

Medical Council of India
New Delhi

Minutes of the meeting of the Board of Governors dt. 09.11.2012

Reference Medical Council of India meeting notice dated 03.11.2012, the meeting of the Board of Governors was held on 09.11.2012 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, Chairperson, Board of Governors. The following members of the Board of Governors attended the meeting:-

1	Dr. (Prof.) K.S. Sharma	Member, Board of Governors
2	Dr. (Prof.) H.S. Rissam	Member, Board of Governors
3	Dr. Rajiv Chintaman Yeravdeka	Member, Board of Governors
4	Dr. Purshotam Lal	Member, Board of Governors
5	Dr. Ashok Kumar Gupta	Member, Board of Governors
6	Dr. (Prof.) K Mohandas	Member, Board of Governors
	Prof. Sanjay Shrivastava	- Member Secretary, BOG meeting

The agenda for the meeting was as under:-

1. **Confirmation of the minutes of the meeting of the Board of Governors held on 29th October, 2012 under the Chairmanship of Dr. (Prof.) K.K. Talwar, Chairperson, Board of Governors.**

The minutes of the meeting of the Board of Governors held on 29th October, 2012 under the chairmanship of Dr.(Prof.) K.K. Talwar, Chairperson, Board of Governors were read and confirmed. The confirmed minutes of the meeting were signed by the members of Board of Governors present.

2. **UG recognition cases - wherein observations of UG Assessment Screening Committee and Sub-Committee of BOGs are available.**

The Board of Governors considered the assessment report, observations of Undergraduate Assessment Screening Committee and observation of the Sub-Committee of the Board of Governors and recorded their observation/ recommendation on respective files.

3. **PG Degree/Diploma recognition cases, wherein observations of PG Assessment Screening Committee and Sub-Committee of BOGs are available for decision by BOGs.**

The Board of Governors considered the assessment report, observations of Postgraduate Assessment Screening Committee and observation of the Sub-Committee of the Board of Governors and recorded their observation/ recommendation on respective files.

4. **Presentation of cases not fulfilling the qualifying criteria for processing Postgraduate (Broad Speciality) applications - for decision by the Board of Governors.**

Item was deferred.

5. **Guidelines of Medical Council of India on admission eligibility of Visually Challenged applicants for colour blindness to MBBS course and framing of guidelines of medical standards of fitness at the time of admission in MBBS /Postgraduate (broad & super-speciality) courses. - Reg.**

The Board of Governors discussed this issue in detail and noted that one Sub-Committee has already been constituted by the Board of Governors under the Chairmanship of Dr. B.D. Athani, Addl. Director General and Medical Superintendent of Safdarjang Hospital & VMMC, New Delhi to look into the various aspects relating to eligibility of candidates for admission under physically handicapped quota. The Board of Governors after detailed discussion decided that the medical standards prescribed for Medical Officer inducted in Central Health Services (CHS), medical standards for admission to MBBS/PG course(s) prescribed by All India Institute of Medical Sciences (AIIMS), Delhi and

PGI Chandigarh and norms followed by Armed Forces for recruitment of medical officer in AMC may be obtained.

These medical standards/documents may be furnished to the Committee which has already been constituted by the Board of Governors with request to frame guidelines about medical standards for candidates to be admitted in MBBS course from prospective effect.

6. Non-receipt of PMT Entrance Examination Marks of 1st year MBBS students at various Medical Colleges in the State of Andhra Pradesh for the academic year 2011-12- reply from State Govt.-regarding.

The Board of Governors discussed the issue in detail and expressed their concern for tendency of various State Governments for issuing Govt. Order regarding method of admission to Govt./Private Medical Colleges which are contrary to the Medical Council of India Regulations. The Medical Council of India Regulations on Graduate Medical Education Regulations, 1997 clearly prescribed as under:-

5 ***Selection to Students:** The selection of students to medical college shall be based solely on merit of the candidate and for determination of merit, the following criteria be adopted uniformly throughout the country:*

(1) In states, having only one Medical College and one university / board/examining body conducting the qualifying examination, the marks obtained at such qualifying examination may be taken into consideration.

(2) In states, having more than one university/board/examining body conducting the qualifying examination (or where there is more than one medical college under the administrative control of one authority) a competitive entrance examination should be held so as to achieve a uniform evaluation as there may be variation of standards at qualifying examinations conducted by different agencies.

(3) Where there are more than one college in a state and only one university/board conducting the qualifying examination, then a joint selection board be constituted for all the colleges.

(4) A competitive entrance examination is absolutely necessary in the cases of Institutions of All India character.

5 Procedure for selection to MBBS course shall be as follows :-

i) In case of admission on the basis of qualifying examination under Clause(1) based on merit, candidate for admission to MBBS course must have passed in the subjects of Physics, Chemistry, Biology & English individually and must have obtained a minimum of 50% marks taken together in Physics, Chemistry, and Biology at the qualifying examination as mentioned in Clause(2) of regulation 4. In respect of candidates belonging to Scheduled Castes, Scheduled Tribes or Other Backward Classes, the marks obtained in Physics, Chemistry and Biology taken together in qualifying examination be 40% instead of 50% as above.

ii) In case of admission on the basis of competitive entrance examination under Clause (2) to (4) of this regulation, a candidate must have passed in the subjects of Physics, Chemistry, Biology and English individually and must have obtained a minimum of 50% marks taken together in Physics, Chemistry & Biology at the qualifying examination as mentioned in Clause (2) of Regulation 4 and in addition must have come in the merit list prepared as a result of such competitive entrance examination by securing not less than 50% marks in Physics, Chemistry and Biology taken together in the competitive examination. In respect of candidates belonging to Scheduled Castes, Scheduled Tribes or other Backward Classes the marks obtained in Physics, Chemistry and Biology taken together in qualifying examination and competitive entrance examination be 40% instead of 50% as stated above.

Provided that a candidate who has appeared in the qualifying examination the result of which has not been declared, he may be provisionally permitted to take up the competitive entrance examination and in case of selection for admission to the MBBS course, he shall not be admitted to that course until he fulfils the eligibility criteria under Regulation 4.

It was observed that in some of the States, some of the Govt./Private medical colleges have admitted candidates on the basis of their merit of 10+2 despite the fact that candidates belongs to various State Boards. Some of the medical colleges have not provided the maximum marks of 10+2 because of which it is not possible to determine the percentage of marks obtained by the candidates. In some other cases it was observed that the percentage of competitive entrance examination as well as 10+2 were combined for determine of inter-se merit of the candidates. These are some of the examples of violation of Graduate Medical Education Regulations 1997 provisions. The Board of Governors observed that the Council has asked for comments from Govt. of Andhra Pradesh and has requested Govt. of Andhra Pradesh to withdraw the Govt. Order which is in violation of GMR provisions, despite sending 8 letters, no response has been received.

In view of the above, the Board of Governors decided to request all State Govts. to strictly follow the provisions of Graduate Medical Education Regulations in respect of admission of Undergraduate and Postgraduate students, as according to judgement of various Hon'ble High Courts and the Hon'ble Supreme Court it is mandatory to follow the provisions of MCI Regulations.

The Board of Governors further decided to issue show cause notice to such defaulting medical colleges with copy to respective State Governments asking them to explain as to why not application received from such colleges, be not processed for renewal of permission or increase of existing UG/PG capacity.

7. Refund of Application Fee for applications received for establishment of new medical college as well as increase of seats - proposed revision of regulations.

The Board of Governors considered the agenda note and the proposal submitted by Undergraduate Section and decided that the existing application fees for starting new medical college may be enhanced alongwith defining procedure for refund of application/processing fee as under:-

4. APPLICATION FEE:

The application shall be submitted by registered post only to the Secretary Medical Council of India, Pocket, 14, Sector 8, Dwarka Phase-I, New Delhi - 110 077 along with application fee of Rs. 5.0 lakhs for the Government Colleges (under Central Government and State Government) and Rs.10.00 lakhs for private sector medical colleges / institutions in the form of demand draft/pay order in favour of 'Medical Council of India' payable at New Delhi for processing of application and conduct of assessments. The Fee is for registration, technical scrutiny, contingent expenditure and for five inspections. Beyond five inspections, the normal inspection fee prescribed by the Council will apply.

5. REGISTRATION:

Applications received in the Council office will be registered in the Council for evaluation and decision. Registration of the application will only signify the acceptance of the application for evaluation. Incomplete applications will not be registered and will be returned to the Applicant alongwith enclosures and application fee* stating the deficiencies in such applications.

*- Procedure for refund of application / processing fee:

- a) In case at the initial stage the application is found incomplete in terms of necessary documents and information, required as per MCI regulations, the application fee may be returned to the Applicant alongwith the original application / scheme, after 10% deduction as processing charges.
- b) In case the application is withdrawn by the Applicant before assessment due to any reason:
 - (i) 25% of the application fee will be deducted;
 - (ii) remaining 75% of the application fee will be returned to the applicant alongwith application/scheme.

or

remaining 75% of the application fee will be adjusted for the new / fresh application, if the applicant has applied for the next consecutive academic year. This would be a onetime measure only.

In case the college has been assessed by the Council and thereafter the application/scheme is disapproved (permission is not granted) by the Board of Governors / Council, due to any reason, the application fee will not be refunded / adjusted against the new / fresh application.

Justification for deduction of application fee:

- (a) : The justification for deduction in fees is that even though the application is not registered in the Council administrative charges (manpower, paper, computer, electricity, time etc. is utilized) have to be accounted for before the application can be rejected at the initial stage.
- (b) : In case of application being withdrawn / rejected after being registered, Administrative charges and processing charges involved in technical scrutiny i.e. in the undergraduate section / Legal section/ Accounts section etc. have to be taken into consideration, therefore, 25% deduction of fees has been decided, before assessment.
- (c) : Applications rejected after assessment: in addition to above charges, the expenditure involved in conducting assessments is also added and therefore, the total fee is non-refundable.

In addition to above, the Council is incurring heavy expenditures on defending cases pending before various Hon'ble Courts, the cases filed because of rejection of application.

The Board of Governors approved the above proposal for sending to Ministry of Health & Family Welfare, Govt. of India for amendments of existing Graduate Medical Education Regulations 1997 which will be applicable applications received for starting new medical college for the next academic year 2014-15.

8. Change of Affiliation of K.S. Hegde Medical Academy, Mangalore from Rajiv Gandhi University of Health Sciences, Bangalore to Nitte University, Mangalore (Deemed University).

The Board of Governors considered the agenda note and decided to obtain the status of Nitte University, Mangalore (Deemed University) from Ministry of Human Resource Development (Department of Higher Education), Govt. of India and University Grants Commission (UGC). The Postgraduate Section may also ensure that the Consent of Affiliation from Nitte University, Mangalore was available for admission of postgraduate students in 2009, the examination for these students was conducted in May/June 2012. After obtaining the necessary information, the agenda /matter may be put up to the Board of Governors for their consideration.

9. Approval of minutes of Ethics Committee dt. 22.9.2012.

The Board of Governors approved the minutes of the Ethics Committee meeting held on 27.09.2012 with following suggested amendments in agenda item number 17 which reads as "Suspension/Cancellation of medical licenses of doctors convicted under the PC & PNDT Act"

The Ethics Committee may decide the duration of removal of name of doctors who have been punished under PC & PNDT Act. The recommendation for removal of names of the doctor(s) under reference (total of 100) may be conveyed to respective State Medical Councils for their consideration and on receipt of action of removal of name of doctors from respective State Medical Council Register, name of such doctors then be removed from Indian Medical Register (IMR) for specific duration.

The Board of Governors decided to request the Ethics Committee to conduct meeting for 2 days or meet more frequently to expedite action in pending cases.

10. Recognition of MS(Ortho.) qualification in respect of students being trained at J.N.Medical College, Swangi, Wardha in respect of increase intake.

The Board of Governors considered the agenda note and decided to study the CBI report received by the Council before taking any decision in the matter.

11. Draft Call for Expressions of Interest - for Short listing of Agencies for Services towards revamping Indian Medical Register (IMR) of Medical Council of India.

The Board of Governors considered the agenda note and also noted that the National Informatics Centre, Health and FW Informatics Division, (Ministry of Communication and Information Technology, Department of Information Technology), Govt. of India was also requested by the Medical Council of India to submit their proposal for operationalising software for revalidation of Indian Medical Register (IMR). The Board of Governors noted that NIC has already submitted their proposal for development of software and other related activities. The Board of Governors after detailed deliberations decided that the NIC being a Government of India agency may be asked to develop the software for revalidation of IMR (Indian Medical Register) and provide other related services strictly as per the Medical Council of India requirements. The undertaking regarding time line and costing may be taken from NIC and the same may be conveyed to the Ministry of Health & Family Welfare, Govt. of India.

12. Any other matter with the permission of Chair.

- A. The Board of Governors were apprised of the discussion held on 2nd November, 2012 in the meeting of the State Health /Medical Education Ministers and Secretaries chaired by the Hon'ble Minister of Health & Family Welfare, Govt. of India.

- B The Board of Governors were apprised that the meeting of the expert to determine the Health Human Resource Requirement will be held on 14th December, 2012. The Secretary (Health) Ministry of Health & Family Welfare, Govt. of India has consented to attend the meeting and address the participants. The members of the Board of Governors were requested to participate in the meeting.
- C. The Board of Governors noted that some of the Open Universities/ Regular Universities are running some Medical Council of India notified Postgraduate (Diploma & Degree) course(s) or some other courses in the field of health without prior approval of the Medical Council of India which is against the rules. The Board of Governors decided to issue public notice for benefit of general public that before taking admission in any Postgraduate (Diploma & Degree) course(s) conducted by open university or any university they should see the status of recognition from Medical Council of India website and any course /university which does not figure in Medical Council of India website is not recognized by the Medical council of India and thus qualification granted by such university will not be the registerable qualification.
- D. It was decided to hold the next meeting of the Board of Governors on Monday, the 19th November, 2012 from 10.00 a.m. in the Council office.

Meeting ended with a vote of thanks to the Chair.

Prof. Sanjay Shrivastava
Secretary

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

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

(Dr. Rajiv Chintaman Yeravdeka)
Member

(Dr. Purshotam Lal)
Member

(Dr. Ashok Gupta)
Member

(Dr. (Prof.) K Mohandas)
Member

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