutions are trained in hospitals attached to such institutions where the clinical material is available in terms of variety and quantity sufficient enough for imparting of the hands on training to the postgraduate students. On the other hand the DNB candidates are training on paying beds which mainly cater to private patients and insufficient hands on training is imparted resulting in defeat the very purpose of practical training for the postgraduate students.
- (5) The regular teaching institutions have a multi-disciplinary approach for orientation of the postgraduate trainees whereby they have a wider interaction with different aspects of medicine whereas the training of DNB students for want of required facilities as are available in a medical college are denied of this multi-disciplinary approach of teaching and training.
- (6) The postgraduate teachers as contemplated by the Medical Council of India are to be whole-time in nature whereas the teaching and training conducted for DNB courses is by and large by consultants who are either part-time or are honorary in nature.
- (7) The students training for MD/MS is for 3 years duration and as of now is residential in character. Such a situation is not applicable in regard to the trainees for DNB courses.

- The regulations on Postgraduate Medical Education, 2000 mandates 3 years teaching experience with recognized postgraduate qualification as minimum eligibility for admission of a person as Lecturer/Assistant

Professor in a medical college. One year teaching experience after broad speciality and 2 years experience after superspeciality for DNB candidates does not equate them with such a prescribed eligibility for want of 3 years experience gained by a regular postgraduate student in a teaching institution during the period of his postgraduate training. This limitation cannot be overcome in any mode and manner at any given point of time until and unless the concerned degree holders are required to work as a resident for 3 years all over again on residential basis in a teaching institution.

- The concept in regard to utilization of the unutilized facilities in medical college was also deemed to be incorrect as the intake capacity in the postgraduate courses is fixed commensurate with the available teaching faculty, clinical material and infrastructural facilities available which are necessary for maintaining desired standards of training and hence there is nothing which can be said to be an unutilized/surplus component.
- The said matter has been dealt adequately by the General Body of the Council at its meeting held on 26.03.2005 wherein it was unanimously decided that the position adopted by the Council in this case be reiterated.
- Coming to the question of approval/renewal of the DNB courses in teaching institutions, the idea which has been canvassed is maintenance of 1:1 postgraduate teaching student ratio.
- The Committee is aware that there could be situations where the number of postgraduate seats may not be commensurate with the number of available postgraduate teachers. As a matter of fact, the Postgraduate Regulations, 2000 prescribes a ceiling on the number of students permissible in a teaching unit. As per the governing regulations against a teaching unit which ought to have a complement of 3 teachers that the first unit being headed by a person not below the rank of Professor along with an Associate Professor and Assistant Professor and the subsequent unit, if any, to be headed by the person not below the rank of Associate Professor along with 2 Assistant Professors/Lecturers being a minimum must.
- Constituting a possibility that in unit 1 all the 3 professors constitute the teaching complement are recognized postgraduate teachers yet the number of students that can be registered with degree against the said unit shall be 2 per year and in case of diploma it would be one diploma per unit in addition to the 2 degree students. Thus in any case the total number of registration of degree and diploma taken together in one unit in one year shall not exceed 3 (2+1) provided 3 postgraduate teachers are available. In subjects which do not have diploma against the available 3 teachers still the number of registered students shall be restricted to 2 per year.
- At the cost of repetition, the Committee would like to emphatically say that teacher taught ratio is not the only parameter which is viewed in isolation for the purposes of according permission of starting of postgraduate courses or augmenting of its annual intake, the other parameters like infrastructural facilities, clinical material, teaching and training facilities are also given equal emphasis in a holistic manner.
- Prescribing of the upper limit of the permissibility of the annual intake is not only intake of teacher student ratio of 1:1 but also is aimed at having a ratio with number of teaching unit.

- In this context, it may be noted that a minimum bed strength is prescribed for a postgraduate teaching unit which is of minimum 30 beds in case of broad speciality and 20 beds in case of super speciality. Meaning thereby that in a unit with postgraduate teachers wherein only degree course is permitted with an annual intake of 2 seats and the duration of the course being 3 years, the number of postgraduate students shall be 6 at a given point of time with ratio of bed strength or student ratio is 1:5. Therefore, the governing ratio automatically the teachers are to taught is also tagged with bed strength: the student.
- The Committee is conscious of the fact that the bed strength does not contemplate number of beds but the patients of desired variety facilitating the appropriate orientation in regard to hands on training. An emphasis is also prescribed in regard to the daily overall clinical material and the prescribed bed strength viewed in the form of occupancy rate. By and large the governing practice adopted by the Council is that a minimum of 80% occupancy is a must for granting of permission for postgraduate course.
- All these parameters have been prescribed by the Council upon due application of mind with required emphasis on the standards of teaching and training at the postgraduate level whereby the postgraduate students is upto the desired level in terms of being able to discharge the prescribed competence catalogued in the regulations. The stringent parameters that have been prescribed are solely made to ensure on maintenance and adherence of the academic standards governing teaching and training for the postgraduate students.
- Taking note of these considerations, the General Body of the Council had emphasized that all efforts need to be taken to ensure that no duplication takes place in regard to the streams including modalities of admissions, teaching and training methods and also availing of the available infrastructure in an institution.
- The academic fall-outs therefore out of a liberal approach would be causing a definite prejudice to the standards and legitimate expectations out of a well structured postgraduate teaching programme. As such, the Committee taking stock of it is of the considered opinion that the position adopted by the General Body of the Council in regard to non-grant of permission for running of DNB courses in recognized teaching institutions needs to be maintained in the larger academic interest and standards of postgraduate medical education in the country.

The above decision of the Postgraduate Committee has not been communicated as per the instructions.

Now the council has received a letter dated 4th Jan., 2006 received from the Under Secretary, Govt. of India which states that Central Govt. vide letter of even number dated 17th August, 2004 communicated its decision that the medical institutions in the country running post-graduate/super speciality courses permitted/recognized as per MCI norms, are permitted to run DNB programmes provided they have additional faculty to train DNB candidates. It is brought to their office that the medical colleges are not being able start the DNB courses even though they had additional faculty. This was primarily with a view to ensuring optimal utilization of manpower and the clinical load, which is available in various medical colleges for production of quality manpower. This letter was based on MCI's stand in the matter as contained in their letter No.22(1)/96-Med./14368 dated 17/9/96 that it would not have any objection in introducing DNB courses in medical institutions in the concerned

departments provided the PG teachers of the respective departments admitting students under them for MD/MS/DM/M.Ch. courses may not register students under them for DNB courses simultaneously.

Central Govt. has further stated that the MCI vide letter dated 11/11/2005 addressed to various Universities, DME's of all State Govt's/UTs, Secretaries of Health/Medical Education Departments of all the States etc., interalia, informing them that it may be made sure by them not to conduct DNB and other parallel courses i.e. CPS etc. in any subject along with MD/MS/DM/M.Ch./PG Diploma courses wherever the institutions have been permitted/recognized to conduct MD/MS/DM/M.Ch. and PG diploma courses. It has also been stated therein that the decision has been communicated to all concerned. This is contrary to the stand taken by this Ministry in this regard. In this connection, it is also to be stated that any decision taken by the PG Committee of MCI, including those with regard to the policies, is only recommendatory in nature and requires the approval of the Council and the Govt. In the present case, if the PG Committee/the Council considered that the earlier policy of allowing DNB courses to be run parallel to MD/MS etc. in medical colleges requires any change, the Council should have sent such proposal along with reasons for the proposed change of their stand to the Govt. for its consideration particularly when the Central Govt. have issued instructions to all concerned allowing conduct of DNB courses along with MD/MS etc. subject to availability of additional faculty. It is pertinent to point out that the copy of the instructions of the Central Govt. dated 19/9/2005 was also specifically endorsed to the Acting President of MCI for their information.

The Central Govt. has further stated that MCI may send the recommendation of the PG Committee along with detailed reasons for change of their earlier stand in regard to allowing DNB courses to be run in medical colleges along with MD/MS/DM/M.Ch./PG Diploma courses against excess faculty to the Govt. for consideration.

Central Govt. has stated that "the MCI communication dated 11/11/2005 directly to various agencies including State Govts. Contrary to the instructions issued by the Central Govt. based on the MCI's earlier stand on the matter is not only inappropriate but has also created confusion in various institutions/State Govts. Till such time as the Govt. takes a final decision on the PG Committee recommendations, the Govt. instructions as contained in letter dated 19/9/2005 will remain in force."

The Council further taking note of communication dated 04-01-2006 received from Govt. of India, Ministry of Health & F.W., decided that the Govt. of India, be informed accordingly and the decision be also communicated to the all concerned including various teaching institutions. Dr. Ravikant dissented.

163. **To consider the letter dated 21/12/2005 received from the Controller of Examinations, Central Board of Secondary Education, Delhi conveying therein the recommendations of the Advisory Committee meeting held on 08/09/2005 for inclusion in the information bulletin for 2007 examination.**

Read: the letter dated 21/12/2005 received from the Controller of Examinations, Central Board of Secondary Education, Delhi conveying therein the recommendations of the Advisory Committee meeting held on 08/09/2005 for inclusion in the information bulletin for 2007 examination.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

"The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council accepted and approved the suggestions of the Advisory Committee of the Central

Board of Secondary Education pertaining to upper age limit and number of attempts to be prescribed with the modifications as under:-

- (a) The upper age limit for All India Pre-Medical Entrance Examination be prescribed as 25 years as on 31st December of the year of the entrance examination. Further provided that this upper age limit shall be relaxed by a period of 5 (five) years for the candidates of Scheduled Castes/Schedule Tribes/Other Backward Classes.
- (b) The number of attempts which a candidate can avail at All India Pre-Medical Entrance Examination shall be limited to 3 (three) uniformly for all the candidates.

164. **Undertaking given by Dr. H.P. Shiva Prasad for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. H.P. Shiva Prasad for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October,2005.

“The Ethics Committee heard Dr. H.P. Shiva Prasad who appeared before the Ethics Committee at its meeting held on 6th & 7th October,2005. Written statements was also taken from him which are as under:-

Statement of Dr. H.P. Shiva Prasad

I Dr. H.P. Shiva Prasad did my MBBS from Dr. B.R. Ambedkar Medical College in 1989 and I did my MD (Pharmacology) from Mysore Medical College in 1995. My date of birth is 20.03.1960. My registration no. is 27905 of Karnataka Medical Council.

I am working at Adichunchangiri Instt. of Medical Sciences, Bellur since 10.01.1990 and till date I am working there at during that period I have appeared before the MCI inspections held there. On 06.06.2003, I was physically present during the MCI inspection being held at Malankara Orthodox & Syrian Church Medical College, Kolencherry and the declaration form at that college bears my photograph and signature. I went there to join but I did not join.

I signed the declaration form because they did not ask resignation letter/relieving letter from AIMS BG Nagar, if they would have insisted to submit the resignation/relieving letter, I would have not signed. They have called me to sign one more declaration form but I did not go and I have not signed, if it is signed it is not my signature. I was physically present to join the college but I did not. I have now drawn any salary from that college. Above error was not intentional. Kindly forgive me for the above I won't do this error in future. Kindly excuse for above, I hope I will oblige and do the needful.

Sd/-
(Dr. H.P. Shiva Prasad)
12.08.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. H. P. Shiva Prasad, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

"Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the

teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. H. P. Shiva Prasad along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. H. P. Shiva Prasad constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. H.P. Shiva Prasad be erased temporarily from the Indian Medical Register upto 31st July, 2008.
2. He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. H.P. Shiva Prasad be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.”

165. **Undertaking given by Dr. N. Uma Jyoti for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. N. Uma Jyoti for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October,2005:-

“The Ethics Committee heard Dr. N. Uma Jyoti who appeared before the Ethics Committee at its meeting held on 6th & 7th October,2005. Written statements was also taken from her which are as under:-

Statement of Dr. N. Uma Jyoti

I Dr. N. Uma Jyoti did my MBBS from Guntur Medical College in 1993 and I did my MD (Psychiatry) from the KMC, Manipal in 1997. My date of birth is 20.08.1968 and my registration no. is 35983 of A.P. Medical Council.

I joined AP Govt. Service at Guntur Medical College on 02.02.2002 and was physically present during the MCI inspection there at on 12.02.2004

I was also physically present during the MCI Inspection at Alluri Sitaram Raju Academy of Medical Sciences, Eluru on 19.06.2003. Actually I went there for interview for an appointment with better pay scale. Later on I came to know that there is no separate post in Psychiatry department in the college I have to give night duties in the medicine department hence, I did not join there. However, I am extremely sorry for the same. I may be excused for that.

Sd/-
(Dr. N. Uma Jyoti)
12.08.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued “Show Cause Notices” calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective “Show Cause Notice”, all the Declaration Forms, which

he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. N. Uma Jyoti, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

“Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon’ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as

endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. N. Uma Jyoti along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep

himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. N. Uma Jyoti constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The Ethics Committee of MCI also noted that Dr. Uma Jyoti has been found working in Govt. Institution & simultaneously in another private medical college, hence the Ethics Committee further recommends that this case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. N. Uma Jyoti be erased temporarily from the Indian Medical Register upto 31st July,2008.
2. She will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. N. Uma Jyoti be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also noted that Dr. N. Uma Jyoti has been found working in Govt. institution & simultaneously in another private medical college, her case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

166. **Undertaking given by Dr. Vijayalaxmi for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. Vijayalaxmi for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October, 2005:-

“The Ethics Committee heard Dr. Vijayalaxmi Parija who appeared before the Ethics Committee at its meeting held on 6th & 7th October, 2005. Written statements was also taken from her which are as under:-

Statement of Dr. Vijayalaxmi Parija

I Dr. Vijayalaxmi Parija did my MBBS from SCB Medical College in 1973 and I did my MD (Anatomy) from the same institute in 2001. My date of birth is 15.11.1948. My registration no. is 5758 of Orrissa Medical Council.

I was not physically present during the MCI inspection at Kesar Sal medical college, Ahmedabad, PES Instt. of Medical Sciences, Kuppam and Alluri Medical College, Alluru. However, I signed blank declaration form of MCI and submitted my photograph to these 3 institutes as mentioned above. I have never worked in any of these three institutes. I am excused for my fault, which I have done inadvertently.

Sd/-
(Dr. Vijayalaxmi Parija)
12.08.2004

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued “Show Cause Notices” calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective “Show Cause Notice”, all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. Vijayalaxmi Parija, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

“Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon’ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. Vijayalaxmi Parija along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty

without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Vijayalaxmi Parija constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The Ethics Committee of MCI also noted that Dr. Vijayalaxmi Parija has been found working in Govt. Institution & simultaneously in another private medical college, hence the Ethics Committee further recommends that this case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. Vijayalaxmi Parija be erased temporarily from the Indian Medical Register upto 31st July, 2008.
2. She will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. Vijayalaxmi Parija be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also noted that Dr. Vijayalaxmi Parija has been found working in Govt. institution & simultaneously in another private medical college, her case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

167. Undertaking given by Dr. G.C. Javalgi for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.

Read: the undertaking given by Dr. G.C. Javalgi for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October,2005:-

“The Ethics Committee heard Dr. G.C. Javalgi who appeared before the Ethics Committee at its meeting held on 6th & 7th October,2005. Written statements was also taken from him which are as under:-

Statement of Dr. G.C. Javalagi

I Dr. G.C. Javalagi did my MBBS from KMC, Hubli in 1970 and I did my MS (Anatomy) from the JNMC, Belgaum in 1990. My date of birth is 08.05.1944. My registration no. is 8564 of Karnataka Medical Council.

I am working in department of Anatomy at J.N.M.C., Belgaum since 1985 and till date I am working there as a full time teacher. On 21.06.2003, I was physically present during the MCI inspection at Jubilee Mission Medical College, Thrissur. I have also present during the MCI inspection being held at PES Instt. of Medical Sciences, Kuppam on 30.03.2004. I availed casual leave during above mentioned period of inspections from my parent Instt. i.e. J.N.M.C., Belgaum. The declaration forms of both the colleges i.e. Jubilee Mission Medical College, Thrissur and PES Instt. of Medical Sciences, Kuppam were signed by me, photograph was provided by me but the form was filled up by the college authorities I have submitted to them a blank form.

I know that I have done a wrong thing but it was inadvertent error without any ulterior motive and this will not be repeated in future.

Sd/-
(Dr. G.C. Javalagi)
12.08.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued “Show Cause Notices” calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective “Show Cause Notice”, all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. G. C. Javalagi, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

“Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon’ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. G. C. Javalagi along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. G.C. Javalagi constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. G.C. Javalagi be erased temporarily from the Indian Medical Register upto 31st July,2008.
2. He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. G.C. Javalagi be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.”

168. **Undertaking given by Dr. O.P. Srivastava for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. O.P. Srivastava for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October,2005:-

“The Ethics Committee heard Dr. O.P. Srivastava who appeared before the Ethics Committee at its meeting held on 6th & 7th October,2005. Written statements was also taken from him which are as under:-

Statement of Dr. O.P. Srivastava

I Dr. O.P. Srivastava did my MBBS from GMC Vikram University, Ujjain in 1969 and I did my MD (Pathology) from the Gandhi Medical College in 1973. My date of birth is 07.03.1945. My registration no. is 1033 of M.P. Medical Council.

I was not present during the MCI inspection at U.C.M.C., Nepal but I was physically present during the MCI inspection held on 22.09.2003 at Maharaja Agarsen Medical College, Agroha and the form was signed by me, the photograph was given by me but the form was filled up by the college authorities I have submitted to them a blank form wherein the date of joining has been shown as 10.05.2003 but actually I was present on the day of inspection there at.

I was present during the MCI inspection on 06.05.2004 at Chalmeda Anand Rao Medical College, Karimnagar and the form was signed by me, the photograph was given by me but the form was filled up by the college authorities I have submitted to them a blank form. I have been there only for the day of inspection. I confess that the I was forced by my friends to take personal decision by way of attending MCI inspection and I regret for

Sd/-
(Dr. O.P. Srivastava)
12.08.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/ institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. O. P. Srivastava, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

“Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon’ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law.

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

“Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. O. P. Srivastava along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration.

Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. O. P. Srivastava constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

"Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. O.P. Srivastava be erased temporarily from the Indian Medical Register upto 31st July,2008.
2. He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. O.P. Srivastava be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions."

169. Undertaking given by a medical teacher for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.

Read: the undertaking given by a medical teacher for working in more than one medical college.

This item was withdrawn. The matter will be placed before the General Body of the Council after it is again considered by the Executive Committee.

170. **Undertaking given by Dr. B. Karunakar for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. B. Karunakar for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October,2005:-

“The Ethics Committee heard Dr. B. Karunakar who appeared before the Ethics Committee at its meeting held on 6th & 7th October,2005. Written statements was also taken from him which are as under:-

Statement of Dr.B.Karunakar

I, Dr.B.Karunakar did my MBBS in the year 1998 from Osmania Medical College, Hyderabad and did my MD (For.Med.) in the year 2002 from Gandhi Medical College, Hyderabad. My date of birth is 9.6.1970. My registration number is 41770 of A.P. Medical Council.

I joined A.P. Govt. service in the year 2001 and still continuing in that service. I am posted at Gandhi Medical College, Hyderabad during the year 2004. I was posted at S.V. Medical College, Tirupati and was physically present during MCI inspection thereat on 15.4.2004.

I was present at NRI Medical College, Guntur during MCI inspection held thereat on 27.4.2004. The declaration form was filled up by me, signed by me and bears my photograph.

Basing on the promise of mediator of NRI Medical College, Guntur and I decided to join at NRI Medical College from 26.4.2004 and appeared in MCI inspection believing that I am going to join in this medical college, but on 27th evening the mediator told me I am unable to stand on my promise because the management is not agreeing for it. In this way he misguided me and made me to appear in inspection of NRI Medical College, Guntur. I did not receive any kind of salary from them. The date of joining on 11.1.2004 is wrong and not written by me.

I am sorry for the same and I do not have any intention to appear in the MCI inspection within 11 days. I will not repeat in future any kind of mistake.

Sd/-
(Dr.B.Karunakar)

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to

be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued "Show Cause Notices" calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. B. Karunakar, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made thereunder with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law."

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

"Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any

given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr.B. Karunakar along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

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

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. B. Karunakar constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The Ethics Committee of MCI also noted that Dr. B. Karunakar has been found working in Govt. Institution & simultaneously in another private medical college, hence the Ethics Committee further recommends that this case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. B. Karunakar be erased temporarily from the Indian Medical Register upto 31st July,2008.
2. He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. B. Karunakar be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also noted that Dr. B. Karunakar has been found working in Govt. institution & simultaneously in another private

medical college, his case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

171. **Undertaking given by Dr. R. Kanagasabai for working in more than one medical college-Action to be taken in view of Code of Medical Ethics.**

Read: the undertaking given by Dr. R. Kanagasabai for working in more than one medical college.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the following recommendations of the Ethics Committee taken at its meeting held on 6th & 7th October,2005:-

“The Ethics Committee heard Dr. R. Kanagasabai who appeared before the Ethics Committee at its meeting held on 6th & 7th October,2005. Written statements was also taken from him which are as under:-

Statement of Dr. R. Kanagasabai

I Dr. R. Kanagasabai did my MBBS from Stanley Medical College in 1988 and I did my MD (Radio-diagnosis) from Madras Medical College in 1997. My date of birth is 16.06.1997. My registration no. is 46793 of Tamilnadu Medical Council.

I joined Tamilnadu Health Services in 1993 since then I am continuing in Tamilnadu Health Services. I was physically present during the MCI inspection at Kilpauk Medical College on 12.01.2004 where I am still posted. On 28.01.2004, I was physically present during the MCI inspection at Sree Balaji Medical College & Hospital, Chennai I was on call in my capacity as a visiting consultant in Interventional Radiology and was unaware of the status in which I was shown during the MCI inspection.

Sd/-
(Dr. R. Kanagasabai)
11.08.2005

The above mentioned medical teacher had submitted Declaration Form to the Inspection team of the Council at the time of conduct of inspection of the medical college/institution claiming employment as a full time medical teacher in the concerned medical college/institution. He had also incorporated a statement in the Declaration Form that all the contents and statements made in the Declaration Form duly signed by him are correct and true to his knowledge.

On the examination of the records of the Council i.e. inspection reports and the Declaration Forms submitted by various medical colleges/institutions inspected by the Council, it was prima facie found by the Monitoring Cell of the Council that the above mentioned medical teacher has made misstatements and false declarations in the Declaration Forms submitted by him to the effect and to the result that he has been found to be claiming employment as a full time medical teacher in more than one medical college/institution at the same point of time.

The above mentioned medical teacher was, therefore, issued “Show Cause Notices” calling upon him to explain why appropriate action be not taken against him for submitting more than one Declaration Forms signed

and submitted by him claiming employment as full time medical teacher at the same point of time in more than one medical college/institution. Along with the respective "Show Cause Notice", all the Declaration Forms, which he had submitted to the inspection team of the Council were also sent to him.

The above mentioned medical teacher, pursuant to the Show Cause Notice issued to him, has submitted his written response giving his clarifications and explanations for the submission of more than one Declaration Form by him.

Upon consideration of the case of Dr. R. Kanagasabai, the Ethics Committee noted that explanation /clarification has not been found to be satisfactory and the misconduct of making mis-declaration/misstatement in Declaration Form having been found to be established.

The Ethics Committee perused the opinion of the Council Advocate Sh. Maninder Singh which reads as follows :-

"Though the issue of interpretation of certain provisions of the Act and the Regulations made there under with regard to grant of direct registration and taking action against doctors for misconduct is pending before the Hon'ble Supreme Court, however, since filing of false declarations by the individual doctors with or without the involvement of college authorities with a view to fraudulently mislead the Council for falsely achieving the fulfillment of the minimum teaching requirement in the medical colleges, is a serious violation/offence having the potential of causing serious threat and prejudice to the general public and larger public interest, I am of the prima facie opinion that besides and in addition to informing the police authorities such illegal acts of omission and commission for necessary action, the Council would be well advised and empowered to initiate appropriate proceedings for removal of the names of such medical teachers from the Indian Medical Register, in accordance with law."

The Ethics Committee also perused the decision of the General Body of the Council taken at its meeting held on 12.10.2004 on this matter in similar type of cases, the extract of which is as follows :-

"Over a period of last 1-2 years by considering the inspection reports of various medical colleges seeking permissions /renewals under Section 10A of the Act, it was felt and observed that a large number of doctors are claiming employment as medical teachers in more than one medical college at the same time. It was being observed that the names of the doctors shown as medical teachers in a particular medical college were getting repeated in the inspection reports of certain other medical colleges, in the same proximity of time.

Apparently, the medical colleges and the medical teachers were indulging in such activities only to show to the inspection team of the Council that the colleges concerned are fulfilling the minimum requirement for the teaching staff for seeking permissions/renewals under Section 10A of the Act.

The Council, therefore, to curb such unscrupulous tendencies, started adopting methods in this regard. Declaration forms were introduced to be signed by the doctors claiming employment as medical teachers in any given medical college and that they also remain present along with their declaration forms, at the time of the conduct of the inspection of that college.

Subsequently, a provision for endorsement by the Dean/Principal of the medical college was also introduced in the Declaration Forms to make this

requirement more efficient and effective by stating that in the event of any declaration made by a particular medical teacher turns out to be untrue and incorrect, the Dean/Principal of the college putting signatures as endorsement of the truthfulness of the statement made in the declaration would also be held responsible in that event.

Needless to state that the Council has always tried to improve in this regard for ensuring that such misdeclaration /misstatements are completely eliminated or minimized to the extent possible with the clear percept on that the Council should take appropriate action against such erring doctors whenever it is found that the particular doctor has furnished more than one declaration forms towards claiming teaching employment in any medical college when such a doctor has already furnished similar declaration for claiming employment as medical teacher in certain other medical colleges at the same point of time.

This problem has engaged attention of the Council continuously during the last 1-2 years. The cases have also been considered by the Ethics Committee of the Council. Whenever it has been found that a particular doctor is claiming employment as medical teacher at the same point of time in more than one medical colleges, show cause notices had been issued seeking their replies. They were given due opportunities to present their explanation before the Ethics Committee.

This issue was considered by the General Body of the Council with all required seriousness. Undoubtedly, such kind of misconduct is much more serious than the alleged negligence in cases of treating the patients by doctors. Such misdeclarations /misstatements are made to cause deception not only to the Council but also on the Central Govt. for extracting permissions/renewals under Section 10A of the Act.

The worst part is that ultimately it is those innocent students who get admissions in such medical colleges where the minimum required medical teachers are shown only in such a dubious manner, causes irreparable prejudice to the fair interests of those students and further also to the patients who may be treated by such half-backed students who would not get their exposure and training with the minimum required number of medical teachers available to them.

The General Body was clearly of the view that such a tendency has to be completely eliminated and not only curbed. The situation does not brook any lenience in this regard and deserves to be dealt with a heavy hand. No doctor should ever be allowed to make such false declaration and get away with it. Timely efficient action in this regard is the need of the hour. It should also act as an effective deterrent so that others who are getting tempted to indulge into such activities should feel reluctant to do so.”

The Ethics Committee, after detailed deliberations and perusal of all the relevant documents as well as the oral and written statement of Dr. R. Kanagasabai along with the opinion of Advocate of this Council, Sh. Maninder Singh vide his letter dated 29.12.2003 and the decision of General Body dated 12.10.2004, have come to the unanimous decision that he has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following sections are concerned:-

Section 1.1.1.

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

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to

conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. R. Kanagasabai constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that his name may be erased from IMR temporarily for a period of 2 years, as per Section 8.1 of the PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS REGULATIONS, 2002, which reads as follows :-

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

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

The Ethics Committee of MCI also noted that Dr. Kanagasabai has been found working in Govt. Institution & simultaneously in another private medical college, hence the Ethics Committee further recommends that this case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council further decided as under;-

1. The name of Dr. R. Kanagasabai be erased temporarily from the Indian Medical Register upto 31st July, 2008.
2. He will not be eligible to be counted as a teacher at the inspections to be carried out by MCI for the academic years 2006-07 and 2007-08.
3. The name of Dr. R. Kanagasabai be published on the website and a circular be sent to all the Directors of Medical Education of all the States, all the universities and all the Medical Colleges/Institutions.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council also noted that Dr. R. Kanagasabai has been found working in Govt. institution & simultaneously in another private medical college, his case is also to be sent to the respective Dean/Principal of the Medical College and Health Secretary of the concerned State for necessary action at their end.”

172. **Appointment/Promotion in the Council Office.**

The Council noted & approved the following recommendations by the Executive Committee/Adhoc. Committee:-

<u>S.N.</u>	<u>Name</u>	<u>Post</u>	<u>Dt. of Joining</u>
1.	Sh. A.T. Rao	Law Officer	28.11.2005
2.	Dr.(Mrs.) Kamlesh Kohli	Whole Time Inspector	30.12.2005
3.	Dr. P. Prasannaraj	Joint Secretary	06.01.2006

Mrs. Madhu Handa, Administrative Officer has been promoted as Assistant Secretary w.e.f. 29.12.2005.

173. **Approval of the Minutes of Finance Committee Meetings held on 30th September and 23rd December 2005.**

The Council approved the minutes of Finance Committee Meetings held on 30th September and 23rd December, 2005.

174. **Approval of Minutes of the Building Committee meeting held on 24.11.2005.**

The Council approved the minutes of the Building Committee meetings held on 24.11.2005.

175. **Removal of name of Dr. Anil Kumar S.R. from the Indian Medical Register.**

Read: the letter dt. 25th July, 2005 received from the Registrar/President, Karnataka Medical Council, Bangalore intimating that Dr. Anil Kumar S.R. bearing Regn. No. 17360 dated 16.7.2005 has surrendered his original Registration certificate as he would like to pursue his career in Law and his name has been removed from the Register of Registered Medical Practitioners.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 25.07.2005 received from the Registrar/President, Karnataka Medical Council intimating that Dr. Anil Kumar S.R. (Registration No.17360, dated 16.7.2005) has surrendered his original registration certificate as he would like to pursue his career in law and his name has been removed from the Register of Registered Medical Practitioners.

The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country. “

176. **Removal of name of Dr. Nirmalya Chakrabarti from the Indian Medical Register.**

Read: letter dt. 8th Dec., 2005 received from the Registrar, West Bengal Medical Council, Kolkata intimating that the name of Dr. Nirmalya has been removed from the Register of Registered Medical Parishioners for a period of six months w.e.f. 6.12.2005 due to fake MD degree qualification in his prescription pad without possessing the same.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter dated 08.12.2005 received from the Registrar, West Bengal Medical

Council intimating that the name of Dr. Nirmalya has been removed from the Register of Registered Medical Practitioners for a period of six months w.e.f. 6.12.2005 due to fake MD degree qualification his prescription pad without possessing the same.

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to remove the name of above-mentioned doctor from the Indian Medical Register and also give intimation in this regard to all the State Medical Councils in the country."

177. **Approval of Rajashree Chhatrapati Shahu Maharaj Government Medical College, Kolhapur for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nasik.**

Read: the Council Inspectors report (2nd & 3rd Jan., 2006) of Rajashree Chhatrapati Shahu Maharaj Government Medical College, Kolhapur for its approval for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nasik.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

"The members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report(2nd & 3rd Jan., 2006) and decided to recommend that Rajashree Chhatrapati Shahu Maharaj Government Medical College, Kolhapur be approved for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nasik with an annual intake of 100 students. "

178. **Recognition of Era's Lucknow Medical College, Lucknow for the award of MBBS degree granted by Dr. Ram Manohar Lohia Avadh University, Faizabad.**

Read: the Council Inspectors report (23rd & 24th Jan., 2006) of Era's Lucknow Medical College, Lucknow for its recognition for the award of MBBS degree granted by Dr. Ram Manohar Lohia Avadh University, Faizabad.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

"The members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report(23rd & 24th Jan., 2006) and decided to recommend that Era's Lucknow Medical College, Lucknow be approved for the award of MBBS degree granted by Dr. Ram Manohar Lohia Avadh University, Faizabad with an annual intake of 100 students."

179 **Approval of Aarupadai Veedu Medical College & Hospital, Pondicheery for the award of MBBS degree granted by Pondicherry University, Pondicherry.**

Read: the compliance verification inspection report (8th Feb., 2006) of Aarupadai Veedu Medical College & Hospital, Pondicherry for its approval for the award of MBBS degree granted by Pondicherry University, Pondicherry.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

"The members of the Adhoc. Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the compliance verification inspection report(8th Feb., 2006) alongwith the

inspection report(5th & 6th Dec., 2005) and decided to recommend that Aarupadai Veedu Medical College & Hospital, Pondicherry be approved for the award of MBBS degree granted by Pondicherry University with an annual intake of 100 students.”

180. **Approval of Goa Medical College, Goa for the award of MBBS degree granted by Goa University for the increased number of seat i.e. from 70 to 100.**

Read: the Council Inspectors report (19th & 20th Jan., 2006) of Goa Medical College, Goa for its approval for the award of MBBS degree granted by Goa University for the increased number of seat i.e. from 70 to 100.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc. Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council considered the Council Inspectors report(19th & 20th Jan., 2006) and decided to recommend that Goa Medical College, Goa be approved for the award of MBBS degree granted by Goa University for the increased number of seat i.e. from 70 to 100. “

181. **Internal Audit Report of the Bills issued by the Contractors for the Construction of Building at Dwarka, New Delhi.**

Read: the Internal Audit Report submitted by M/s. Manoj Garg and Associates, Chartered Accountant regarding the bills issued by the Contractors for the construction of work at Dwarka, New Delhi.

The Council approved the following recommendations of the Executive Committee/Adhoc. Committee:-

“The members of the Adhoc. Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council approved the Internal Audit Report submitted by M/s. Manoj Garg and Associates, Chartered Accountant regarding the bills issued by the Contractors for the construction of work at Dwarka, New Delhi.”

182. **Approval of the Minutes of the meeting of the Building Committee held on 08/02/2006.**

The Council approved the minutes of the Building Committee meetings held on 08.02.06.

The meeting ended with vote of thanks to the chair.

(Lt. Col. (Dr.) ARN Setalvad (Retd.)
Secretary

New Delhi, dated
the 18th February, 2006.

A P P R O V E D

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

