

**MEDICAL COUNCIL OF INDIA**  
**NEW DELHI**

Minutes of the meeting of the Board of Governors held on 13.09.2011 at 10.00 a.m. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077.

Following members were present:

1.	Dr. K.K. Talwar	Chairman, Board of Governors
2.	Dr. (Prof.) H.S. Rissam	Member, Board of Governors
3.	Dr. Purshotam Lal	Member, Board of Governors
4.	Prof.K.S. Sharma	Member, Board of Governors
5.	Dr.Rajiv Chintaman Yeravdekar	Member, Board of Governors
6.	Dr. Ashok Kumar Gupta	Member, Board of Governors
7.	Dr. Sangeeta Sharma	Secretary, Member Secretary, BOG meeting.
8.	Dr.P.Prasannaraj	Addl. Secretary

**1. Minutes of the BOG's meetings dated 07.09.2011 - Confirmation of.**

The Board of Governors confirmed the minutes of the meeting held on 07.09.2011.

**2. Order passed in the matter of grant of permission for the Establishment of new medical college by Shree Chattrapati Shivaji Educational Society, at Satara Kolhapur(Maharashtra) - in compliance to the Court order of the Hon'ble High Court of Delhi dt. 21.07.2011.**

Read: Order passed in the matter of grant of permission for the Establishment of new medical college by Shree Chattrapati Shivaji Educational Society, at Satara Kolhapur(Maharashtra) - in compliance to the Court order of the Hon'ble High Court of Delhi dt. 21.07.2011.

The Board of Governors considered the matter and passed the following order:-

1. In pursuance of the order of the Hon'ble High Court of Delhi dated 21.07.2011 passed in the LPA No. 544/2011 and in accordance with provisions contained in Section 10A of Indian Medical Council Act, 1956, the Board of Governors heard the representatives of Shree Chhatrapati Shivaji Education Society, [hereinafter Society] Kolhapur, on 02.09.2011.

2. The brief facts necessary for passing the present order on the application of Society are as follows:-

(a) An application for the establishment of a new Medical College by the President Shree Chhatrapati Education Society, Mayani, Kolhapur in the name of Institute of Medical Sciences & Research, Khatav, Satara u/s. 10 A of the Indian Medical Council Act, 1956 was received vide the Society's letter dated 20.09.2010. The application was examined and it was found that the application was not accompanied with (i) Essentiality Certificate (ii) Consent of Affiliation (iii) Yearwise targeted Time bound Programme and hence statutory requirements were not fulfilled by the Society. Hence, it was not an scheme in terms of the provisions of Section 10A of Indian Medical Council Act, 1956 and Regulations framed there under the Board of Governors on 28.10.2010 in view of above, rejected the application.

(b) Pursuant to the Government of India granting one time extension to Board of Governors in Supersession of Medical Council of India to receive new applications for establishment of new Medical College by 30<sup>th</sup> November, the MCI in view of the extension of the time, asked the Society to submit the necessary document to Council by 30.11.2010 vide its letter dated 18.11.2010.

(c) The College vide its letter dated 29.11.2010 inter alia informed that the Maharashtra University of Health Sciences, Nashik vide its letter no. MUHS/PB/UG/907/2009 dt. 29.12.2009 has recommended their proposal to the Government of Maharashtra for issuing necessary No Objection certificate/Essentiality Certificate. The College also mentioned that due to certain political changes in the Government the issuance of

Essentiality Certificate had been delayed and they stated it would be shortly issued. The Society submitted its Year-wise time bound programme and balance sheet for the last year i.e. as on 31.03.2010. Both Essentiality Certificate and Consent of affiliation were not submitted as directed by MCI by 30.11.2010.

(d) The application of the Society was considered by the Undergraduate Committee at its meeting held on 10<sup>th</sup> and 11<sup>th</sup> January 2011. After scrutinizing the application, the Undergraduate Committee recommended to the Board of Governors to disapprove the application as it was incomplete in terms of qualifying criteria laid down under Rule 2(3) and Rule 2(4) of the Establishment of Medical College Rules, 1999. A Provisional Consent of Affiliation dated 11.01.2011 issued by the Maharashtra University of Health Sciences, Nashik was received in the Council's Office on 14.01.2011. On 24.01.11, the Board of Governors decided to disapprove of the application submitted by the Society and return its application. The Council vide its letter dated 08.02.11 informed the Society that the scheme for establishment of new medical college for the current academic year 2011-12 has been disapproved.

(e) The Council also received following letters from the Ministry of Health and Family Welfare regarding the delayed submission of few document to the Medical Council of India by the said Society - (i) Copy of letter of Shri K. H. Muniyappa, Minister of State for Railways alongwith letter dated 01.02.11 of Dr. M.R. Deshmukh, Working President of Society; (ii) Copy of letter from Shri Kamal Kishor, M.P. (L.S.); and (iii) representation of the Society dated 03.03.2011 for reconsidering the case of the Society. The Board of Governors reconsidered the application of the Society based upon these representations forwarded by the Ministry of Health and Family Welfare, Govt. of India. It was noted that the Essentiality Certificate and Consent of Affiliation had been issued by the concerned authorities after the cut-off date i.e. 30<sup>th</sup> November 2010 and were received in the Council's Office vide Society's letter dated 28.02.2011 which was not acceptable according to the prescribed Rules. Therefore, the Board of Governors decided to reiterate their earlier decision and the same was communicated to the Society vide Council letter dated 27.04.11.

(f) The Society filed a writ petition [W.P. (C) No. 3549 titled Shree Chhatrapati Education Society vs. Medical Council of India &Ors] in the Hon'ble High Court of Delhi by which it sought, amongst the others, directions to set aside the letters dated 08.02.2011 and 27.04.2011 issued by the MCI and after setting aside the said letters and direct the MCI to approve the application of the petitioner for establishment of a new Medical College after completing the necessary formalities before 15.07.11. The learned Single Judge of Hon'ble High Court of Delhi found no merit in the petition and dismissed the same on 26.05.2011. The learned Single Judge of the Hon'ble Court inter alia observed:

“....Be that as it may, the stand of the petitioner that it could not obtain the Essentiality Certificate because of uncertain political atmosphere in the State Government of Maharashtra for a period of 70 days cannot impress this Court as the petitioner had ample time to pursue the grant of Essentiality Certificate and Affiliation Certificate from the date of submission of its letters dated 27.10.2009 and 20.10.2010. Even, otherwise it is not the case of the petitioner that the State Government was not in place during the relevant period and if such a ludicrous argument is accepted then many such applicants would come out with such excuses of political turbulence in various other States and Union Territories. This Court, therefore, does not find any merit in the contentions raised by learned Senior Counsel for the petitioner that due to no fault of the petitioner in delay in submission of the Essentiality Certificate and the Affiliation Certificate, it cannot be deprived of the permission to run the said new medical college...”

(g) Aggrieved by the decision of the learned Single Judge of Hon'ble High Court of Delhi, Society filed a Letters Patent Appeal in the Hon'ble High Court of Delhi (LPA No. 544 of 2011 & CM No. 11730/2011 for stay). The Division Bench of Hon'ble Court on 10.06.2011 was pleased to pass the following order: -

“6. The last date for the issue of the letter of permission by the Central Government as per the Schedule is 15<sup>th</sup> June 2011. The petitioner has already invested a considerable sum in setting up the infrastructure for the medical college. On account of the delay in receipt of the two documents in question by

the MCI which is the only reason for refusal of permission, the petitioner will have to wait for another full academic year to begin the courses. The balance of convenience in grant of an interim relief is, in the circumstances, in favour of the petitioner.

7. Subject to the condition that the petitioner will not claim any equities on the basis of this order, it is directed that the petitioner's application will be again placed before the Undergraduate Committee of the MCI within a period of one week from today. The said application will be considered by the Committee without raising an objection that the Essentiality Certificate and the Consent of Affiliation were not submitted by 30<sup>th</sup> November 2010. Further steps shall be taken and petitioner's application shall be processed in accordance with law within a period of three weeks thereafter."

(h) Aggrieved by this order of the Hon'ble High Court of Delhi, the Board of Governors in Supersession of Medical Council of India filed a Special Leave Petition in the Hon'ble Supreme Court [SLP No. 16233 of 2011]. The Hon'ble Supreme Court declined to interfere with an interim order of the High Court. The Hon'ble Supreme Court in its Order dated 17.06.2011 clarified the order of the Division Bench of Hon'ble High Court as follows:

"(a) The application of the College will not be rejected on the two grounds alone which are indicated in the impugned order passed by the High Court.

(b) The Council shall be at liberty to consider the application in accordance with the Rules, Regulations and the parameters provided for grant of approval of such Colleges. If as per the wisdom of the Council, conditions are not satisfied it will be at liberty to decline the approval.

(c) We extend the period by two weeks for considering and granting/refusing the approval to the medical colleges. The Council will be at liberty to inspect the College through Experts as contemplated under the Rules.

(d) The High Court would hear the matter on 14<sup>th</sup> July 2011, the date already fixed. On that day the order passed by the Council shall be placed before the High Court.

All questions are left open for final decision of the writ petition by the High Court and the order is without prejudice to the contentions of the parties.

The Special Leave Petition stands disposed of with the aforesaid clarifications."

(i) In accordance with the directions of the Hon'ble Supreme Court and the Hon'ble High Court of Delhi an assessment of the proposed College was carried out on 29<sup>th</sup> and 30<sup>th</sup> June 2011. The Assessment Report was scrutinized by the Undergraduate Committee on 07.07.2011. The recommendations of the Undergraduate Committee were considered by the Board of Governors and accepted by the Board of Governors, the application of the Society was disapproved which was communicated to Society vide letter of MCI dated 13/07/11.

(j) The Hon'ble High Court of Delhi heard the LPA on 14.07.2011. The Hon'ble High Court inter alia directed that:

"5. On a perusal of Section 3 B (ii), it is clear as crystal that before an application for approval is rejected, an opportunity of hearing is to be afforded to the institution. The same having not been done, we would like the Board of Governors to afford an opportunity of hearing to the appellant on 19<sup>th</sup> July 2011 (as agreed by the learned Counsel for the parties) and thereafter pass a speaking order. We may hasten to clarify that all issues raised in the appeal are kept open.

Let the matter be listed on 21<sup>st</sup> July 2011."

(k) As directed by the Hon'ble High Court of Delhi, we with the consent of the representative of the Society gave them a hearing on 18.07.2011 and passed a detailed Order. We in view of the gross deficiencies in terms of faculty, clinical material, infrastructure, nursing staff and other aspects, decided to not to grant letter of permission for establishment of a new medical college at Shree Chhatrapati Shivaji's Education Society's Instt. of Medical Sciences & Research. Dist. Satara u/s 10A of the I.M.C. Act, 1956 for the academic year 2011-12. However, it was open for the Society to apply afresh for the next academic year 2012-13. Our decision was communicated vide MCI letter dated 20.07.2011 to the Society.

(l) The Hon'ble High Court of Delhi vide its order dated 21.07.2011 inter alia directed that :

“... Regard being had to the totality of circumstances and without expressing any opinion on the merits of the case, it is directed that if the appellant-institution would deposit the inspection fees with the MCI by 27<sup>th</sup> July, 2011 and an inspecting team shall proceed and inspect and after affording an opportunity of hearing, the competent authority shall pass a reasoned order. The inspection shall be carried out within a fortnight from the date of deposit of the amount. Though learned counsel for the appellant would submit if the MCI is satisfied, the institution should be granted permission for the academic session 2011-12, we are not inclined to pass any direction in that regard except directing the MCI to follow its regulations. In case the appellant is aggrieved by the decision taken by the MCI as regards the grant of permission, it is open to it to challenge the same by way of an independent writ petition.”

(m) Pursuant to the above direction of the Hon'ble Court, the Society deposited the inspection fees with the Office of the Medical Council of India on 02.08.2011. The Inspection was carried out by a team of Assessors consisting of (i) Dr. A. K. Agarwal, Dean / Principal, Maulana Azad Medical College, New Delhi; (ii) Dr. K.K. Deepak, Professor of Physiology, All India Institute of Medical Sciences, New Delhi; and (iii) Dr. C. Mohanty, Professor of Anatomy, Institute of Medical Sciences, Varanasi. The Report of the Assessment Team was received and placed before the Undergraduate Committee on 16.08.2011.

(n) The Medical Council of India vide Letter No. MCI-34(41)/2011-Med./33563, dated 30.08.2011 intimated the President of Shree Chhatrapati Shivaji Education Society of the deficiencies that were noted by the Undergraduate Committee and concurred to by the Board of Governors and the same are reproduced herein for the sake of ready reference: -

“.....

*i) Funds, Budget and Audit: The Institution does not have a clear budget, or fund allocation or audit Report for last 3 years.*

*ii) Staff: There is substantial shortage of teaching staff and residents and no proof of their employment like salary slips and joining report have been submitted.*

*iii) Paramedical staff details are not available from assessment done this time.*

*iv) Clinical Material: Clinical material shows unacceptable shortages, in terms of Bed Strength, OPD Attendance, Admissions and Investigation.*

*v) Infrastructural deficiencies.*

*vi) Essentiality certificate is not as per Regulation of MCI. The certificate does not clearly state that students will be adjusted by the State Govt. in other Govt. institutions in case the present institution closes down which is mandatory requirement.*

*vii) Other deficiencies as noted in the Assessment Report.....”*

(o) The Board of Governors concurred with the above findings of the Undergraduate Committee and accordingly, in terms of the provisions of Indian Medical Council Act, 1956 decided to afford Society a reasonable opportunity of being heard. Wherein the society was call upon to explain as to why the application be not disapproved in view of the deficiencies noted above. The President of Society was, therefore, requested to appear before the Board of Governors either personally or through duly authorized representative along with all relevant papers in support of their case on Friday, 2 September 2011 at 10:00 AM in office of the Medical Council of India for hearing.

3. Accordingly, Shree Chhatrapati Shivaji Education Society (hereinafter Society) represented by Dr. Mahadev R. Deshmukh, President; Mr. Nitin B. Pawar, Director; Mr. Rajshekhar Rao, Advocate and Mr. Sayed Kalimuddin, Advocate appeared for hearing at the appointed hour before us on 02.09.2011.

4. In terms of the order of the Hon'ble High Court, we decided not to take into consideration the delay in submission of Essentiality Certificate as one of the ground for rejection of the application.

5. Mr. Rajshekar Rao, Advocate for Shri Chhatrapati Shivaji Education Society submitted explanation regarding the steps taken by Society to remove the deficiencies listed in the MCI letter of 30.08.2011. He also submitted that the hospital is located in a rural area and a great cause would be served if the application of Society is considered leniently. It was submitted by the representative of the Society that Society has taken all necessary steps to meet the statutory norms prescribed by the Medical Council of India and made detailed submissions regarding steps taken by the College to remove deficiencies as indicated in the order of the Board of Governors communicated to the college vide letter of M.C.I. dated 30.08.2011.

6. We have sympathetically considered the request of the Society regarding establishment of medical college in rural areas. However, the statutory provisions and requirements mentioned in the Regulations are minimum requirements and if absence of medical college fulfilling the minimum requirements, the medical students who shall be securing the qualification from the medical college would be half baked medical students. Therefore, the minimum requirements as provided in Establishment of Medical College Regulations and Minimum Requirements for 100 Admissions Annually Regulations, are mandatory requirements to be fulfilled by all medical colleges, irrespective of their place of establishment. The statutory provisions contained in Section 10A (7) of Indian Medical Council Act, 1956 envisages that the Scheme for the establishment of a new Medical College submitted to us inter alia meets firstly, the prescribed minimum standards of medical education; secondly, person seeking to establish the medical college has adequate financial resources; thirdly, necessary facilities in respect of staff, equipment, accommodation, training and other facilities to ensure proper functioning of medical college; fourthly, adequate hospital facilities; fifthly, programme drawn to impart proper training to students likely to attend such medical college; and sixthly, the requirement of manpower in the field of practice of medicine. The statutory scheme does not allow us to draw a distinction between rural and urban healthcare. We would very much appreciate that if the Society makes all efforts to establish a Medical College that conforms to the statutory requirements and serves the people in the rural area, where such facilities are lacking.

7. A detailed written representation vide letter no. SCSES/MCI/2011-12 dated 2.9.2011 was also submitted which included following documents:-

- 1) Annexure – I – Capital Budget, Fund allocation and Audited copies and Balance Sheet for the year ending March 2009, March 2010 and March 2011;
- 2) File 1 (pp. 1-260); File 2 (pp. 1-337); File 3 (pp. 1-471) and File 4 (pp. 1-400) containing the details of teaching staff alongwith copies of Salary Register, Letter of Appointment, Joining Letters, Experience cum Relieving Certificates and Declaration Form as per MCI format and list of Department wise list of Para Medical Staff.

8. After the hearing was over, the representatives of the Society vide their letter no. SCSEC/MCI/2011-12 dated 2<sup>nd</sup> September, 2011 requested for grant of time till Tuesday 6<sup>th</sup> September, 2011 for submission of additional documents.

9. We duly considered the request but found the request lacking in merit and the said request is again an attempt to unnecessary delay the process of consideration. More so, in the light of the fact that Society has submitted voluminous documents exceeding 1400 pages at the time of hearing. There was specific reference in the notice dated 30.08.2011 to the Society regarding lack of details of joining and employments of teaching faculty. Despite specific notice, the Society did not choose to file or give details regarding employment of teaching faculty purportedly employed by the society during hearing or before hearing. Furthermore, the declaration forms (containing details of previous employment, undertaking that the teaching faculty has not been assessed by the Assessors of MCI for any other college etc.) of the entire teaching faculty of a medical college submitted by the colleges signed by the concerned teaching faculty and counter signed by the Principal/Dean of the Medical College are required to be filed well in advance to

MCI. Therefore, the request of the society seeking more time to produce the said documents was without substance and appears to be a dilatory tactics and hence, the said request was rejected on the same day vide letter no. MCI-7(9)/2011-Med./34157, dated 02.09.2011.

10. We have given due consideration to the submissions and we have also gone through the detailed written submissions submitted by the college alongwith voluminous documents. We are of the unanimous opinion that the society has failed to meet the requirement of Regulations of MCI and hence the application for the establishment of new medical college by Shree Chhatrapati Shivaji Education Society with an annual intake capacity of 100 in the name of Institute of Medical Sciences & Research, Khatav, Satara is hereby being disapproved for reasons recorded herein below: -

#### **I. FUNDS, BUDGET AND AUDIT**

11. Vide the MCI Letter dated 30.08.11, the Society was informed that the Institution does not have a clear budget, or fund allocation or audit report for last 3 years. In response the Society has submitted to us the details of capital budget of the Society for the year 2008-09 to 2014-15, funds allocation, audit report and income and expenditure of the Society for the years 2008-09; 2009-10; and 2010-11. We have taken note of the documents submitted by the Society. Receipt of a fixed deposit of Rs. 5.00 crores in the name of Research Foundation for Medical Sciences Ltd., a “sister concern company” of the Society has also been placed before us, and in the covering letter to the President of the Society it is stated that the said funds are earmarked to be utilized only for the proposed Medical College

12. The admitted position is that the fixed deposit is not in the name of the Society nor held by the Society or the proposed medical college. The fixed deposit receipt held in the name of Research Foundation for Medical Sciences Ltd. which has been claimed to be a sister company. The concept of “sister company” is foreign to the Society. Hence the said fixed deposit receipt held by another company cannot be taken into consideration for deciding the financial viability of the proposed college.

13. Furthermore, the Society has failed to produce any document regarding the source of fund making capital and revenue expenditure for expanding the facilities in the proposed medical college and incurring revenue expenditure for running the college on day today basis. Audited Report submitted by the Society gives details of five Institutions, namely:-

- (i) Rural Institute of Ayurved, Research Centre & Hospital, Mayani
- (ii) Research Institute of Medical Sciences, Mayani
- (iii) Dhanwantari Ayurvedic Medical College & Research Centre, Nipani
- (iv) Western Maharashtra Nursing School, Kolhapur
- (v) Smt. Indumati R. Deshmukh School of Nursing, Mayani

14. The proposed Medical College and expansion of facilities in terms of Regulation of Medical Council of India would require substantial capital and revenue expenditure. The financial statement submitted by the Society is vague nor does it disclose the source of fund nor does it disclose the manner or mode in which fund would be arranged. Hence, we are of the opinion that the Society is lacking adequate financial resources for proposed medical college.

#### **I. STAFF**

##### **A. Teaching Staff**

15. The Medical Council of India vide its letter dated 30.08.2011 has informed the college that there was substantial shortage of teaching staff and residents and no proof of their employment like salary slips and joining reports have been submitted. In our earlier order dated 20.07.2011, we had noted the submission made by the Society vide its letter dated 29.06.2011 that the Society has not even appointed teaching staff and admission has been made in the said letter that the teaching staff are attached to some other medical colleges and they would join only after the college gets permission from the Medical Council of India. The representative of the college submitted that they have made appointments as per the requirements of MCI regulations. They have also submitted to us the details of the teaching staff and residents along with proofs of appointment like

appointment letter and joining report alongwith compliance report dated 05.08.2011. They have contended that the present availability of teaching staff and residents is 100%.

15. As per the “Establishment of Medical College Regulations, 1999, the applicant must have appointed staff for 1<sup>st</sup> year as per MCI norms. Therefore, we perused the documents submitted by the College by focusing upon the details of Faculty in terms of Professor, Associate Professor and Assistant Professor and a list of Faculty, based upon the documents submitted by the Society has been prepared and is annexed with this order. In several cases of teaching faculty, we found that proper employment record is not placed before us. Previous service records of the teaching faculty are not mentioned raising serious doubt about the very employment of the teaching faculty in the proposed medical college. Furthermore, on the basis of information provided by the Society it cannot be verified whether such faculty has been assessed in any other Medical College during the same period. On perusal of details of teaching faculty, we have also noted that many Doctors have consented to become Faculty years after completion of their postgraduate degrees. The said consent by doctors to become part of teaching faculty cannot be accepted as it involves lot of uncertainty.

16. We have also perused the details of salary register provided by the Society. The Society has provided details of salary paid to Faculty for the months of January to July 2011. These details are as under:-

<b>Month</b>	<b>Number of Faculty to whom Salary Paid</b>
January 2011	2
February 2011	3
March 2011	3
April 2011	3
May 2011	3
June 2011	10
July 2011	78

17. The entire salary it appears from these records is paid in cash. Further, details of statutory deductions like provident fund, income tax deduction etc., are not provided. The above table clearly reveals that virtually the entire the Faculty has joined in the months of July and August 2011. The College must be in accordance with the requirements of regulations be complete in terms of Faculty strength at the time of inspection itself, which in this case has happened twice firstly on 29-30 June 2011 and secondly on 4-5 August 2011, and on both the occasions Faculty shortage has been found.

18. Therefore, we are of the opinion that the Assessors have rightly given the report about the shortage of teaching faculty and after perusing the records and hearing the submissions of the representative, we do not find any reason to differ from the conclusion drawn by the Assessment team consisting of eminent professors.

#### **B. Paramedical Staff**

19. As regards, the Paramedical Staff, the MCI letter dated 30.08.11 had pointed out that the details are not available as per the assessment done this time. The College has submitted to us the list of 175 Paramedical Staff and contended that the deficiency is removed. The MCI norms require such that details are to be submitted in the prescribed format at the time of assessment itself, not at any time thereafter at the convenience of the concerned institution. Moreover, during the last assessment it was found that a medley of employees including doctors from Ayurvedic discipline were shown under the paramedical heading. During the hearing, we enquired from the representatives of the Society why they have not complied with the requirement of the Regulations and the answer was that they were unaware of the said requirement. A person who intends to establish a medical college cannot in our view take the position that he is ignorant of mandatory requirements of Regulation of Medical Council of India.

20. In view of the above, we hold that the deficiency as regards paramedical staff persists.

#### **III. CLINICAL MATERIAL**

21. The MCI in its letter of 30.08.11 had informed the Society that the clinical material showed unacceptable shortage in terms of Bed Strength, OPD Attendance,

Investigations and Attendance. The Society in its written representation has submitted that at p.9-11 of the Assessors Report there is no specific mention of shortage of clinical material. The Society has also submitted that the (i) Bed Strength is 346 against the requirement of 300; (ii) OPD Attendance is 436 against the requirement of 400; and (ii) Bed Occupancy is 75% against the requirement of 70%. Based upon these figures it is contended that the deficiency has been rectified and no such deficiency exists.

22. On perusal of records, we find that although the bed strength of 342 is adequate, however, the Bed Distribution is not divided into Units that is required as per “Minimum requirements for 100 M.B.B.S. Admissions Annually Regulations, 1999. As regards, the OPD attendance, the daily average is stated to be 378 and on the day of assessment it is found to be 436. The required daily average OPD attendance is 400. Merely, because on the day of assessment the OPD attendance is above 400, cannot in our view be said to meet the average OPD attendance requirement of 400. Likewise, as regards, admissions of indoor patients the figure provided is of 247 in a 342 bedded hospital. This we believe is highly unlikely. On the day of assessment there are 53 discharge, but the daily average discharge is left blank in the Assessment Report. Such a situation is not likely to happen as there has to be regular admissions and discharge in any hospital.

23. We have also perused the data in relation to investigation done in the Hospital. The USG, Special Investigation and CT Scan done in the Hospital is only 2 for OPD attendance of 378 and 247 indoor patients with a bed occupancy of 77% in a hospital of 342 beds. This clinical investigation load in our opinion is too low for a Hospital of this size.

24. We have also perused the data relating to operative work conducted in the Hospital in the Assessment Report. The daily average of major surgeries is stated to be 6 and on the day of assessment it is stated to be 3, while the daily average of minor surgical operations is 4 and on the day of assessment it is 2. The daily average of normal deliveries is stated to be 2 and on the day of assessment the number of deliveries is stated to be 3. The daily average of caesarian section and on the day of assessment is stated to be nil. These figures are too low and inadequate for training 100 students.

25. Further when we correlate the operative work with laboratory investigation done, we note that the daily average data of histopathology and cytopathology is stated to be nil, whereas on the day of assessment it is stated to be 13 and 6 respectively. This we believe is unrealistic.

26. In view of the above, we hold that the proposed Medical College shows unacceptable shortages of clinical material.

#### **IV. INFRASTRUCTURAL DEFICIENCIES**

26. The Society was informed by MCI letter dated 30.08.11 that there were infrastructural deficiencies in the College. The Society in its written reply, on the one hand states that there are “no deficiency in respect of infrastructural facilities”, however, on the other hand, in their additional written submission the Society has submitted following point wise explanation as to the deficiencies in terms of clinical material and infrastructural deficiencies:-

- (i) Medical Education Unit – commenced w.e.f. 01.09.2011
- (ii) Statistical Unit – SPSS Software has been installed in centralized computerized statistical unit and the Bio-Statistician-cum-Lecturer in the Deptt. Of Community Medicine will be appointed shortly.
- (iii) Staff facilities are being added and as noted in the Assessment Report – adequate space has already been made available.
- (iv) TV/DVD for recreation has been made available.
- (v) Operation Theatres- central oxygen, NO2 and suction have been made available.
- (vi) Equipment installed in OT Block – have been installed as per norms.
- (vii) Intensive care – deficiencies pointed out and have been rectified – records will be filed shortly. Central Oxygen and suction are already available and functioning.
- (viii) Pharmacy – records are being maintained.
- (ix) Intercom – EPABX installed and functional.
- (x) PHTC and UHTC –Now functional
- (xi) Mortuary – having cold storage for cadavers, ante-room, washing facility is provided.



27. It is suffice, to mention in this regard that the above explanation of the clinical material and infrastructure are required to be in place at the time of making application, i.e., in this case, by 30.11.2010, the last date for submission of application, in accordance with the MCI Regulations. In the point-wise explanation mentioned above, the specific dates from which such facilities have been made available is not mentioned. Furthermore, we note that the following important intensive care equipment necessary for continuous patient monitoring are not available: (a) multiparameter monitor; (b) Respiratory gas meter; (c) Pulseoxymeter; (d) Boyles apparatus; and (e) Drip Infusion Pumps. All these are yet to be installed.

28. As regards, the Blood Bank, the Society has submitted in its additional written statement that they have applied for License to the Director, Maharashtra State Blood Transfusion Council Mumbai vide their letter dated 27.07.11. They have informed that space has been earmarked for the same and are equipping it with the necessary infrastructure as applicable. The Society has been assured that they would be permitted to commence the Blood Storage facility shortly within a week and they were hopeful that the License would be issued to them shortly thereafter.

29. We are of the considered opinion that an operational Blood Bank is vital for the functioning of a Teaching Hospital. The requirement of the Regulations is that the Blood Bank has to be operational at the time of inception of the Medical College. The Society has itself admitted that the Blood Bank as on date it is not operational. Only space has been earmarked and they are equipping it with the necessary infrastructure as applicable. Thus, we hold that the proposed Medical College as on date does not have an operational Blood Bank.

30. In view of the above, we hold that the proposed Medical College to be established by the Society is deficient in terms of infrastructural facilities.

## V. DECISION

31. In view of the deficiencies noted above, in terms of teaching and paramedical staff, deficiency in clinical material and infrastructural facilities and after giving due consideration to the oral and written submissions made by the representatives of the Society, we are of the unanimous opinion that the Society has failed to meet the requirements of the Regulations and therefore, the application submitted by it for establishment of a new Medical College in the name of Institute of Medical Sciences & Research at Khatav, Satara is hereby disapproved and the necessary communication in this regard be made to the Society.

**The Board reviewed of National Summit on Medical Education: Challenges and opportunities conducted on 12<sup>th</sup> September, 2011 and decided to analyse the feed back reports submitted and also to send thanks letter to all the participants, invitees and speakers.**

Dr.P.Prasannaraj  
Addl. Secretary

Dr. Sangeeta Sharma  
Secretary

(Dr. Ashok Gupta)  
Member

(Dr. Purushotham Lal)  
Member

(Prof. K.S. Sharma)  
Member

(Dr. Rajiv Chintaman Yeravdekar)  
Member

(Dr. (Prof.) Harbhajan Singh Rissam)  
Member

(Prof. K.K. Talwar)  
Chairman