

**Medical Council of India**  
**New Delhi**  
**Minutes of the meeting dt.06.07.2012**

Meeting of the Board of Governors, Medical Council of India.

Reference Medical Council of India meeting notice dated 2<sup>nd</sup> July, 2012.

Meeting of the Board of Governors was held on 6<sup>th</sup> July, 2012 at 10.00 a.m. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi -110077 under the Chairmanship of Dr. (Prof.) K.K. Talwar. The following members of the Board of Governors attended the meeting:

- |    |                                |                                |
|----|--------------------------------|--------------------------------|
| 1. | Dr. (Prof.) K.S. Sharma        | Member, Board of Governors     |
| 2. | Dr. Rajiv Chintaman Yeravdekar | Member, Board of Governors     |
| 3. | Dr. Ashok Kumar Gupta          | Member, Board of Governors     |
| 4. | Dr. (Prof.) K Mohandas         | Member, Board of Governors     |
|    | Prof. Sanjay Shrivastava -     | Member Secretary, BOG meeting. |

Dr. (Prof.) H.S. Rissam & Dr. Purshotam Lal, Member, Board of Governors could not attend the meeting under intimation to the Chairman, Board of Governors.

The agenda for the meeting was as under:-

1. Matter relating to Postgraduate courses -
  - (a) Cases of recognition of degree (70 cases).
  - (b) Matter relating to MGM Medical College, MS(Ortho.).
  - (c) Matter relating to MD(Microbiology) course of Muzaffarnagar.
  - (d) Recognition of PG degrees imparted by Institutions located in Nepal.
  - (e) Matter relating to discharge notice to be issued to Karuna Medical College, Kerala.
2. Registration of OCI candidates.
3. Award of contract for Fire Fighting System installed in Council Building.
4. Discussion on manpower requirement of the Council in view of the post lying vacant and increased work load.
5. Consideration of recommendations/minutes of Ethics Committee dt.15.5.12.

### **Agenda Item No.1(a) - Cases of recognition of degree (70 cases).**

The Board of Governors decided to take this agenda item as last item if time permit otherwise agenda item 1(a) is to be placed before the next Board of Governors meeting.

### **Agenda Item No.1(b) Increase of seats in MS(Orthopaedics) course at Mahatma Gandhi Medical College and Hospital, Jaipur under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956.**

It is stated that assessment for increase of seats in MS(Orthopaedics) course at **Mahatma Gandhi Medical College and Hospital, Jaipur** was carried out on 5<sup>th</sup> March, 2012 and assessment report was considered by the Postgraduate Committee and the Board of Governors and it was decided not to issue Letter of Intent in view of the following:-

- Bed Occupancy low.
- Patients were dummy patients.
- Enough immediate post operative patients not found in ward commensurating with the number of the project surgery (i.e. 5 per day).
- OPD attendance is exaggerated as per assessment report.

The above decision was communicated to the college authorities vide this office letter dated 24/03/2012.

In reference to above college authorities vide their letter dated 26/03/2012 had submitted the compliance and the same was considered by the Board of Governors and it was decided not to issue letter of Intent in view of the following:-

- Bed Occupancy low.
- Patients were dummy patients.
- Enough immediate post operative patients not found in ward commensurating with the number of the project surgery (i.e. 5 per day).
- OPD attendance is exaggerated as per assessment report.
- The Professor and Head has joined only 2 months back and has held multiple (3) position in last 4 years.
- According to assessor's report the office space for teaching faculty appear to have been created only the day of assessment.

The above decision was communicated to the college authorities vide this office letter dated 31/3/2012.

In reference to above the college authorities have filed a writ in the Hon'ble High Court of Rajasthan at Jaipur Bench, Jaipur and the operative part of the order of the Hon'ble High Court reads as under:-

"In the facts of the case the respondents are therefore directed to conduct fresh assessment in the department of Orthopaedics qua Petitioner College within a period of four days."

In view of the above order of the Hon'ble High Court of Rajasthan assessment was carried out by the Council Assessor on 31/5/2012.

The Board of Governors noted that the order of the Hon'ble High Court of Rajasthan has been complied. The decision in this instance case will be taken and conveyed as per further directions of the Hon'ble High Court of Rajasthan as and when received.

**Agenda Item No. 1(c) Starting of MD(Microbiology) course at Muzaffarnagar Medical College, Muzaffarnagar under Chaudhary Charan Singh University, Meerut u/s 10A of the IMC Act, 1956.**

It is stated that matter along with assessment report for starting of MD(Microbiology) course at Muzaffarnagar Medical College, Muzaffarnagar was placed before the Postgraduate Committee and the recommendations of the P.G. Committee were placed before the Board of Governors. The decisions are recorded as under:-

PG Committee Date	Name of College	Decision of PG Committee	Decision of Board of Governors.
15 <sup>th</sup> Feb., 2012. Item No.46	Muzaffarnagar Medical College, Muzaffarnagar under Chaudhary Charan Singh University, Meerut u/s 10A of the IMC Act, 1956.	Recommended for 04(Four) seats for starting of MD(Microbiology)	To review again with file

Since the above file was in the Secretary, MCI room and there was a management change in the Council on 30<sup>th</sup> March, 2012. The above file was traced from Secretary's room and the same has been recorded in the inventory on 04/04/2012. No decision was traced from the file.

In view of above, no decision was taken/finalised by the BOG before 31/3/2012 (i.e. last date for sending the recommendations).

Since no decision was on the file, the same was placed before Board of Governors at its meeting held on 16<sup>th</sup> & 17<sup>th</sup> April, 2012 and the Board of Governors decided to take legal opinion in this regard.

Accordingly legal opinion was taken from Law Officer, MCI and it was opined as under:-

“Beyond 31<sup>st</sup> March, 2012 the Board of Governors is not vested with the powers to grant Permission for starting /increase of a course for academic year 2012-13.”

It is further stated that the Chairman, Muzaffarnagar Medical College, Muzaffarnagar vide letter dated 31/5/2012 has informed that till date no order by the MCI has been communicated to them hence as per section -10(5) of IMC Act, 1956 it is deemed to have been approved for 5(five) seats in MD(Microbiology) course for the year 2012-13.

After detailed discussion in the matter the Board of Governors decided to take opinion from Senior Advocate Sh. Nidhesh Gupta, through retainer advocate of the Council regarding further course of action in the matter. In view of the Chairman, Muzaffarnagar Medical College, Muzaffarnagar claimed that the college is entitled for admitting 5(Five) students in MD(Microbiology) course for the academic year 2012-13 as per Section 10(5) of IMC Act, 1956. After obtaining the opinion from Sr. Advocate, the same may be placed before the Board of Governors for taking final decision.

**Agenda Item No.1(d)      Recognition of PG degrees imparted by Institutions located in Nepal.**

**Agenda Item No.1(e)      Matter relating to discharge notice to be issued to Karuna Medical College, Kerala.**

Agenda Item No.1(d)&(e) were withdrawn as the files in these cases were not available because the concerned officials were on leave.

**Agenda Item No.2 Application form for Permanent Registration for Indian nationals/OCI Registered in Australia, Canada, New Zealand, UK & USA - difficulties faced by the applicants.**

It was noted that so far total number of 7 applicants have applied for registration under category of Permanent Registration for Indian nationals/OCI Registered in Australia, Canada, New Zealand, UK & USA. On perusal of agenda item and it was decided that the matter may be looked at by Dr. Ashok Kr. Gupta, Member, Board of Governors who was earlier authorized by the Chairman, BOGs to frame the guidelines for registration. Accordingly, the Board of Governors decided that the Officers/Officials dealing with the matter may meet Dr. Ashok Kr. Gupta, Member, BOGs on 06.07.2012 alongwith complete records of all 7 candidates(applicants). The recommendation be brought before the Board of Governors for further action.

**Agenda Item No.3 Award of contract for Fire Fighting System installed in Council Building.**

It was informed that letter dated 03.10.2011 has been received from Delhi Fire Service, Govt. of NCT of Delhi, New Delhi informing that they are organizing surprise check in respect of all the buildings to assess that the existing fire fighting system is functioning properly or not. The following items will be checked:-

1. Means of Access Clear 6 meter wide approach road to building.
2. Water Storage Tank 50,000 to 2,00,000 liters capacity.
3. Automatic Sprinkler System
4. Hose Reel
5. Portable Appliances.
6. Compartmentation
7. Automatic Fire Detection/Manual Alarm System.
8. Public Address System.
9. Exit Signs.
10. Emergency Power Supply.
11. Fireman's Grounding Switch on the lift.
12. Wet Riser/Down Comer/Dry Riser

Accordingly, it was decided to get the Fire Fighting System checked thoroughly by the M/s Am-Tech Fire Systems, AMC holder of Council's Fire Fighting Systems immediately.

In response, M/s Am-Tech Fire Systems vide letter dt. 28.11.2011 has pointed out the following deficiencies:-

- (i) That the ring main line feeding the fire fighting system is lying rusted and damaged from several places resulting in leakage/seepage. Due to this leakage and seepage the system provided cannot be used to its full potential and during any mishap put you in an awkward position ( i.e. approx. 310 mtr underground line).
- (ii) Similarly RRL canvas hose was found totally damaged as the same was provided way back in the year 2004 when initially the system was installed in the building. The normal life of RRL canvas hose is 24 months as have given in the manual of standing fire advisory council, Govt. of India.
- (iii) Hose reel drum & rubber tubes of 20mm dia was also lying damaged and also outlived its life which is 24 months from the date of installation.
- (iv) Fire hose M.S. cabinet were also found rusted and totally damaged.
- (v) Fire alarm and detection system needs upgradation as per latest technology. As the same was provided initially at the time of const. of building.
- (vi) All fire pumps i.e. jockey pump, sprinkler pump, main pump & d.g. driven pump required new mechanical & seal due to leakage in seal (i.e. provided by kirloskar).
- (vii) 22NO. Fire main axe required to put one fire man axe in every hydrant cabinet.
- (viii) Public address system required rectification & replacement of some its defective parts.
- (ix) Some portable appliance (fire extinguisher) already expire their maximum life.

The Council has to apply for renewal of NOC for Fire Fighting Systems. Therefore, the quotations were called for getting above mentioned deficiencies corrected.

In response, the Council received 6 quotations which were opened and evaluated by the Committee comprises of Dr. Davinder Kumar, Joint Secretary, Sh. Ashok Kumar Harit, Deputy Secretary(Admn.) and Sh. A.K. Ahluwalia, Accounts Officer, which was constituted by the then Secretary. On perusal of the qualified quotations, it was noted that out of 3 items 1 firms is qualifying for 2 items as LQ1 whereas for one item other firms is qualifying as LQ1. The Consultant (Admn.) examined the matter and suggested the course of action in the matter under these circumstances. The Consultant (Admn.) submitted the following comments:

*"The Consultant (Admn.) offered his comments and suggested that engaging of multiplicity of firms for firefighting arrangement is a hazardous one because in case of an emergency, it is likely that these firms will be busy only in passing the blame to one another and in the process the Council will suffer. The said comments of Consultant(Admn.) were placed before the Committee and the Committee agreed with the suggestion of Consultant(Admn.) and recommended to ask M/s Am-Tech Fire Systems to reduce their prices of item No.1 in their quotation from Rs.79,500/- to 66,546/- to bring down the rates at par with the rates quoted by M/s Maku & Company."*

Accordingly, the matter was placed before the Board of Governors for taking decision regarding award of contract for AMC Fire Fighting Service, LQ1, for item Sr.No. 2-3 and seeking permission to negotiate with M/s Am-Tech Fire Systems to reduce their prices of item No.1 from the original quoted Rs.79,500/- to 66,546/-, as LQ1 for Sr 1 i.e. Maku & Company has quoted price of Rs.66,546/- The Board of Governors took the following decision:-

- (a) To find out from Delhi Fire Service, if there are any additional deficiencies in the matter which are to be rectified before applying for fresh NOC.
- (b) It may be ensured that the vendor M/S Am-Tech Fire Systems is approved by the Delhi Fire Service.
- (c) The work should be awarded to M/s Am-Tech Systems if the firm agrees to reduce the cost of item No.1 from original quoted Rs.79500/- to Rs.66,546 with the condition that payment will be subject to getting NOC from Delhi Fire Service. The part payment for work done may be released on completion of work and part payment should be made only after getting NOC from Delhi Fire Service.

**Agenda Item No.4 Discussion on manpower requirement of the Council in view of the post lying vacant and increased work load.**

The matter relating to acute shortage of manpower in Medical Council of India and difficulties faced in processing nearly 2000 applications received for postgraduate courses and difficulty faced by other sections particularly Registration, Eligibility and Dispatch/Diary Sections was discussed.

It was informed that it is necessary that the posts should have prior sanctioned from Govt. of India before they are filled up on regular or contract basis. It was also informed that there are 109 sanctioned posts in Medical Council of India. Over the period of time, elected body of Medical Council of India and earlier Board of Governors

has created 57 new posts of various positions. There is no approval from the Ministry of Health & Family Welfare, Govt. of India to fill up these positions as per requirement of IMC Act, 1956. The Ministry of Health & Family Welfare, Govt. of India has rejected the proposal for inclusion the proposed 57 posts in recruitment rules in May, 2011 and also recently Ministry of Health & Family Welfare, Govt. of India has conveyed disapproval to fill one post of Deputy Secretary created under above stated category of 57 posts. After deliberations on this issue in view of the shortage of manpower and ever increasing workload in the Council in all sections, the Board decided to send letter to Ministry of Health & Family Welfare, Govt. of India requesting them to consider inclusion of 57 posts which has been recommended/created by the earlier Board of Governors/Elected Body of the Medical Council of India. As interim measures, MCI may be granted permission to take the following Consultants/Office Assistants/Data Entry Operators on contract basis from the Ministry of HRD, (Educational consultants India Limited) to deal with immediate problems of shortage of staff so that time bound work relating to processing of registration & eligibility applications can be processed:

- (1) Two Consultants at consolidated monthly lump sum remuneration of Rs.35,000/- per head.
- (2) Two Consultants at consolidated monthly lump sum remuneration of Rs.25,000/- per head.
- (3) Four Office Assistants at consolidated monthly lump sum remuneration of Rs.15,000/- per head.
- (4) Six Data Entry Operators at consolidated monthly lump sum remuneration of Rs.12,000/- per head.

The following consultants are already working in Medical Council of India against the posts, which were created by the elected body of the Medical Council of India and the earlier Board of Governors:-

- (i) Dr. M.Rajalaxami
- (ii) Dr. Chandanadas
- (iii) Dr. Rani Kumar
- (iv) Mr. V.K. Velukutty
- (v) Mrs. Ramani Ramana

The Ministry of Health & F.W., Govt. of India may also be requested to regularize the services of the above mentioned consultants on contract basis against the posts which were created by the elected body of the Medical Council of India and the earlier Board of Governors.



**Agenda Item No.5. Consideration of recommendations/minutes of Ethics Committee dt.15.5.12.**

The Board of Governors perused the minutes of the meeting of the Ethics Committee held on 15<sup>th</sup> May, 2012, approved by the members of the Ethics Committee and Chairperson in its meeting held on 19<sup>th</sup> June, 2012. The Board of Governors have received representation from Dr. P.K. Talwar in which he has stated that he should be given chance to present his views before the Ethics Committee. The Board of Governors noted that during the hearing Dr. P.K. Talwar or his representative were not present before the Ethics Committee. Therefore, the Board decided to ask the Ethics Committee to consider Dr. P.K. Talwar request and give him a chance to present his views before the Ethics Committee in the matter before finalizing their decision in the matter.

With the above observations, the Board of Governors approved the minutes of the Ethics Committee dated 15<sup>th</sup> May, 2012 (approved by the Members and Chairperson of the Ethics Committee in its meeting held on 19<sup>th</sup> June, 2012) except agenda Item No.6 of the said meeting mentioned above.

**Agenda Item No6. Any other matter with the permission of Chair.**

- A. The Board of Governors decided to ask the Ethics Committee to look into the matter of violation of PDNT Act wherein 50 cases have been referred to the Ethics Committee. The Board of Governors desired that the Ethics Committee take appropriate action in these cases urgently.
- B. The Board of Governors took note of the letter received from Sh. Babu Ram, Section Officer, MCI wherein he has asked for conducting Inquiry against Sh. Bhagwan Das, Administrative Officer. The Board of Governors decided that the facts finding may be done by Sh. Shikhar Ranjan, Law Officer, Sh. Velukutty, Consultant (Admn.).
- C. The Board of Governors discussed the issue relating to recognition of Undergraduate & Postgraduate degree imparted by Nepal, Bangladesh and other countries together, as these cases are also pending.
- D. Increase of seats in MD(DVL), course at MNR Medical College & Hospital, Sangareddy, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 in view of the order passed by the Hon'ble High Court of Andhra Pradesh and the Hon'ble Supreme Court and Hon'ble High Court of Delhi.

The matter was discussed in the meeting of the Board of Governors after perusal of entire case and the order of the Hon'ble Supreme Court and Hon'ble High Court of Delhi, it was decided to request Sr. Advocate Sh. Nidhesh Gupta to furnish his opinion regarding:

(i) the academic year or which LOP to be issued for increase admission capacity from 2(Two) to 3(Three) in MD (DVL) course.

(ii) What should be the course of action regarding the candidates Dr. B.Archana who had already been admitted by MNR Medical College & Hospital, Sangareddy against enhanced capacity of MD(DVL) in the academic year 2012-13 for which the revised LOP has to be issued with reference to the directions to the Hon'ble Supreme Court and Hon'ble High Court of Delhi.

While seeking opinion from Senior Advocate Sh. Nidhesh Gupta, he should be informed about the date of which LOP was issued for increasing admission capacity in compliance to the directions of the Hon'ble High Court of Andhra Pradesh and date of submission of Bank Guarantee and compliance by the MNR Medical College, Sangareddy, A.P.

E. The Board of Governors decided to re-constitute the following Committees to assess the Board of Governors.

- (i) Postgraduate Committee (Broad speciality)
- (ii) Postgraduate Committee (Super-speciality)
- (iii) Undergraduate Committee
- (iv) Some of the members who have completed their terms in Ethics Committee are also to be replaced.

The Chairman, Board of Governors requested the members of the Board of Governors to submit 2 names for each Committee mentioned above along with their CVs and consent of nominees.

While recommending the names for the above mentioned Committees the members of the Board of Governors may suggest the name of serving Professors of Medical College/Professors, Medical College who have retired within last 3 years and are not associated with any private medical college.

F. Before putting up any agenda item to Board of Governors the case /file must be shown to the Sub-Committee of Board of Governors for their perusal and getting their approval for placing the matter before the Board of Governors.

- G. The guidelines for sanction of CME funds as prepared by the sub-committee may be put up for approval to Board of Governors by Med.Misc. Section of MCI.

The Chairman, Board of Governors informed that Secretary (Health), Ministry of Health & Family Welfare, Govt. of India has requested for presentation of B.Sc.(Community Health) course curriculum and posting of MBBS graduates for NRHM on 16<sup>th</sup> July, 2012 at 10.00 a.m. in Ministry of Health & F.W., Nirman Bhawan. The Chairman, Board of Governors requested Dr.(Prof.) Mohandas, Member, Board of Governors to coordinate with Dr. Paul, Professor of Paediatrics, All India Institute of Medical Sciences, New Delhi to make the presentation and also send soft copy of presentation to all members of the Board of Governors and Chairman & Secretary, Medical Council of India.

Chairman, Board of Governors also requested all members of the Board of Governors to attend the meeting on 16<sup>th</sup> July, 2012 at 10.00 a.m. in Nirman Bhawan in the Committee Room at 1<sup>st</sup> Floor (attached to Secretary Office).

The next meeting of the Board of Governors, will be held on 9<sup>th</sup> July, 2012 from 10.00 a.m. to 5.30 p.m. in the meeting room of the Council office at New Delhi.

Meeting ended with a vote of thanks to the Chair.

(Prof. Sanjay Shrivastava)  
Secretary

(Dr.(Prof.) K.S. Sharma)  
Member

(Dr. Rajiv C Yeravdekar)  
Member

(Dr. Ashok Gupta)  
Member

(Dr. (Prof.) K Mohandas)  
Member

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