

MEDICAL COUNCIL OF INDIA

NEW DELHI

Minutes of the meeting of the Board of Governors held on 03.10.2011 at 10.00 a.m. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077.

Following members were present:

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

1. Minutes of the BOG's meetings dated 26.09.2011 – Confirmation of.

The Board of Governors confirmed the minutes of the meeting held on 26.09.2011.

2. Action taken on the minutes of the meeting held on 19.09.2011.

The Board of Governors noted action taken on the minutes of the meeting held on 19.09.2011.

3. To maintain Uniformity in the teaching cadres in all the Government Medical Colleges as well as Private Medical Colleges across the Country.

Read : The matter with regard to maintain Uniformity in the teaching cadres in all the Government Medical Colleges as well as Private Medical Colleges across the Country.

The item was deferred for the next meeting for detailed discussion.

4. Qualifying Marks in Entrance Examination – NEET – UG/PG.

Read : The matter regarding qualifying marks in entrance examination – NEET – UG/PG.

The Board of Governors decided to take the cut off point as 50th percentile for general and 40th percentile for reserved category. In the event of vacant medical seats with this cut off point then the Council on the recommendation of the Union Govt. shall modify the cut off point so that there is no vacant seats in MBBS course for that particular year only as follows:

"Provided when sufficient number of candidates in the respective categories fail to secure minimum marks as prescribed in National Eligibility-cum-Entrance Test held for any academic year for admission to post graduate courses (MBBS course in case of UG regulations), the central government in consultation with MCI may at its discretion lower the minimum marks required for admission to post graduate course (MBBS course in case of UG regulations) for candidates belonging to respective categories and marks so lowered by the central government, shall be applicable for the said academic year only".

5. **Complaint against Subharti Medical College, Meerut regarding irregularities in the admission process and demanding of capitation fees.**

Read : The complaint against Subharti Medical College, Meerut regarding irregularities in the admission process and demanding of capitation fees.

The item was deferred for the next meeting for detailed discussion.

6. **Judgments of Supreme Court of India – suggesting action/amendments to the respective Acts – regarding**

Read : The judgements of Supreme Court of India – suggesting action/amendments to the respective Acts.

The Board of Governors considered the office memorandum received from the Ministry of Health & Family Welfare, Govt. of India on the aforementioned subject and after due deliberations directed the Law Officer to circulate through e-mail the said Office Memorandum alongwith the 201st Report of the Law Commission of India on “Emergency Medical Care to Victims of Accidents and during Emergency Medical Condition and Women under Labour” of August 2006 in which the Model Law is annexed.

7. **Matter with regard to supply of alleged forged/fake information/certificate in/with the declaration forms submitted to the MCI by Dr. Venkatesan J. Medical Teacher.**

Read : The matter with regard to supply of alleged forged/fake information/certificate in/with the declaration forms submitted to the MCI by Dr. Venkatesan J. Medical Teacher.

The item was deferred for the next meeting for detailed discussion.

8. **Consideration and approval on the minutes of the Ethics Committee held on 23.08.2011.**

Read : The minutes of the Ethics Committee meeting held on 23.08.2011.

The item was deferred for the next meeting for detailed discussion.

9. Matters relating to the strengthening of the implementation of the Right to Information Act, 2005 by the Medical Council of India.

Read : The matters relating to the strengthening of the implementation of the Right to Information Act, 2005 by the Medical Council of India.

- (a) The Board of Governors approved for the Preparation of Information Handbook regarding Pro-active disclosure as laid down under Section 4 of the RTI Act and directed the RTI Cell to prepare the Book in coordination with different section of the Council expeditiously.
- (b) The Board of Governors directed that as regards the appointment of Transparency Officer in the Council as directed by the Central Information Commission a letter be written to the Ministry of Health and Family Welfare, Government of India seeking guidance on the matter.
- (c) The Board of Governors accorded their approval for the organization of one-day Training Programme on RTI Act, 2005.

10. Medical Council of India v. D.D. Medical College & Anr [SLP No. 27724 of 2011 in the Hon'ble Supreme Court of India]

Read: The Order dated 29/09/11 of the Hon'ble Supreme Court of India in the case titled as Medical Council of India v. D.D. Medical College & Anr [SLP No. 27724 of 2011].

A Special Leave Petition against the judgment of the Hon'ble High Court of Madras in Writ Appeal No. 1500/2011, WA No. 1664/2011 dated 26/09/2011 was filed on the directions of the Board of Governors in the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India vide its order dated 29/09/11 had inter alia granted an "interim stay of the judgment of the High Court. Counter affidavit be filed within four weeks and rejoinder affidavit be filed within four weeks after filing of the counter."

11. LPA against the Judgment dated 28.08.2011 of the Hon'ble High Court of Delhi in School of Medical Sciences and Research v. Union of India [W.P. No. 4920 of 2011], Rama Medical College and Research Centre, Kanpur v. Union of India [W.P. No. 5917 of 2011 in the Hon'ble High Court of Delhi] and Teerthankar Mahaveer Institute of Management and Technology Society, Moradabad v. Union of India.

Read: The Letter dated 30.09.2011 of Shri Amit Kumar, Legal Retainer regarding the Proceedings in the Hon'ble High Court of Delhi on 30.09.2011 in the LPA filed by the Medical Council of India against the judgment of Learned Single Judge of the Hon'ble High Court of Delhi.

The Board of Governors took note of the proceedings before the Division Bench of the Hon'ble High Court of Delhi as conveyed in the Letter dated 30.09.2011 of Shri Amit Kumar, Legal Retainer. The Board of Governors was also apprised by the Secretary that as advised by the Legal Retainer no order based upon the directions of the Learned Single Judge of the Hon'ble High Court of Delhi was issued on 30.09.2011 to the three Medical Colleges. The Board of Governors accorded their approval to this decision.

(Dr.P.Prasannaraj)
Addl. Secretary

(Dr. (Prof.) Sangeeta Sharma)
Secretary

(Prof. K.S. Sharma)
Member

(Dr. (Prof.) H S Rissam)
Member

(Dr. Rajiv C Yeravdekar)
Member

(Dr. Purushotham Lal)
Member

(Dr. Ashok Gupta)
Member

(Dr. (Prof.) K Mohandas)
Member

(Dr. (Prof.) K.K. Talwar)
Chairman