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Pocket- 14, Sector- 8, Dwarka,

Phase – 1, New Delhi-110077

भारतीय आयुर्विज्ञान परिषद के अधिक्रमण में शासी बोर्ड

BOARD OF GOVERNORS IN SUPERSESSION OF MEDICAL COUNCIL OF INDIA

No.MCI-34(41)(Gen)/2019-Med./115820

Dated:

21/5/19

The Director
Chintpurni Medical College & Hospital,
Bungal (Pathankot) – 145 001
Punjab

Ph.No.: 01870-250600

Fax: 01870-250603

Sub: Admission of students in MBBS course for the academic year 2019-20 with annual intake of 150 students in Chintpurni Medical College and Hospital, Pathankot, Punjab – reg.

Sir,

This is with reference to your letter dated 13.04.2019 (received on 22.04.2019), wherein, your medical college relying on the order dated 10.05.2018 passed by the Hon'ble Supreme Court in W.P. (C) No. 423 of 2017, has requested that they shall be permitted to admit 150 students in MBBS course for the academic year 2019-20.

Before dealing with the above-mentioned request made by you in your letter, it is relevant to point out some relevant facts which are as under:

ACADEMIC YEARS 2011-12, 2012-13, 2013-14

1. On 30.06.2011, the Central Government granted letter of permission to your college-Chintpurni Medical College & Hospital for intake of 150 MBBS students for the academic year 2011-12. Accepting the recommendation of the then Board of Governors, the renewal of permission was not granted by MHFW to your college for the subsequent academic years i.e. 2012-13 and 2013-14 as the inspections carried out by the assessors of the Council revealed that there existed gross deficiency of teaching faculty, clinical material and other physical facilities in the medical college. You are already aware that the issue with regard to grant of permission for the academic year 2012-13 & 2013-14 was challenged before the Hon'ble Punjab & Haryana High Court and the Hon'ble Supreme Court and ultimately the decision of the MHFW not to grant renewal of permission for academic year 2012-13 and 2013-14 was upheld and your medical college was not permitted to admit any students for the said academic years.

ACADEMIC YEAR 2014-15

2. Your College submitted its scheme / application for renewal of permission for the academic year 2014-15 which was considered by the Council. An assessment was carried out by the assessors of the Council on 21/22.03.2014, wherein, once again gross deficiencies of teaching faculty, clinical material and other physical facilities in the College were found. Your college submitted its compliance which was verified by a compliance verification assessment on 09.06.2014, wherein, also gross deficiencies were found. The assessment report dated 21/22.03.2014 and compliance verification assessment report dated 14.06.2014 was considered by the Executive Committee of the Council in its meeting held on 13.06.2014 and it was decided to recommend to the Central Govt. not to renew permission for the academic year 2014-15. Accordingly, the

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Central Government after considering the recommendations of the Council vide its letter dated 15.07.2014, conveyed its decision to not to grant renewal of permission to your medical college for admitting 150 MBBS students for the academic year 2014-15.

3. A number of writ petitions came to be filed before the various Hon'ble High Courts as well as the Hon'ble Supreme Court against the decision of the Central Govt. denying grant of permission / renewal of permission to the medical colleges on the ground of various deficiencies. It may be recalled that the Hon'ble Supreme Court in W.P. (C) No. 469/2014 - Hind Charitable Trust Shekhar Hospital Pvt. Ltd. Vs. Union of India & Ors., with a view to grant benefit to the meritorious students of the State waitlist, under Article 142 of the Constitution, vide its orders dated 18.09.2014 and 25.09.2014, allowed all private medical colleges, to make admissions whose application for renewal of permission were disapproved by the Central Govt. on the ground of various deficiencies existing in the medical college, subject to the undertaking by the President/Chairman and Secretary of the applicant medical college that there is no deficiency existing in their medical college and their medical college is fully compliant with all the requirements provided in the IMC Act as well as the Regulations made thereunder. It was also observed by the Hon'ble Supreme Court that if the statement made in the undertaking is found to be incorrect, at the time of next physical inspection of such medical college, then the bank guarantee of Rs. 10 Cr. furnished medical college with MCI will be forfeited, by way of penalty.
4. Your medical college vide its letter dated 28.09.2014 submitted Undertakings dated 27.09.2014, in the name of Sh. Swarn Salaria, President of the College Trust and Sh. Rakesh Mahajan, Secretary of the College Trust in compliance of the above said orders dated 18.09.2014 and 25.09.2014 passed by the Hon'ble Supreme Court stating that there was no deficiency existing in their medical college and in the event the statement in the undertaking is found to be incorrect, the bank guarantee of Rs.9.5 Crores deposited with the Council be forfeited. It was in this manner that your medical college was able to admit students for the academic year 2014-15.

ACADEMIC YEAR 2015-16

5. Your medical college submitted its scheme / application for renewal of permission to admit students for the academic year 2015-16. Accordingly, the assessors of the Council carried out the inspection of the infrastructure, teaching faculty and other physical facilities available at the medical college on 5/6.12.2014. The inspection / assessment report dated 5/6.12.2014 was placed before the Executive Committee of the Council in its meeting held on 13.01.2015 wherein, after discussion and deliberations, the gross deficiencies of infrastructure, clinical material, teaching faculty and other physical facilities were found in the medical college. In view of the gross deficiencies, Executive Committee of the Council decided to recommend to the Central Government not to renew the permission for admission of MBBS students with intake of 150 admissions for the academic year 2015-16.
6. At this juncture, it is important to point out that the undertaking dated 27.09.2014 filed by the President and Secretary of the Trust of your college

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pursuant to order dated 18.09.2014 and 25.09.2014 passed by the Hon'ble Supreme Court was found to be incorrect in view of the deficiencies pointed out in the assessment report dated 05/06.12.2014. Accordingly, the Executive Committee of the Council in accordance with the directions passed by the Hon'ble Supreme Court vide order dated 18.09.2014 and 25.09.2014 decided to invoke / forfeit the Bank Guarantees submitted by your medical college and directed them to submit fresh bank guarantees within 2 week for further processing of their case for the academic year 2015-16. The aforesaid decisions of the Executive Committee of the Council was communicated to the Central Government and other concerned authorities vide MCI letter dated 21.01.2015.

7. The decision taken by the Council vide letter dated 21.01.2015 was challenged before the Hon'ble Delhi High Court by way of Writ Petition (C) No.1182 of 2015. The Ld. Single Judge of Hon'ble Delhi High Court vide order 05.02.2015 was pleased to issue notice in the writ petition, however, declined to pass any interim order in favour of the medical college as regards the invocation of the forfeiture of bank guarantee.
8. The Council vide its letter dated 28.01.2015 called upon your college to submit its compliance. Your College vide its letter dated 27.03.2015 submitted a compliance claiming to have rectified the deficiencies found in the assessment report dated 05/06.12.2014. To verify the above-mentioned compliance submitted by the medical college the assessors of the Council carried out the inspection of the infrastructure, teaching faculty, clinical material and other physical facilities available in the medical college on 15.04.2015.
9. The compliance verification assessment report dated 15.04.2015 alongwith the previous assessment report dated 05/06.12.2014 submitted by the assessors was placed before the Executive Committee of the Council in its meeting held on 29.04.2015, wherein, gross deficiencies of infrastructure, clinical material, teaching faculty and other physical facilities were found in the medical college. The Executive Committee of the Council, after considering the assessment report dated 15.04.2015 alongwith the previous assessment report dated 05/06.12.2014, vide its letter dated 01.05.2015 recommended to the Central Government not to grant renewal of permission to your medical college for admitting 150 MBBS students for the academic year 2015-16. Aggrieved by the recommendations of the Council vide letter dated 01.05.2015 your college approached the Hon'ble Delhi High Court by way of writ petition being W.P (C) No. 4666 of 2015.
10. Writ Petition (C) No.1182 of 2015 and W.P (C) No. 4666 of 2015, were heard by the Hon'ble Delhi High Court on various dates. The Ld. Single Judge of the Hon'ble Delhi High Court vide judgment dated 29.05.2015, on the request of the medical college permitted them to withdraw its challenge to the decision of the Council to invoke / forfeit the bank guarantee with liberty to approach the Hon'ble Supreme Court. The Ld. Single Judge after taking into account the scheme of Section 10A of the IMC Act, 1956 also permitted the petitioner medical college to send a brief representation to the Central Govt. and further directed the Central Govt. to consider the representation made by the petitioner medical college before taking a final view in the matter. The Ld. Single Judge in its judgment dated 29.05.2015 had categorically observed that the conduct of the medical college was clearly dishonest, contemptuous and would disentitle

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them from obtaining any relief. Aggrieved by the judgment dated 29.05.2015 passed by the Hon'ble Delhi High Court, the medical college had preferred Special Leave Petition (Civil) No. 16676 of 2015 before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court vide its order dated 11.09.2017 was pleased to dismiss the said SLP as being infructuous.

11. In the meantime, the Govt. of India vide its letter dated 11.06.2015 forwarded to the Central Government the representation submitted by the medical college. The said representation was placed before the Executive Committee of the Council in its meeting held on 11.06.2015, wherein, after due deliberation and discussion, it was decided to reiterate the earlier decision not to grant renewal of permission to the medical college for admitting fresh batch of students for the academic year 2015-16. The said decision was communicated to the Central Govt. vide MCI letter dated 16.06.2015. The Central Govt. vide its letter dated 15.06.2015, while accepting the recommendation of the Council conveyed its decision to the medical college not to grant renewal of permission for grant of admission for the academic year 2015-16.
12. Your medical college aggrieved by the decision of the Central Govt. dated 15.06.2015 approached the Hon'ble Supreme Court by filing W.P. (C) No. 431 of 2015. The Hon'ble Supreme Court in the said writ petition declined to grant any interim relief to the medical college and hence no student was admitted in the medical college for the academic year 2015-16. The writ petition came to be dismissed as infructuous vide order dated 24.04.2018 passed by the Hon'ble Supreme Court.

ACADEMIC YEAR 2016-17 & RECOGNITION U/S 11(2) OF IMC ACT, 1956

13. The Council received a letter dated 27.11.2015 from the Central Government, whereby, the Central Govt. forwarded letter dated 09.11.2015 from Baba Farid University of Health Sciences, Faridkot, Punjab for recognition of your medical college- Chintpurni Medical College & Hospital, Pathankot, Punjab under Section 11(2) of the IMC Act, 1956 in respect of 150 MBBS students who are scheduled to take final examination in 2016.
14. The first physical assessment (known to the college) for evaluating the process of conduct of examination by the concerned university for grant of recognition was carried out by the Council on 16.12.2015. The 2nd physical assessment for determining whether the medical college fulfils the minimum standards requirements for infrastructure and physical facilities was conducted on 25/26.02.2016. Soon after the 2nd physical assessment, the office of the Council received complaints against the medical college, alleging various irregularities in the said medical college, including allegations that the petitioner's medical college had arranged fake faculty, doctors, residents, patients etc. for the purposes of MCI assessment.
15. To check the veracity of the above-mentioned complaints, received by the Council against your college, it was decided to conduct another surprise physical assessment of the college and the same was conducted on 16.03.2016. The assessment report dated 25/26.02.2016 as well as assessment report dated 16.03.2016, were placed before the Executive committee of the Council in its meeting held on 02.03.2016, whereupon, the

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Executive Committee observed various gross deficiencies of infrastructure, clinical material, residents, teaching faculty and other physical facilities existing in your college- Chintpurni Medical College and Hospital, including 100% deficiency of faculty; 100% deficiency of Residents ; nil bed occupancy; nil OPD, etc.

16. In view of the above-mentioned gross deficiencies, the Council, after due deliberations and discussions decided to recommend to the Central Govt. to not grant recognition to the medical college u/s11(2) and also to call upon the college to rectify the deficiencies and submit a compliance report. The said decision of the Council was communicated to Govt. of India as well as to your medical college vide letter dated 22.03.2016. It is relevant to point out that instead of submitting compliance your medical college vide its letter dated 05.04.2016 & 16.04.2016 furnished a representation to the Council not to take into consideration the assessment conducted on 16.03.2016.
17. The assessment report dated 25/26.02.2016 as well as representations dated 05.04.2016 and 16.04.2016 was placed before the Executive Committee of the Council in its meeting held on 13.05.2016, whereupon, the Executive Committee, after deliberations and discussions and in view of the failure on the part of the medical college to rectify the deficiencies and submit a point-wise compliance report, decided to recommend to the Central Govt. not to grant recognition to the medical college and also to not grant renewal of permission to the said medical college for academic year 2016-17. The said decision of the Executive Committee was communicated to the Central Govt. as well as petitioner medical college, vide MCI letter dated 15.05.2016. The medical college aggrieved by the said recommendation of the MCI filed W.P. (C) No. 273/2016 – Swarn Salaria vs. UOI & Anr before the Hon'ble Supreme Court, inter-alia challenging the decision of the Council recommending the Central Govt., not to grant recognition to the medical college.
18. The Central Govt. vide its letter dated 10.06.2016, after considering the recommendations of the Council and the deficiencies in the medical college decided not to renew the permission for admission of fresh batch (150 seats) of MBBS course for the academic year 2016-2017. It is relevant to point out that the Hon'ble Supreme Court vide order dated 29.08.2016, directed the MH&FW, to forward the representation of the medical college to the Ld. Oversight Committee, which shall consider the same.

CONDITIONAL RECOGNITION GRANTED BY THE THEN OVERSIGHT COMMITTEE

19. The then Oversight Committee vide its letter dated 25.09.2016 merely on the basis of the data made available on the website of the medical college and without any proper physical verification of the teaching, clinical and other physical facilities, approved the case of your medical college for grant of conditional recognition to the MBBS degrees awarded to the students admitted against the annual intake of 150 MBBS seats.
20. In pursuance of the letter dated 25.09.2016 issued by the then Oversight Committee, the Govt. of India, vide notification dated 26.09.2016 granted conditional recognition to the MBBS degrees awarded to the students admitted

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in your medical college against the annual intake of 150 MBBS seats. The said conditional recognition was granted subject to the conditions that the medical college shall have to submit within 15 days from the date of notification of the approval by the Central Government the following documents:

- I. An undertaking on affidavit from the Dean / Principal and the Chairman of the Trust affirming that the deficiencies pointed out by the assessors of the Council in the compliance verification assessment stands rectified;
 - II. A Bank Guarantee for a sum of Rs. 2 crores in favour of the Council which shall be valid for a period of one year or till such time the first renewal inspection takes place, whichever is later.
21. In the said notification dated 26.09.2016, it was further laid down that the Ld. Oversight Committee may direct inspection to verify the compliance submitted by the college and considered by Ld. Oversight Committee, anytime after 30.09.2016. In default of the conditions mentioned above, and if the compliances are found incomplete in the inspection to be conducted after 30th September, 2016, the college will be debarred from fresh intake of students for 2 years commencing 2017-18.
22. As per the directives of the then Ld. Oversight Committee as also the conditional recognition granted by the Central Government a verification assessment was conducted by the joint assessment team on 07.03.2017 to verify the claims made by the medical colleges about fulfilment of minimum teaching, clinical and other physical facilities in their college. The assessment report dated 07.03.2017, alongwith previous assessment report dated 25/26.02.2016 and 16.03.2016 was placed before the Executive Committee, in its meeting held on 21.03.2017, wherein, the Executive Committee noted the following deficiencies in the medical college:
- I. Deficiency of faculty is 87.12% as detailed in the report.
 - II. Shortage of Residents is 82.35% as detailed in the report.
 - III. OPD attendance was 401 at 2 p.m. on day of assessment against requirement of 1,200. Very few patients were seen in OPD at the time of visit.
 - IV. Bed Occupancy was NIL on day of assessment. There was NIL admitted patient seen during the round.
 - V. There was only 1 Major & NIL Minor Operation on day of assessment.
 - VI. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
 - VII. CT Scan workload is NIL on day of assessment.
 - VIII. Histopathology workload is NIL on day of assessment.
 - IX. ICUs: Except 1 patient in SICU, there was NIL patient in ICCU, MICU, PICU, NICU.
 - X. Labor Room: There was no woman in Labour Room. It appears that data in the Register is falsified.
 - XI. Data of Number of Admissions & Discharge, Radiological & Laboratory investigations as provided by institute are grossly inflated.
 - XII. Casualty: There was NIL patient at time of round.
 - XIII. Speech Therapist is not available. Only space is provided for Speech Therapy.

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- XIV. Nursing Staff: Very few Nurses were seen in the hospital during the round.
 - XV. Paramedical Staff: Very few paramedical staff were seen during the round.
 - XVI. Orthopaedics ward was locked during the round.
 - XVII. O.T.s: Some O.Ts were locked during the round. Some are not properly equipped.
 - XVIII. Examination Halls: These are temporary structures without light & fan. Deficiency remains as it is.
 - XIX. Central Library: It is not air-conditioned. Capacity of Students' reading Room (Outside) is only 32 against requirement of 150. Available Internet Nodes are 32 against requirement of 40. Deficiency remains as it is.
 - XX. Students' Hostels: Available accommodation is for 453 students against requirement of 565. Ancillary facilities are inadequate as detailed in the report.
 - XXI. Interns' Hostel: Available accommodation is for 42 Interns against requirement of 150.
 - XXII. Residents' Hostel: Total 40 rooms are available against requirement of 85. They are partially furnished. Deficiency remains as it is.
 - XXIII. Residential Quarters: Only 5 quarters are available for faculty against requirement of 26. NIL quarters are available for Non-teaching staff.
23. The Executive Committee, after due deliberation and discussion as also in view of the afore-stated gross deficiencies, concluded that your medical college has breached the undertaking given by them as they have failed to provide the minimum teaching, infrastructure and clinical facilities in their medical college. Accordingly, the Executive Committee in accordance with the directives of the Ld. Oversight Committee, after due deliberations and discussions, decided to recommend to the Central Government to debar the medical college for two academic years 2017-18 & 2018-19 from admitting students and also en-cash the Bank Guarantee furnished by the medical college. The Council further decided to invoke Regulation 8(3)(1)(c) of the Establishment of Medical College Regulations, 1999 and hence not to consider the Institute for processing applications for postgraduate courses in the current academic year 2017-18, and to issue show cause notice to the medical college as to why the recommendation for withdrawal of recognition of the courses run by the them should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 alongwith direction of stoppage of admissions in permitted postgraduate courses. The said decision and the show cause for withdrawal of recognition was duly communicated to the Central Government as well as your medical college vide MCI letter dated 24.03.2017.
24. The Central Government granted an opportunity of hearing to the medical college on 11.04.2017. After granting an opportunity of hearing to your medical college, the Central Government vide its letter dated 31.05.2017 accepted the recommendation of the Council and debarred the medical college from admitting 150 students in MBBS course for two academic year 2017-18 and 2018-19 as well as permitted the Council to en-cash the Bank Guarantee furnished by the medical college.

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25. Aggrieved by the decision dated 31.05.2017 of the Govt. of India, your medical college had approached the Hon'ble Supreme Court by way of writ petition bearing W.P. (C) No 423/2017- Chintpurni Medical College Vs. UOI & Ors. The said writ petition came up for hearing before the Hon'ble Supreme Court on 01.08.2017 and the Hon'ble Supreme Court vide order dated 01.08.2017 directed the Govt. of India to reconsider the case and after taking into consideration the comments of hearing committee, MCI and Ld. Oversight Committee, pass a reasoned order. Pursuant to the order dated 01.08.2017 passed by the Hon'ble Supreme Court the Central Government passed a reasoned order dated 29.08.2017, whereby, the Central Government reiterated its earlier decision to debar your medical college for two academic years 2017-18 & 2018-19 as also permitting the Council to encash the Bank Guarantee furnished by the medical college pursuant to the grant of conditional recognition.
26. In reply to the above-mentioned show-cause notice dated 24.03.2017, the medical college submitted its representation / compliance, inter-alia, claiming to have rectified deficiencies. Therefore, in order to verify the compliance, submitted by the medical college, the Council carried out the compliance verification assessment of the medical college on 13.09.2017 and the report thereof was placed before the Executive Committee of the Council in its meeting held on 25.10.2017, wherein, the following gross deficiencies in the medical college were observed:
1. Deficiency of faculty is 38.63 % as detailed in the report.
 2. Shortage of Residents is 65 % as detailed in the report.
 3. Bed Occupancy is 21.53 % at 10 a.m. on day of assessment.
 4. Regarding patients

A – SURGERY

6 patients of Renal colic – Pawan, Shanti, Som Raj, Rajesh, santlal and Neena) – Their case files were empty.

1. Gastritis without relevant documentation – 02 (Beera Devi and Sheela)
 2. Major singh – Abdominal pain – No work up, Intestinal Obstruction
 3. Bholidevi – Acute Cholecystitis – case file absolutely not corroborative of either clinical findings, investigations or treatment.
 4. Harjinder kaur – Admitted with diagnosis of Epigastric hernia but on examination by the assessor it is umbilical hernia.
 5. Ram kumar – admitted on 9/9 as per file but patient says admitted on 12/9 with symptom of itching. No physical examination by the assessor.
- One ward of surgery is in make and shift ward in Tin SHED.

B – ORTHOPEDICS

1. 12 patients of Osteo-arthritis without relevant documentation including X-rays or any other investigations – (Prakash, Banarsi Das, Ramesh, Kanto, Sarni, Krishna, Charanjeet, Vidya Devi, Harjeet, Mudhabai, Sonam, Vimladevi,
2. 3 patients of Non – specific pain foot/leg/Hip without relevant documentation – sahil, Vipin, Pawan.
3. 5 patients of low back pain without relevant documentation including X-rays – joginder pal, Tarsem lal, Prakasha, Shristha, Asharam
4. 2 patients of polyarthralgia without relevant documentation – kanta, Amarti

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C – OPHTHALMOLOGY

1. 5 empty case files – Jyoti, Asha Rani, Satpal, Mandeep, Hardayal Singh

D – MEDICINE

- 20 patients of generalized weakness in different wards without relevant documentation terms of investigations or relevant treatment – (Savitri, Maji lala, Dippu, BodherajmCikramRamsia, Master tarun (12 yrs admitted in Medicine), Suman, Pinky, Asha Rani, Sarabjeet, Ruplal(also documentation less COP), prem chand (also documentation less COPD), Ramsia also documentation less), Bachhanlal (also documentation less Vertigo), Kulvinder (also documentation less verigo), Gurpreet singh (UTI), Kamlesh (also documentation less Gastroenteroenteritis) , Kashi Ram (Headche), Ram lakhan (Headache), Prakash Kaur (gastritis)
- 3 patients of Headache without relevant documentation – VishnumSarabjeet, Kamlesh
- 2 patients without written diagnosis on case file – Darshna and Tara.

E – PEDIATRICS

1. 3 patients of gastritis without relevant documentation – Baljeet, Anmolm Tania
2. 7 patients fo fever without any documentation and patients afebrile (Nirmala, Shailja, Sahi, kushal, bhavana, ratanjot, varsha)
3. 3 patients of generalized weakness without relevant documentation of investigations etc – Simran, Tarun, Manu
4. 1 patient of itching without relevant documentation (Sonia).

F – OBG & GY

1. 4 patients of fibroid without an clinic-radiological evidence (Sukhvinder , Rita, rampyari, Rajkumari)

5. Operated patients

04 patients were posted for surgery on 13/9. However, a detailed surfing of records from the register in OT showed no of cases as follows (Total major+minor):- 5/9/17 – 3 cases, 6/9/17-14 cases (patients operated for pyelolithotomy cold not be seen either in ward or postoperative area) , 7/9/17-10 patients (patients operated for pyelolithotomy cold not be seen either in ward or postoperative area), 8/9/17 – 10 patients (latadevi operated for carcinoma breast and Poonam Devi operated for vaginal hysterectomy could not be seen either in ward or postoperative area), 11/9/17 –(patients operated for pyelolithotomoy could not be seen either in ward or postoperative area), 12/9/17 – 12 patients and 13/9/17 14 patients.

On verifying records from various OT lists kept n a separate file, following is the actual data of number of cases (both major and minor)as per OT list of that particular day :-

- 5/9/17 – 7 cases
- 6/9/17 – 4 cases
- 7/9/17 – 5 cases
- 8/9/17 – 7 cases
- 9/9/17 – 4 cases
- 11/9/17 – 6 cases
- 13/9/17 – 4 cases

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After verifying above mentioned data when I was leaving the theatre, I was shown following undocumented lists of ENT (without any signature on the lists):-

5/9/17 – 1 cases
6/9/17 – 2 cases
7/9/17 – 1 cases
8/9/17 – 1 cases
9/9/17 - 2 cases

6. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment. There was NIL woman in Labour room.

7. CT Scan workload was NIL.

8. ICUs: There was NIL patient in ICCU, MICU, PICU, NICU & 2 patients in SICU.

9. Data of clinical material provided by the Institute are highly inflated.

10. Casualty:

- 3 patients of COPD without any clinical findings as seen by the assessor himself (Charan das, Gurdaso Devi, Giorkhu Ram)
- 1 patient of Acute pancreatitis without any clinical and investigatory evidence (jeet Ram)
- 2 patients of angina without ECG at bedside
- 3 patients having no emergency but sent to emergency for just increasing the counts of patients in emergency:-
 - a. Ramseh Kumar – UTI
 - b. Somraj- Refd t emergency for investigations
 - c. Trilok singh – Post lap chole done 4 weeks ago and no investigations done/investigations available with the patient revealing no abnormality.

11. Nursing staff: There was only 1 Nurse in most of the wards. Many Nursing staff were not in Nursing staff dress prescribed by the Institute. Many staff Nurses did not know exact number of beds in their wards. In Orthopaedics, 1 Staff Nurse looked after more than 1 ward.

12. Paramedical staff: On asking about paramedical staff, the standard answer was that "They are posted in the main lab & come as per requirement."

13. Wards: It was openbut one Orthopedics ward was in tin Shed. One Surgical ward was located in Tin Shed. One large Medicine ward was located in Tin Shed. One large OBG ward was located in Tin Shed. Psychiatry ward was located in Tin Shed. Dermatology ward was located in Tin Shed. TB & Chest ward was located in Tin Shed. Few beds (45) of paediatrics were located in Tin Shed.

14. Examination Hall: Infrastructure is grossly deficient as detailed in the report.

15. Central Library: There are only 3 split A.C. in the whole Library.

16. Students' Hostels: Available accommodation is 447 against requirement of 565. Ancillary facilities are inadequate.

17. Interns' Hostel: It is under construction.

18. Residents' Hostel: It is under construction.

19. Residential quarters: 5 quarters are available for faculty against requirement of 26 & 8 quarters are available for Non-teaching staff against requirement of 36.

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27. In view of the above gross deficiencies, the Executive Committee of the Council decided to recommend to the Central Government not to recognise/approve petitioner medical college for the award of MBBS degree (150 seats) granted by Baba Farid University of Health Sciences, Faridkot u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter. The Committee further decided to continue the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation, 1999.

SHIFTING OF STUDENTS ADMITTED IN CHINTPURNI MEDICAL COLLEGE & HOSPITAL AND FAILURE OF THE SAID MEDICAL COLLEGE TO ABIDE BY THE UNDERTAKINGS GIVEN BY THEM FOR ADMITTING STUDENTS FOR A.Y. 2015-16 & 2016-17

28. As stated above, the first batch of MBBS students were admitted by your college for the academic year 2011-12. The said batch of students admitted in your college had approached the Hon'ble High Court of Punjab & Haryana by way of CWP No. 2028/2014 – Jagat Deep Kaur & Ors. Vs. UOI & Ors., praying for an order from the Hon'ble High Court to transfer them to some other medical college on the ground that your medical college did not have the necessary infrastructure for running the MBBS course. The Hon'ble High Court vide its order dated 16.09.2014 was pleased to direct that the students admitted in your medical college in academic year 2011-2012 be transferred to other medical college in the State.
29. In the meanwhile these students, seeking transfer to other medical colleges, filed contempt proceedings before the Hon'ble High Court of Punjab and Haryana. The Hon'ble High Court after hearing the parties, vide its order dated 15.02.2016 passed in COCP No. 173/2015, directed the Council to respond positively in regards to transfer of the students admitted in the Chintpurni medical college in year 2011-12, within a period of 3 weeks. The said order dated 15.02.2016 was challenged by the Council by way of SLP (C) No. 6832-6833/2016, however, the said SLP was dismissed by the Hon'ble Supreme Court by granting one weeks time to comply with the order passed by the Hon'ble High Court for transferring the students of your college. In this manner the students admitted in your college had to be transferred to other colleges as there was no proper infrastructure therein.
30. The students admitted in academic year 2014-15, in pursuance of the order passed by the Hon'ble Supreme Court in W.P. (C) No. 469/2014 – Hind Charitable Trust Vs. UOI, being aggrieved by lack of infrastructure in Chintpurni Medical College and not being able to attend classes in the medical college, approached the Hon'ble High Court of Punjab and Haryana, by way of CWP No. 7348/2016- Akanksha Mahajan Vs. UOI, inter-alia, praying for shifting to other colleges of the State. The Ld. Single Judge of the Hon'ble High Court vide its judgment dated 08.09.2017 was pleased to direct that the students admitted in the medical college be shifted to other medical college of the State. The LPA No. 1840/2017 preferred by your college against the said judgment dated 08.09.2017 was also dismissed by the Ld. Division Bench of the Hon'ble High Court vide its judgment dated 06.11.2017.

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31. It is relevant to point out at this juncture that the Hon'ble Supreme Court vide its order dated 11.09.2017 passed in W.P. (C) No. 431 of 2015, while taking note of the judgment dated 08.09.2017 passed by the Hon'ble High Court of Punjab & Haryana in CWP No. 7348/2016- Akanksha Mahajan Vs. UOI, permitted the Council to encash the Bank Guarantee as your medical college has breached the undertaking given by them pursuant to interim order dated 18.09.2015 & 24.09.2015 passed by the Hon'ble Supreme Court in W.P. (C) No. 469/2014 - Hind Charitable Trust Shekhar Hospital Pvt. Ltd. Vs. Union of India & Ors. The relevant portion of the order dated 11.09.2017 is reproduced herein-below:

“....

W.P.(C) No. 431/2015

The challenge in this writ petition is to an order dated 15th June, 2015 passed by respondent No.1. The issue that requires consideration is whether there are deficiencies in the petitioners' college.

According to learned counsel for the petitioners, there are no deficiencies although the finding of the Central Government is that there are deficiencies.

It has been brought to our notice by learned counsel for the respondents that the Punjab & Haryana High Court has passed an order in Aakansha Mahajan & Ors v. Union of India & Ors. decided on 08.09.2017 (CWP No. 7348 of 2016 (O&M)). It is submitted that according to the students there are no facilities available in the college and this has been accepted by the High Court. In fact the High Court has gone to the extent of saying that arrangements should be made to transfer the students to other medical college as per the procedure laid down by the Medical Council of India.

We have also been informed that the petitioners have filed another Writ Petition No.423/2017 apparently challenging the order declining admissions for the academic year 2017-18 by the Government of India by an order dated 29.08.2017.

In view of the above, we grant liberty to the Medical Council of India to encash the bank guarantee of Rs.10 crores furnished by the petitioner.

List W.P.(C) Nos. 431/2015 and 423/2017 after ten days...”

32. It is also relevant to point out that the Hon'ble Supreme Court vide its order dated 10.05.2018 passed in W.P.(C) No. 423 of 2017 was pleased to take note of deficiencies persisting in the medical college and observed that the students admitted in your medical college have already been transferred. The Hon'ble Supreme Court further observed that it cannot be accepted that there are teachers in your medical colleges as all students have already been transferred. It was under these circumstances that the Hon'ble Supreme Court vide its order dated 10.05.2018 was pleased to dismiss the writ petition by upholding the debarment of two academic years i.e. 2017-18 & 2018-19 and permit your college to seek permission for the academic year 2019-2020. The relevant portion of the above-mentioned order dated 10.05.2018 passed by the Hon'ble Supreme Court is reproduced herein-below:

“....The instant writ petition has been filed by the petitioners-college challenging the ban imposed on it by respondent no.1-

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Union of India for admitting the students for two academic years i.e. 2017-18 and 2018-19.

This ban was imposed in pursuance of a direction from the Oversight Committee that if deficiencies are found after inspection is conducted, the petitioner-college shall be banned for a period of two years. An inspection was conducted on 7.3.2017 and several deficiencies were found with the petitioner-college. It is not necessary to go into the details of the deficiencies in view of the following order we propose to pass :

We find that the petitioner-college is admittedly and completely devoid of students. The students have already been shifted to some other medical colleges by the State Government. We find it difficult to accept the contention of learned counsel appearing on behalf of the petitioners that they have teaching staff.

Having regard to that, no purpose would be served even if any relief granted to the petitioners in respect of two years i.e. 2017-18 and 2018-19 for which they have been banned since there are no students in their college.

In the circumstances, we consider it appropriate to dismiss the instant writ petition with the observation that the petitioners-college would be entitled to pursue the permission for the academic years i.e. 2019-20 and 2020-21, after the period of ban, in accordance with law.

With the aforesaid observations, the instant writ petition is dismissed.....”

In light of the above facts, it is quite clear that there is no student studying in your medical college as they all have been transferred to other medical colleges, in view of gross deficiency of teaching faculty, clinical material and other physical facility in your medical college. In fact, as stated hereinabove it is the students who were admitted in your medical college approached the Hon'ble Court stating on oath in their petitions that there is neither proper teaching nor proper facilities in your medical college to impart medical education. Further, it was due to your failure to provide proper facilities in your medical college that on two occasions the students had to be transferred to other medical colleges, thus jeopardising the future of the students.

It is relevant to point out that recognition granted to your medical college vide Govt. of India notification dated 26.09.2016 was a conditional recognition subject to fulfilment of the conditions mentioned therein. The said conditional recognition granted to your medical college does not become final, unless and until the condition attached thereto are fulfilled by the medical college. In your case, the conditions attached thereto have not been fulfilled and as stated above the Hon'ble High Court of Punjab & Haryana as well as the Hon'ble Supreme Court had already observed that there are gross deficiencies in your medical college so much so that even the students admitted by you have to be transferred to other college. In view thereof, the Council is of the view that the conditional recognition granted to your medical college vide notification dated 26.09.2016 has become invalid as you have failed to comply with conditions imposed thereunder.

In this regard, it is also important to note that the Council vide its letter dated 24.03.2017 has already issued show cause notice to your college for withdrawal of recognition and the formal process for the same is already underway.

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It is stated in your letter under the reply that your college being recognised under section 11 of the IMC Act, 1956 cannot be debarred from admitting students as the procedure contemplated under section 10-A is not applicable to colleges who have been granted recognition. In this regard, it is stated that even in cases of recognised colleges it is open for the Council as well as Central Government where they have reason to believe that the medical college is not providing the requisite teaching facility, clinical material and other facilities prescribed under the MCI Regulations to initiate action and stop admission. Section 10-A does not prohibit the Council from taking action against the errant medical colleges, irrespective of the fact that such medical college has been recognised under section 11 of the IMC Act, 1956. In view thereof, the Council as well as the Central Government can direct stoppage of admission in a recognised medical college where there is blatant violation of the MCI norms and Regulations

It is further stated that the facts mentioned above demonstrate that your college is completely defunct and without students, teachers and other facilities. Having regard to complete failure on the part of your college to bring up proper infrastructure in accordance with the MCI Regulations, it would cause great prejudice to any student who is permitted to be admitted in your medical college as the future of such a student will be uncertain. Noticeably, your college even in the letter does not even claim that your college fulfils the minimum standards prescribed under the MCI Regulations which itself means that your college still continues to be defunct.

The observation made by the Hon'ble Supreme Court in its order dated 10.05.2018- "*.....the petitioners-college would be entitled to pursue the permission for the academic years i.e. 2019-20 and 2020-21, after the period of ban, in accordance with law.....*"relied upon by you does not mean that your college despite being grossly deficient is permitted to admit students. The said observations have to be read in the surrounding facts and circumstances of your case. In such a gross case, it is extremely important that an inspection is carried out to assess the status of teaching faculty, clinical material and other physical facility before any permission is granted.

In this view of the matter, your request for grant of permission to admit students cannot be accepted. Having regard to the above, the Board of Governors in supersession of the Council request you to submit you application / scheme u/s 10-A of the IMC Act, 1956 for grant of permission to admit students for the next academic year 2020-21 in accordance with the scheme of the IMC Act, 1956. If the application is received, the same shall be scrutinised and processed by the Council as per the procedure laid down under the Act and the Regulations framed thereunder. Alongwith the scheme you are also requested to inform the council about the status of your bank loans, any default and the auction notices.

Yours faithfully

S. Savitha

(S. Savitha)

Assistant Secretary

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// 2 //

No.MCI-34(41)(Gen)/2019-Med./ 115821-26

Dated: 21/05/19

Copy forwarded for information to:

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2. The Vice Chancellor, Baba Farid University of Health Sciences, Sadiq Road, Faridkot, Punjab-151 203, Ph.No.: 01639-256232, 256236, Fax: 01639-256234, E-mail: generalinfo@bfuhs.ac.in
3. The Registrar, Baba Farid University of Health Sciences, Sadiq Road, Faridkot, Punjab-151 203, Ph.No.: 01639-256232, 256236, Fax: 01639-256234, E-mail: generalinfo@bfuhs.ac.in
4. The Additional Chief Secretary, Department of Health & Family Welfare, Govt. of Punjab, Room No. 510, 5th Floor, Punjab Civil Secretariat 2, Sector – 9, Chandigarh – 160009 (Punjab), Ph. No.: 0172-2743136, Email: pshfw@punjab.gov.in
5. The Director Research & Medical Education, Education Bhawan, E-Block, 7th Floor, S.A.S. Nagar, Punjab
6. Guard File (UG Section)

S. Savitha

(S. Savitha)
Assistant Secretary

Amue
20/05/19

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