

No. MCI-5(3)/2016-Med.Misc./

MEDICAL COUNCIL OF INDIA
NEW DELHI
EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on 13th January, 2017 at 11:00 a.m. in the Council Office at Sector 8, Pocket 14, Dwarka, New Delhi.

:Present:

Dr. Jayshree Mehta	President Medical Council of India, Former Professor of Surgery, Govt. Medical College, Vadodara (Gujarat)
Dr. C.V. Bhirmanandham	Vice-President, Medical Council of India, Former Vice-Chancellor of Dr. M.G.R. Health University, Chennai (Tamil Nadu)
Prof.(Dr.) Ashwani Kumar	Professor, Department of Microbiology, University College of Medical Sciences, Shahdara(Delhi-110095)
Dr. G.B. Gupta	Vice-Chancellor, Ayush & Health Sciences University, G.E. Road, Raipur (Chhatisgarh)
Dr. Mhaske Chandrakant Bhaskar	Professor & HOD, Deptt. of Skin & V.D. BJ Medical College, Pune-411001(Maharashtra)
Dr. Anil Chauhan	Principal, Dr. R.P. Govt. Medical College, Tanda (Himachal Pradesh)
Dr. Vijay Prakash Singh	Professor & Head, Department of Gastroenterology, Patna Medical College, Patna (Bihar)
Dr. Alok Ahuja	Lab Director, Dr. Ahujas Pathology & Imaging Centre, 7-B, Astley Hall, Dehradun (Uttarakhand)
Dr. Narain Venkatesh Bhandare	Consulting Surgeon, Bhandare Hospital, Fontainhas, Panaji (Goa-403001)
Dr. Sinam Rajendra Singh	Professor of Urology, Rajendra Instt. of Medical Sciences, Imphal (Manipur) & Director, Manipur Medical Council Imphal, Manipur

Dr. Reena Nayyar, Secretary I/c.

Apology for absence was received from Dr. Jai Vir Singh

1. **Minutes of the Executive Committee Meeting held on 22nd December, 2016 – Confirmation of.**

The Executive Committee of the Council noted that the minutes of its meeting held on 22nd December, 2016 have been sent to Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi.

The Executive Committee also noted that at its meeting held on 22.12.2016, the minutes under item no. 115 be read as under:

115. **Approval of Minutes of the Migration Sub-Committee.**

Read: the matter with regard to approval of Minutes of the Migration Sub-Committee.

The Executive Committee of the Council noted and approved the minutes of the Migration Sub-Committee meeting held on 21.12.2016.

The Executive Committee of the Council further directed that the following items be read as “read and confirmed in the meeting itself”.

124. **LTC claim for journey performed from New Delhi to Kathmandu (Nepal) and back by Dr. Davinder Kumar, Joint Secretary (UIS) which is not permissible as per Rules.**

125. **Complaint of Sh. Sundeep Pandhi regarding illegal promotion of Dr. P. Prasannaraj to the post of Additional Secretary.**

2. **Minutes of the last meeting of the Executive Committee – Action taken thereon.**

The Executive Committee of the Council noted that the minutes of its meeting held on 22nd December, 2016 have been sent to Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi. Therefore, there is no action taken report. However, the Committee noted the action taken report of only those items which were read and confirmed in the Executive Committee meeting dated 04.11.2016, dated 22.11.2016 & dated 22.12.2016. The Committee further noted that the approval of the Oversight Committee on the minutes of its meeting dated 04.11.2016 and 22.11.2016 have been received on 09.01.2017 and the action is being taken.

3. **Pending Items arising out of the decisions taken by the Executive Committee.**

The Executive Committee of the Council noted the pending items arising out of the decisions taken by the Executive Committee including the items of the agenda pertaining to 4.11.2016 and 22.11.2016 where comments have only recently received from the Oversight Committee and action is being taken.

4. **Approval of the proceedings of the Ethics Committee meeting held on 14th December, 2016.**

Read: the matter with regard to approval of the proceedings of the Ethics Committee meeting held on 14th December, 2016.

The Executive Committee of the Council perused the minutes of the Ethics Committee meeting held on 14th December, 2016 and approved the recommendations of Ethics Committee with regard to Item # 1 & 3.

It was further decided to not to approve the decision of Ethics Committee with regard to the following items due to reasons mentioned thereat:

2.	Appeal dated 11.03.2015 filed by Sh. Athique Ahamed against the order dated 14.02.2015 passed by Karnataka Medical Council – reg.	14 th December, 2016
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Not Approved. As per expert opinion obtained by the Ethics Committee, Dr. Geeta Radhakrishnan, Professor of O.G., University College of Medical Sciences, New Delhi has given opinion that there is no negligence on part of Obstetrician and the complication is a known entity. Dr. S. Ramjee, professor & HOD, Department of Neonatology, Maulana Azad Medical College, New Delhi has given opinion that there is no neglect in management of baby by Paediatrician. Further, Dr. Radhakrishnan has also stated in her opinion that *“There is no evidence of negligence in monitoring or decision for LSCS Latent phase of Labour for 14-16 hours is not abnormal for a primigravida.”* Hence no negligence can be attributed to Dr. H. Shamlabai. Further, as per present provisions of IMC Act, Renewal of Registration is not mandatory.

The Executive Committee decided to approve the decision of Karnataka Medical Council to issue warning to the concerned Doctors.

4.	Irregularities found during the assessment of Kalinga Institute of Medical Sciences, Bhubaneswar – Dr. Nalini Kanta Tripathi – reg.	14 th December, 2016
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Not Approved. Concerned faculty/Resident is fully responsible for the details mentioned in his Declaration Form as the D.F. is signed by him stating all details mentioned therein are correct. Further it is conceivable that a faculty/Resident would not mobile number of which the bill is produced as address proof. He is also required to have originals of all documents of which he has submitted Xeroxcopies at time of physical verification; no excuse can be allowed for not having the original at time of physical verification. Further, as the faculty/Resident himself has failed to provide original and did not remember the mobile number of which he had produced the bill as address proof, there was no occasion for the assessor to contact service provider. Prima Facie it appears that false information is submitted by the concerned faculty/Residents. Dean is also responsible as he has countersigned all these D.F.

The decision taken at its meeting dt. 22/12/2016 is reiterated in respect of Dr. Nalini Kanta Tripathy also.

5. Approval of the minutes of the Monitoring Sub-Committee (U.G) meeting held on 15.12.2016.

Read: To consider the matter with regard to approval of the minutes of the Monitoring Sub-Committee (U.G) meeting held on 15.12.2016.

The Executive Committee of the Council perused the minutes of the Monitoring Sub-Committee (U.G) meeting held on 15.12.2016 and approved the recommendations of the Monitoring Sub-Committee with regard to Item # 1, 2,3,4,5,6,8,9,10,11,12,15,16,17,18,19,20,21,22,23,24,25,26,29,30,31,34,35,36, 37& 39.

It was further decided to not to approve the decision of Monitoring Sub-Committee with regard to the following items due to reasons mentioned thereat:

7. Admission of 1st year MBBS student at Ponnaiyah Ramajayam Institute of Medical Sciences, Manamai - Nellur, Tamil Nadu for the Academic Year 2016-17

The Executive Committee approved the recommendations of the Monitoring Sub-Committee with modification that Kani Mozhi S whose marks are < 50 % be also issued discharge notice along with 36 students who have not qualified in NEET. Institute be directed to submit compliance within 2 weeks. Copy of the Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council and representative of the State Govt. on MCI.

13. Admission of 1st year MBBS student at K V G Medical College, Sullia, Karnataka for the Academic Year 2016-17

The Executive Committee observed that from the Agenda Note and the explanation given by the college it is not clear whether Shri Maohammed Fajer A K has 40 % or more in NEET. This be verified by the Monitoring Committee. Referred back to

Monitoring Committee with above observation with the remark that if he has 40 % or less in NEET, appropriate decision be taken by Monitoring Sub-Committee without any further reference to the Executive Committee.

14. **Admission of 1st year MBBS student at S. Nijalingappa Medical College & HSK Hospital & Research Centre, Bagalkot, Karnataka for the Academic Year 2016-17**

The Executive Committee approved the recommendations of the Monitoring Sub-Committee and directed that opinion be obtained from Law Officer of the Council. Matter be placed before Monitoring Sub-Committee alongwith opinion of the Law Officer.

27. **Admission of 1st year MBBS student at Dr. VRK Women's Medical College, Aziznagar, Telangana for the Academic Year 2016-17**

- (1) The Executive Committee approved the recommendation of the Monitoring Sub-Committee with regard to candidate Zainab Fatima .
- (2) The Executive Committee referred back to Monitoring Committee with regard to the issue of all admissions being made in Management/NRI quota as the reply of the Institute does not clarify as to how all admissions were made in Management /NRI quota. It is also silent on whether the admissions were made by the Govt. or not . It is also silent on the fees charged from these students. Matter be resubmitted after taking appropriate decision upon consideration of the abovementioned issues.

28. **Admission of 1st year MBBS student at Shadan Institute of Medical Sciences, Research Centre and Teaching Hospital, Peerancheru, Telangana for the Academic Year 2016-17**

- (1) The Executive Committee approved the recommendation of the Monitoring Sub-Committee with regard to caste certificates of the 5 candidate that they belong to OBC category
- (2) The Executive Committee referred back to Monitoring Committee with regard to the issue of all admissions being made in Management/NRI quota as the reply of the Institute does not clarify as to how all admissions were made in Management /NRI quota. It is also silent on whether the admissions were made by the Govt. or not. It is also silent on the fees charged from these students. Matter be resubmitted after taking appropriate decision upon consideration of the abovementioned issues.

32. **Admission of MBBS Student Pondicherry Institute of Medical Sciences & Research, Pondicherry for Academic year 2015-16**

The Executive Committee noted that the order for withdrawal of Essentiality Certificate by Govt. of Puducherry dated 28.9.2015 had been stayed by the Hon'ble High Court of Judicature at Madras in the matter of Pondicherry Instt. Of Medical Sciences Vs. the Govt. of Pondicherry & Ors. In WP No. 33425 of 2015. The relevant portion of which reads as under:-

“

1. The learned senior counsel appearing for the petitioner submitted that there is no mandate in law to give seats to the respondents. The said situation has also not been stipulated in the judgment of the Apex Court in P.A. Inamdar and others Vs. State of Maharashtra and others (2005) 6 SCC 537) . Therefore the very basis of the order impugned cannot be sustained.
2. Considering the same, there shall be an order of interim stay”

In view of above, the Executive Committee decided that no action is required in the matter.

33. **Admissions for MBBS course by Pondicherry Institute of Medical Sciences, Pondicherry in blatant violation of orders of the Supreme Court of India – regarding.**

The Executive Committee noted that the order for withdrawal of Essentiality Certificate by Govt. of Puducherry dated 28.9.2015 had been stayed by the Hon'ble High Court of Judicature at Madras in the matter of Pondicherry Instt. Of Medical Sciences Vs. the Govt. of Pondicherry & Ors. In WP No. 33425 of 2015. The relevant portion of which reads as under:-

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1. The learned senior counsel appearing for the petitioner submitted that there is no mandate in law to give seats to the respondents. The said situation has also not been stipulated in the judgment of the Apex Court in P.A. Inamdar and others Vs. State of Maharashtra and others (2005) 6 SCC 537). Therefore the very basis of the order impugned cannot be sustained.
2. Considering the same, there shall be an order of interim stay”

In view of above, the Executive Committee decided that no action is required in the matter.

38. **Recognition of MBBS degree granted by Devi Ahilya Vishwavidyalaya, Indore in respect of students being trained at Index Medical College, Hospital & Research Centre, Madhya Pradesh –regarding.**

The Executive Committee of the Council noted that the Order of the Hon'ble High Court of Madhya Pradesh : Bench at Indore dated 29th June, 2016 directing the MCI for taking appropriate action for derecognizing the college of respondent no.6 – Index Medical College, Hospital & Research Centre, Indore for repeatedly committing irregularities in admission process and reduce the sanctioned intake from 150 to 145 students for the academic session 2016-17.had been recalled vide the Order dated 7th November, 2016 of Hon'ble High Court of Madhya Pradesh: Bench at Indore.

The Executive Committee of the Council decided that no action is required by the Council at this stage and further directed the Office to locate and strengthen the records.

40. **Any other item**

- (A) The Executive Committee approved the recommendations of the Monitoring Sub-Committee and directed the Office to circulate the decision widely by sending the circular to all State Govts., DMEs, Universities, State Medical Councils, medical colleges, Post Graduate Institutions. The decision be also displayed on website.
- (B) The Executive Committee decided that the Institutes be directed to follow UGC guidelines in this regard.

6. **Establishment of new medical college at Hamirpur (Dr. Radhakrishnan Govt. Medical College, Hamirpur), Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University, Shimla u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Hamirpur (Dr. Radhakrishnan Govt. Medical College, Hamirpur), Himachal Pradesh by Govt. of Himachal Pradesh with an annual intake of 100 MBBS students under Himachal Pradesh University, Shimla u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (21st & 22nd December, 2016 alongwith representation dated 23.12.2016 received from the Principal of the college and noted the following:

1. Land: The proposed campus is in 2 plots. In one plot, existing hospital will be upgraded to medical college. However plot of land, on which Medical College is to be constructed is not yet handed over to Principal and is not in existence so far college is concerned.
2. Teaching Beds: Only 205 beds are available against 250 required as per Regulations; hence there is deficiency of 45 teaching beds as detailed in the report.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Dean, Dr. R.P. Govt. Medical College, Tanda is also holding additional charge of Dean of this college. Hence there is no regular Dean for this Institute as such.
5. Medical Superintendent is not available.
6. Shortage of Residents is 100 % as detailed in the report.

7. OPD: Separate Registration counters for males/females are not available. They are not computerized. Examination rooms are not as per Regulations. Teaching areas, Enquiry desk are not available. Injection room is common for males/females. Dressing room is common for males/females. Specialty clinics are not available in Paediatrics, OG OPD.
8. Audiometric Technician is not available. Speech Therapy is not available.
9. Casualty: Separate Casualty for O.G. is not available. Resuscitation & Monitoring equipment are inadequate as detailed in the report.
10. O.T.: 3 Major O.T.s are available against requirement of 4. 1 Minor O.T. is available against requirement of 2. Equipment is grossly inadequate.
11. ICUs: MICU, SICU are not available.
12. Labour Room: Septic Labour room, Eclampsia room are not available.
13. NIL Static X-ray machine is available. 1 Mobile X-ray machine is available against requirement of 2.
14. Pharmacy is not as per norms.
15. CSSD, Intercom are not available.
16. Central Clinical Laboratory is not available as such.
17. MRD: ICD X classification of diseases is not followed for indexing.
18. Preclinical departments of Anatomy, Physiology, Biochemistry are not available.
19. Lecture Theaters are not available.
20. Central Library is not available.
21. Hostels for Students, residents, Nurses are not available.
22. Residential quarters for faculty & Non-teaching staff are not available.
23. Gender Harassment Committee is not constituted.
24. Website: Information uploaded is sketchy as detailed in the report.
25. Nursing staff & Paramedical & Non-teaching staff are not specifically appointed for the Medical College hospital.
26. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(2) & 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to land requirement and teaching beds respectively, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Hamirpur (Dr. Radhakrishnan Govt. Medical College, Hamirpur), Himachal Pradesh by Govt. of Himachal Pradesh under Himachal Pradesh University, Shimla to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

7. **Establishment of new medical college at Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada), Odisha by Govt. of Odisha with an annual intake of 100 MBBS students under North Odisha University, Baripada u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada), Odisha by Govt. of Odisha with an annual intake of 100 MBBS students under North Odisha University, Baripada u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (21st & 22nd December, 2016) and noted the following:

1. Dr. Saroj K. Sahoo has only combined 9 y experience as Professor + Asso. Prof. against requirement of 10 y as per Regulations; hence not qualified to hold the post. He is also Professor of General Surgery at Burla and in charge Dean at this Institute which is not permissible.
2. Medical Superintendent is not yet appointed.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Medicine	72	36	36
2	Paediatrics	24	20	04
3	Skin & VD	08	00	08
4	General Surgery	90	50	40
5	Orthopaedics	30	12	18
6	ENT	10	04	06
	TOTAL			112

6. Unitwise bed distribution is not available.
7. Nursing staff: Only 41 Nursing staff are available against requirement of 175.
8. OPD attendance was only 347 on day of assessment against requirement of 400.
9. Histopathology & Cytopathology workload is NIL.
10. OPD: Registration counters are not computerized. Staff at Registration counters is inadequate. Child Welfare clinic is not available in Paediatrics OPD. Sterility clinic, Cancer Detection clinic are not available in O.G. OPD.
11. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
12. Casualty: it is not available.
13. Central Clinical Laboratory: None available as such. It is temporarily attached to Regional Diagnostic Center.
14. O.T.: Only 2 Major O.T.s are available against requirement of 4. Only 1 Minor O.T. is available against requirement of 2.
15. ICUs: ICCU & SICU are not available. There were only 2 patients in MICU on day of assessment.
16. Labour Room: Eclampsia room is not available.
17. Radiodiagnosis department: Only 1 Mobile X-ray machine is available against requirement of 2. Only 2 USG are available against requirement of 3.
18. CSSD is not available.
19. Intercom is not available.
20. Canteen is not available.
21. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
22. Lecture Theaters are not available.
23. Central Library is not available.
24. Hostels for Students, Residents & Nurses are not available.
25. Residential Quarters are under construction.
26. Recreational facilities are not available.
27. Common Rooms for Boys & Girls are not available.
28. Website: Information uploaded is sketchy as detailed in the report.
29. College Council, Pharmacovigilance Committee, Gender Harassment Committee are not constituted.
30. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Baripada (Pt. Raghunath Murmu Medical College & Hospital, Baripada), Odisha by Govt. of Odisha under North Odisha University, Baripada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

8. Renewal of permission for MBBS course for 2nd batch (100 seats) of Govt. Medical College, Gondia, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (100 seats) of Govt. Medical College, Gondia, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2016) **alongwith** a letter dated 22/12/2016 from the college authorities and noted the following:-

1. Deficiency of faculty is 24.70 % as detailed in the report.
2. Shortage of Residents is 10.60 % as detailed in the report.
3. Dr. Amarish Mohabey, Medical Superintendent has only 6 year administrative experience against requirement of 10 year as per Regulations; hence not qualified to hold the post.
4. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Medicine	72	61	11
2	Tb & Chest	08	06	02
3	Psychiatry	08	00	08
4	Skin & VD	08	07	01
5	General Surgery	90	60	30
	TOTAL			52

5. Nursing staff: 129 Nursing staff are available against requirement of 175.
6. Paramedical & Non-teaching staff: 50 Paramedical & Non-teaching staff are available against requirement of 101.
7. OPD: Injection room is common for males/females. Dressing room is common for males/females. Plaster room & Plaster Cutting room are common. Dark room is not available in Ophthalmology OPD.
8. Speech therapy is not available.
9. Wards: teaching area is not available in many wards. There is lack of hygiene. Proper waste disposal system is not followed.
10. Casualty: Separate Casualty for O.G. is not available. Pulse Oximeter, Ambu bag are not available.
11. ICUs: Dialysis unit is shown as MICU. PICU has only 3 beds against requirement of 5. There was NIL patient in SICU & only 1 patient in MICU on day of assessment.
12. Labour Room: Septic Labour room is not available.
13. Radiodiagnosis department: NIL Mobile X-ray machine is available. 1 Static X-ray machine is available against requirement of 2.
14. Intercom is not available.

15. Examination Hall: It is not available.
16. Lecture Theaters: They are not of Gallery type.
17. Central library: it is not air-conditioned. Available area is 400 sq.m. against requirement of 800 sq.m. Capacity of Staff Reading room is 10 against requirement of 20. 16 Journals are available against requirement of 20.
18. Students' Hostels: They are not located within campus. Boys' hostel is located in Govt. ITI & Girls' hostel is located in Polytechnic which are 3 km. away from college. Even this accommodation is inadequate as total accommodation available is 98 against requirement of 150.
19. Residents' Hostel: It is under construction.
20. Residential Quarters: They are under construction.
21. Pathology department: Demonstration room is not furnished. Audiovisual aids are not available. Practical laboratories are not available. Museum is not available.
22. Microbiology department: Demonstration room is not furnished. Audiovisual aids are not available. There are NIL Microscopes in the practical laboratory. Service laboratories are not available. Museum facilities are inadequate. Autoclaving, Washing & Drawing room are not available.
23. Pharmacology department: Demonstration room is not available. Clinical Pharmacology laboratory is not available. Museum is not available.
24. Forensic Medicine department: Demonstration room, Museum, Practical laboratory are not available.
25. Community Medicine department: Demonstration room, Practical laboratory are not available. Museum facilities are inadequate.
26. Gymnasium, Recreational facilities are not available.
27. Website: Information uploaded is sketchy as detailed in the report.
28. MEU: It is not functioning as per MCI norms.
29. CME: NIL programme has been conducted during the year.
30. Pharmaco Vigilance Committee: NIL meeting is held during the year.
31. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 100 MBBS students at Govt. Medical College, Gondia, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

9. Renewal of permission for MBBS course for 5th batch (150 seats) of Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 5th batch (150 seats) of Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that the compliance verification assessment report (17th March, 2016) alongwith previous assessment report (29th & 30th October, 2015) with regard to renewal of permission for admission of 4th batch (150 seats) of MBBS students at Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (17th March, 2016) alongwith previous assessment report (29th & 30th October, 2015) and noted the following:-

1. *Deficiency of teaching faculty is 15.2 % as detailed in the report.*
2. *Shortage of Residents is 22.54 % as detailed in the report. 13 Residents were found to be not staying in the campus.*
3. *OPD attendance was around 750 as observed by assessors. When the assessors reached institute, there were very few patients seen at Registration counters. However, around 12:30 p.m., many healthy people were brought in claiming to be "Camp patients." Data provided by institute are inflated.*
4. *Bed occupancy is 58.4 % on day of assessment.*
5. *There were only 08 Major operations on day of assessment for the whole hospital.*
6. *Radiological & Laboratory investigations workload is inadequate. Data given by the institute are inflated.*
7. *Workload of CT Scan is only 05 on day of assessment.*
8. *There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.*
9. *Wards: Demonstration rooms are not available in some wards. In some wards like O.G., Nursing Station was not functional or it was placed in such a way that Nurses were not in a position to see all the patients. Skin & VD and Psychiatry wards are cubicles of 2-3 beds each and Nursing station is far away which is not as per norms. Deficiency remains as it is.*
10. *Students' Hostels: Available accommodation is 404 against requirement of 452. Lift is not available either in Boys' or Girls' Hostels even though they are G+5 structures. In Boys' hostel, A.C. is not working in Study room. There is no Broadband or Internet. In Girls' Hostel, Visitors' room is outside the hostel and not at all suitable. There is no Broadband or Internet.*
11. *Residents' Hostel: Mess is not functional. There is no Visitors' room.*
12. *Nurses' Hostel: Separate Nurses' hostel is not available.*
13. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 4th batch of 150 MBBS students at Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017".

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students for the academic year 2016-2017.

The Executive Committee of the Council noted that the Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Committee further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 4th batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive dated 13.06.2016 of the Supreme Court Mandated Oversight Committee (OC subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 31.08.2016 has forwarded the following the documents as submitted by the college to the Ministry on 26.08.2016:-

- i. An affidavit dated 25.08.2016 from the Chairman of the Trust/Society and the Dean/Principal of the college concerned.
- ii. A bank guarantee bearing No. 50/2016 dated 25.08.2016 Rs. 2 Cr issued by Canara Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 5th batch of 150 MBBS students at Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore has been carried out on **21st and 22nd December, 2016** and noted the following:

1. In respect of the following faculty & Residents, signatures on attendance sheet in the morning & during verification in the afternoon differ:

#	Name	Department	Designation
1	Dr. S. Santosh	Paediatrics	Professor
2	Dr. Amith Kumar	General Surgery	Asst. Prof.
3	Dr. Mukesh Kumar	ENT	Senior Resident
4	Dr. Ravi Kumar	Paediatrics	Junior Resident

2. In General Medicine, most of the patients were cases of Anaemia for evaluation, Gastritis, URI, Gastroenteritis, etc. which may be treated as outpatients.
3. In Orthopaedics, many patients were admitted due to knee pain, low backache which may be treated as outpatients.
4. In General Surgery, many patients were admitted due to gastritis, abdominal pain which may be treated as outpatients.
5. There was NIL patient in Casualty. Only 1 patient with operation of Thigh abscess was seen during the round.
6. OPD Minor O.T. is not properly equipped as detailed in the report.
7. ICUs: In PICU there was only 1 patient. In SICU, 1 antenatal patient was admitted.
8. Pharmacy: A few patients were found in front of Pharmacy on ground floor at the time of taking round.
9. Other deficiencies as pointed out in the assessment report

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 5th batch of 150 MBBS students at Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

In view of above, the Executive Committee further decided to refer the matter to the Ethics Committee of the Council.

The minutes of this item were read out, approved and confirmed in the meeting itself.

10. Renewal of permission for MBBS course for 2nd batch (150 seats) of Chamarajanagar Institute of Medical Sciences, Chamarajanagar, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Chamarajanagar Institute of Medical Sciences, Chamarajanagar, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2016) and noted the following:-

1. Deficiency of faculty is 13.83 % as detailed in the report.
2. Central Library: NIL journals are available.
3. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at Chamarajanagar Institute of Medical Sciences, Chamarajanagar, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

11. Renewal of permission for MBBS course for 2nd batch (150 seats) of Karwar Institute of Medical Sciences, Karwar, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Karwar Institute of Medical Sciences, Karwar, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2016) and noted the following:-

1. Deficiency of faculty is 16.0 % as detailed in the report.
2. Shortage of Residents is 27.70 % as detailed in the report.
3. OPD attendance is 556 against requirement of 600 as per Regulations.
4. Casualty: Separate Casualty for O.G. is not available.
5. MRD: It is partially computerized.
6. Central Library: It is not air-conditioned.
7. MEU: No programme is held during the year.
8. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at Karwar Institute of Medical Sciences, Karwar, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

12. **Renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College (Shaikh-UI-Hind-Maulana Mahmood Hasan Medical College), Saharanpur, Uttar Pradesh under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College (Shaikh-UI-Hind-Maulana Mahmood Hasan Medical College), Saharanpur, Uttar Pradesh under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2016) and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch of 100 MBBS students at Govt. Medical College (Shaikh-UI-Hind-Maulana Mahmood Hasan Medical College), Saharanpur, Uttar Pradesh under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

13. **Renewal of permission for MBBS course for 2nd batch (100 seats) of Govt. Allopathic Medical College, Banda, U.P. under King George's Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (100 seats) of Govt. Allopathic Medical College, Banda, U.P. under King George's Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2016) and noted the following:-

1. Deficiency of faculty is 14.12 % as detailed in the report.
2. Shortage of Residents is 12.7 % as detailed in the report.
3. Teaching Beds: Teaching beds are inadequate for Paediatrics as only 8 beds are available against requirement of 24 beds.
4. Bed occupancy is 57 % on day of assessment.
5. Nursing staff: 160 Nursing staff are available against requirement of 175.
6. ICUs: There was NIL patient in ICCU or any of ICUs.
7. Radiodiagnosis department: Only 1 USG is available against requirement of 2. AERB approval is not available for some X-ray machines.
8. Blood Bank: License is not available. It is not functional.
9. MRD: It is partially computerized.
10. MEU: NIL programme is conducted during the year.
11. Pharmaco Vigilance Committee: NIL meeting is held during the year.
12. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 100 MBBS students at Govt. Allopathic Medical College, Banda, U.P. under King George's Medical University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

14. Renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College, Omandurar, Chennai, Tamilnadu under The Taminadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College, Omandurar, Chennai, Tamilnadu under The Taminadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report **(21st and 22nd December, 2016)** and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch of 100 MBBS students at Govt. Medical College, Omandurar, Chennai, Tamilnadu under The Taminadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

15. Renewal of permission for MBBS course for 2nd batch (150 seats) of Doon Medical College, Dehradun, Uttarakhand under Hemwati Nandan Bahuguna Uttarakhand Medical Education University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Doon Medical College, Dehradun, Uttarakhand under Hemwati Nandan Bahuguna Uttarakhand Medical Education University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report **(21st and 22nd December, 2016)** and noted the following:-

1. Deficiency of faculty is 43.61 % as detailed in the report.
2. Shortage of Residents is 21.27 % as detailed in the report.
3. CT Scan is not functional on day of assessment. It is 2 slice against minimum 16 slice required.
4. Examination Hall: It is not furnished.
5. Central Library: Chief Librarian is not available.
6. Anatomy department: MRI & CT films are not available in the museum.
7. Museum is not functional in Pathology, Microbiology, Pharmacology, Forensic Medicine departments.
8. Community Medicine department: Practical laboratory is not functional.
9. Residents' Hostel: It is not furnished. Visitors' room, A.C. study room with Computer & Internet, Recreation room are not available.
10. MEU: NIL programme has been held during the year.
11. CME: NIL programme has been held during the year.
12. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at Doon Medical College, Dehradun, Uttarakhand under Hemwati Nandan Bahuguna Uttarakhand Medical Education University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

16. Establishment of new medical college at Almora (Soban Singh Jeena Government Institute of Medical Sciences & Research, Almora), Uttarakhand by Govt. of Uttarakhand with an annual intake of 100 MBBS students under Hemwati Nandan Bahuguna Uttarakhand Medical Education University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Almora (Soban Singh Jeena Government Institute of Medical Sciences & Research, Almora), Uttarakhand by Govt. of Uttarakhand with an annual intake of 100 MBBS students under Hemwati Nandan Bahuguna Uttarakhand Medical Education University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (19th and 20th December, 2016) and noted the following:

1. SAF Part I to be filled in by the college is not submitted.
2. College construction is going on. Preclinical departments of Anatomy, Physiology, Biochemistry are not functional.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. Dean is not yet appointed.
6. There is no Medical Superintendent as such. Dr. O.P. Durgapal is officiating as Medical Superintendent. His administrative experience details are not provided.
7. Base Hospital, Almora is to be affiliated as teaching hospital. Details of available facilities in OPDs, Wards are not provided.
8. Nursing staff: Details are not provided.
9. Paramedical & Non-teaching staff: Details are not provided.
10. OPD attendance was 200 at 2 p.m. on day of assessment.
11. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
12. A basic laboratory with facility for Haemogram & Grouping is available. No other investigations are carried out.
13. Radiological investigation workload is inadequate.
14. Casualty: Only 2 beds are available against required 10. Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not available. Resuscitation & Monitoring equipment are not available.
15. ICUs: ICCU, SICU, NICU/PICU are not available.
16. Labour Room: Septic Labour room & Eclampsia room are not available.
17. Radio-diagnosis department: No Mobile or Static X-ray machine or USG is available.
18. Blood Bank is not available.
19. Pharmacy is not available.
20. CSSD, Intercom, Canteen are not available.
21. Website: Information provided is sketchy.
22. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
23. Lecture Theaters; Central Library; Students', Residents' & Nursing Hostels; Residential Quarters are under construction.
24. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Almora (Soban Singh Jeena Government Institute of Medical Sciences & Research, Almora), Uttarakhand by Govt. of Uttarakhand under Hemwati Nandan Bahuguna Uttarakhand Medical

Education University, Dehradun to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

17. Renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College, Chandrapur under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (100 seats) of Govt. Medical College, Chandrapur under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (9th and 10th December, 2016) alongwith letter dated 14/12/2016 received from the college authorities and noted the following:-

1. Deficiency of faculty is 17.97 % as detailed in the report.
2. Dr. U.V. Munghate, Medical Superintendent has only 8 years of administrative experience before appointment as Medical Superintendent against 10 y required; hence not qualified to hold the post.
3. Most of the faculty are on contract basis ranging from 120-365 days.
4. Some of the staff came after stipulated time. To verify, Biometric attendance was asked for but it was not provided.
5. OPD: Minor Procedure room is not available in Ophthalmology OPD.
6. Wards: Ancillary facilities are inadequate in some wards.
7. Central Clinical laboratory: Separate sections for Pathology, Microbiology, Biochemistry are not available.
8. O.T.: Several O.T.s are not air-conditioned. There are 2 tables in each O.T. which is not as per norms. Boxes are kept in O.T. corridor causing unsterile conditions. There is no separate post-operative ward.
9. Labour room: Prelabour room & Eclampsia room are in one common room.
10. Central Research Laboratory is not available.
11. Central Library: It is not air-conditioned.
12. Students' Hostels: Boys' hostel is 300 m away from the campus. Available accommodation is for 150 students against requirement of 225.
13. Anatomy department: 58 specimens are available. MRI & CT films are not available in the museum.
14. Audiovisual aids are inadequate in Demonstration rooms of some departments.
15. Pharmacology department: Museum is not yet established.
16. Laboratories in Paraclinical departments are not organized. They are arranged in haphazard manner. Some of the instruments are not installed.
17. MEU: No programme is yet started.
18. CME: No programme is held during the year.
19. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 100 MBBS students at Govt. Medical College, Chandrapur under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

18. Establishment of new medical college at Badaun (Govt. Medical College, Badaun), Uttar Pradesh by Govt. of Uttar Pradesh with an annual intake of 100 MBBS students under Mahatma Jyotiba Phule Rohilkhand University, Bareilly, U.P u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Badaun (Govt. Medical College, Badaun), Uttar Pradesh by Govt. of Uttar Pradesh with an annual intake of 100 MBBS students under Mahatma Jyotiba Phule Rohilkhand University, Bareilly, U.P u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (**19th and 20th December, 2016**) alongwith letter dated 19/12/2016 received from the college authorities and noted the following:

1. Deficiency of faculty is 39.6 % as detailed in the report.
2. Dr. Neeraj Kumar, Medical Superintendent does not have any administrative experience against 10 y required; hence not qualified to hold the post.
3. Shortage of Residents is 44.4 % as detailed in the report.
4. Bed Occupancy is 42 % at 10 a.m. on day of assessment.
5. Nursing staff: Nursing services are outsourced. Only 20 Nursing staff are available against requirement of 175.
6. Paramedical & Non-teaching staff: Only 21 Paramedical & Non-teaching staff are available against requirement of 100.
7. College affiliated hospital is under construction; meanwhile District Hospital & District Female hospital are attached to the college.
8. Two types of data are provided by CMO, annexed to the assessment report, which are contradictory to each other; hence it is not possible to verify the available clinical material.
9. There were 12 Major Operations on day of assessment, out of which 11 were from Ophthalmology & 1 from Orthopaedics; resultantly there was NIL Major operation from General Surgery, ENT.
10. Workload of Microbiology, Serology, Haematology, Histopathology, Cytopathology is NIL.
11. Casualty: It is not available in the college affiliated hospital.
12. ICUs: ICCU, MICU, SICU, PICU are not available.
13. Labour room: Eclampsia room is not available.
14. Radiodiagnosis department: NIL Static X-ray machine is available. 1 USG is available against requirement of 2.
15. Pharmacy, CSSD, Intercom are not available.
16. OPD: Registration counters for IPD are non-functional. Staff is inadequate. Teaching areas are not available. Minor O.T. is not available. Plaster room & Plaster cutting room are not available. Cancer Detection clinic is not available.
17. Audiometry & Speech therapy are not available.
18. Wards: Separate wards of Tb & Chest, Psychiatry, Skin & VD are not available. Department wise bed distribution is not provided. Teaching areas are not available.
19. MRD: It is not yet established.
20. Central Library: It is not air-conditioned. Furniture was scattered. There is no Librarian/Deputy Librarian & other required staff. Only 8 Journals are available against required 20. There is no stack register.
21. Central Photographic Section: There is neither staff nor equipment.
22. Students', Residents' & Nurses' hostels are under construction.
23. Residential quarters for Non-teaching staff are under construction.
24. Website is not available. Internet service is poor.

25. Anatomy department: It is in the stage of establishment. Available specimens are 61. Microscopes, Equipment are still packed & not operational.
26. Physiology department: Practical laboratories are not functional. Audio visual aids are not available.
27. Pharmaco Vigilance Committee: NIL meeting is held.
28. Other deficiencies as pointed out in the assessment report.

The Executive Committee further noted the *clause 2(2) of Establishment of Medical College Regulations, 1999* amended vide Notification dated 04.06.2012 which reads as under:-

“...2. IN the “Establishment of Medical College Regulations, 1999”, as amended vide notification dated 14.10.2011, in clause 2(2) under the heading “QUALIFYING CRITERIA” the following shall be added after the third paragraph:-

“Provided further for a period of five years in the states of Bihar, Chattisgarh, Jharkhand, Madhya Pradesh, Orissa, Rajasthan, Uttar Pradesh and West Bengal, establishment of medical college shall be allowed on two pieces of land comprising minimum of 20 (twenty) acres of land. However, one plot of land shall not be less than 10 (ten) acres and the second plot of land shall also be not less than 5(five) acres. The distance between two pieces of land shall not be more than 10 (ten) kilometers with well connected road and free transportation facility for students and staff. The hospital should be on one piece of land and the building of the college including library and hostels for the students, intern, Pgs/Residents, nurses may be housed on any of the two pieces of land. The said hospital should be functional for atleast 3 years.

The above relaxation shall not be available to a person seeking permission to establish a medical college in a District in above states where two or more medical colleges are already in existence.”

As per the certificate provided by the Dean of the Institute dated 19.12.2016 College affiliated hospital is under construction which would become functional by 31.03.2017; meanwhile District Hospital & District Female hospital are attached to the college which have only 221 beds.

In view of above, the Executive Committee observed that the District Hospital & District Female hospital are two separate hospitals and on two different pieces of land and therefore this college as well as the attached hospitals are on three pieces of land which is not permissible as per the Regulations.

In view of above and as the applicant has failed to meet the qualifying criteria under Regulation 3(2)(2) as the proposed medical college and hospital are in three different pieces of land and 3(2)(5) requiring the person establishing a new medical college to own and manage a hospital of not less than 300 beds, of Establishment of Medical College Regulations, 1999, hence it is not entitled to established a new medical college at Badaun, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Badaun (Govt. Medical College, Badaun), Uttar Pradesh by Govt. of Uttar Pradesh under Mahatma Jyotiba Phule Rohilkhand University, Bareilly, U.P to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

19. Establishment of new medical college at Dungarpur (Govt. Medical College, Dungarpur), Rajasthan by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Dungarpur (Govt. Medical College, Dungarpur), Rajasthan by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (16th and 17th December, 2016) and noted the following:

1. SAF Part A I to be filled in by the college is not available.
2. Deficiency of faculty is 100 % as detailed in the report.
3. Shortage of Residents is 100 % as detailed in the report.
4. Dean is not appointed as yet.
5. Medical Superintendent is not yet appointed.
6. Teaching beds are inadequate as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Medicine	72	50	22
2	Paediatrics	24	18	06
3	Tb & Chest	08	00	08
4	Psychiatry	08	00	08
5	Skin & VD	08	00	08
6	General Surgery	90	40	50
7	Orthopaedics	30	15	15
6	ENT	10	00	10
	TOTAL			127

7. Unit-wise bed distribution is not available.
8. Nursing staff: 112 Nursing staff are available against requirement of 175.
9. Paramedical & Non-teaching staff: Only 14 Paramedical & Non-teaching staff are available against requirement of 100.
10. Bed Occupancy is 47.33 % of required beds at 10 a.m. on day of assessment.
11. There were NIL Major Operation & only 2 Minor Operations on day of assessment.
12. Radiological workload is very less. USG workload is NIL.
13. There is no Biochemist, Pathologist, Microbiologist available.
14. OPD: Only 1 Examination room is available for each department against 4 required for each major department. Teaching areas are not available. Injection room for males/females is not available. Minor O.T. is not available. Plaster room & Plaster Cutting room are not available. Dark room & Minor procedure room are not available in Ophthalmology OPD. Special clinic rooms are not available in Paediatrics & O.G. OPD as detailed in the report.
15. Audiometry & Speech Therapy are not available.
16. Wards: Except Nursing Station, no other ancillary facility is available in any ward.
17. Casualty: Only 2 beds are available against requirement of 10. Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not available. Disaster Trolley, Crash Cart are not available.
18. Central Clinical laboratory is not available.

19. O.T.: 3 Major O.T.s are available against requirement of 4. 1 Minor O.T. is available against requirement of 2. Resuscitation equipment is inadequate.
20. ICUs: MICU, SICU are not available. There was only 1 patient in ICCU.
21. Labour Room: Septic Labour room, Eclampsia room are not available.
22. Radiodiagnosis department: 1 Static X-ray machine is available against requirement of 2. 1 USG machine is available against requirement of 2.
23. CSSD: There is no CSSD as such. Autoclave room was closed at time of taking round.
24. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
25. College building; Lecture Theaters; Central Library; Students', Residents' & Nurses' Hostels; Residential quarters for faculty & Non-teaching staff are under construction.
26. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
27. Website: It is not available.
28. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Dungarpur (Govt. Medical College, Dungarpur), Rajasthan by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

20. Renewal of permission for MBBS course for 2nd batch (150 seats) of Prakash Institute of Medical Sciences & Research, Urun, Islampur, Distt. Sangli, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Prakash Institute of Medical Sciences & Research, Urun, Islampur, Distt. Sangli, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2016) and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of 150 MBBS students at Prakash Institute of Medical Sciences & Research, Urun, Islampur, Distt. Sangli, Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

21. Renewal of permission for MBBS course for 2nd batch (150 seats) of Govt. Medical College, Mahabubnagar, Telangana u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Govt. Medical College, Mahabubnagar, Telangana u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (20th and 21st December, 2016) and noted the following:-

1. Deficiency of faculty is 30.85 % as detailed in the report.
2. Shortage of Residents is 17.02 % as detailed in the report.
3. Dr. P. Radha, Medical Superintendent has only 5 y of administrative experience against requirement of 10 y as per Regulations; hence not qualified to hold the post.
4. Nursing staff: 156 Nursing staff are available against requirement of 175.
5. Paramedical & Non-teaching staff: 99 Paramedical & Non-teaching staff are available against requirement of 110.
6. OPD: Registration counters are not computerized. Dressing room / Minor procedure room is not available in Ophthalmology OPD. Child Rehabilitation clinic is not available in Paediatrics OPD.
7. Audiometry room is neither A.C. nor sound proof.
8. ICUs: There was NIL patient in ICCU, SICU on day of assessment.
9. 1 Mobile X-ray machine is available against requirement of 2.
10. CSSD is not available.
11. Intercom is not available.
12. MRD: it is not available. ICD X classification of diseases is not followed for indexing.
13. Central Library: 2,615 books are available against requirement of 3,000.
14. Central Photography section is not available.
15. Students' Hostels: Capacity of some rooms is 4 which is not permissible.
16. Residents' Hostels: Available capacity is 30 against requirement of 47.
17. Residential Quarters: 10 quarters are available for faculty against 19 required. 16 quarters are available for non-teaching staff against 36 required.
18. Anatomy department: Only 35 specimens are available.
19. Pathology department: Audiovisual aids are not available in the Demonstration room. Museum is not available.
20. Microbiology department: Audiovisual aids are not available in the Demonstration room.
21. Pharmacology department: Demonstration rooms are smaller than required & inadequate. Audiovisual aids are not available. Clinical pharmacology laboratory is not available. Experimental pharmacology laboratory is smaller than required & is inadequate. Museum space is inadequate.
22. Forensic Medicine department: Demonstration rooms are smaller than required & inadequate. Audiovisual aids are not available. Practical laboratory is not available. Museum is available but not organized.
23. Pharmaco Vigilance Committee: No meeting is held during the year.
24. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at Govt. Medical College, Mahabubnagar, Telangana under Kaloji Narayana Rao University of Health Sciences, Warangal u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

22. Amendment in the Regulations on Graduate Medical Education, 1997 – Eligibility criteria based upon the physical disability of a person.

Read: the matter with regard to amendment in the Regulations on Graduate Medical Education, 1997 – Eligibility criteria based upon the physical disability of a person.

The Executive Committee of the Council perused the letter from Govt. of India dt. 29/11/2016 which reads as under:

“MCI should take measures to make their courses accessible to pursue any medical course by the persons with Disabilities.

As per the list of identified posts notified by the Department on 29.07.2013, the physical requirements for the post of Medical Officer are standing, sitting, walking, bending, manipulation with finger, reading and writing, seeing crawling, hearing and communication. The proposed amendment making the persons with upper limb disability not eligible to pursue MBBS course, may not be appropriate since there are persons with both arms disability who can meet the above physical requirements. It is therefore suggested that any persons with disability who meets the above stated physical requirements after using aids and assistive devices should be made eligible for pursuing medical courses. This will also take care of persons with hearing disability who could perform the job after use of hearing aids/ cochlear implant etc..”

It was further observed that the matter with regard to amendment in the Regulations on Graduate Medical Education, 1997 – Eligibility criteria based upon the physical disability of a person was placed before the Executive Committee at its meeting held on 22.03.2016 and the Committee decided as under:-

“The Executive Committee considered the letter dated 26.02.2016 received from the Under Secretary, MOHFW stating that the addition of sub-clause 3(a) to clause 4 of GMER, 1997 be finalized such that unfilled seats are filled by respective category candidates.

The Committee further noted that the Council had revised the amendment accordingly and now, the proposed amendment would be as under:-

4 (3). 3% seats of the annual sanctioned intake capacity shall be filled up by candidates with locomotory disability of lower limbs between 50% to 70%.

Provided that in case any seat in this 3% quota remains unfilled on account of unavailability of candidates with locomotory disability of lower limbs between 50% to 70% then any such unfilled seat in this 3% quota shall be filled up by persons with locomotory disability of lower limbs between 40% to less than 50% - before they are included in the annual sanctioned seats for Respective Category candidates.

Provided further that this entire exercise shall be completed by each medical college / institution as per the statutory time schedule for admissions and in no case any admission will be made in the MBBS course after 30th of September.

3.a. Persons with upper limb disability, auditory disability, and visual disability of category I and above shall not be eligible to pursue MBBS course as such persons cannot completely or partially acquire the skills recommended as desirable for the Bachelor of Medicine and Bachelor of Surgery contained in Appendix B to these Regulations.

In view of above, the Executive Committee of the Council approved the above amendment in the regulations on Graduate Medical Education, 1997 – Eligibility criteria based upon the physical disability of a person and directed the office to place the same before the General Body of the Council.”

The above decision of the Executive Committee was placed before the General Body of the Council at its meeting held on 30.03.2016 and the Council approved the above decision of the Executive Committee.

As per the decision of the General Body of the Council at its meeting held on 30.03.2016 the corrected amendment has been sent on 06.04.2016 to the Govt. of India, Ministry of Health & F.W. for their approval in response of which the abovementioned letter is received from the Ministry.

After due deliberations, the Executive Committee of the Council decided to place the matter before Academic Committee. Matter be resubmitted to the Executive Committee with the recommendations of the Academic Committee.

23. Report of the Sub-Committee regarding fake faculty declaration forms for the academic year 2014-15 in respect of Dr.Sadanand Govindrao Kulkarni, Professor of Anaesthesiology appeared in more than one medical college.

Read: the matter with regard to report of the Sub-Committee regarding fake faculty declaration forms for the academic year 2014-15 in respect of Dr.Sadanand Govindrao Kulkarni, Professor of Anaesthesiology appeared in more than one medical college.

The Executive Committee of the Council observed that the report of the Sub-Committee regarding fake faculty declaration forms for the academic year 2014-15 in respect of Dr. Sadanand Govindrao Kulkarni, Professor of Anaesthesiology appearing in more than one medical college was considered by the Ethics Committee at its various meeting and took the following decision at its meeting held on 29&30th April, 2015:

“

The Ethics Committee observed that he has joined Re Vera Institute of Medical Sciences & Research, Thane just for MCI Inspection and not for being a regular faculty to teaching students. He appeared in 2(two) MCI Inspections at a gap of 4(four) months in 2(two) separate Medical College in the same academic session. This is gross misconduct. Therefore, the Committee is of the view that Dr. Sadanand Govindrao be debarred for 5 years for undertaking any post of medical teacher or any post of similar nature in any university/medical college for violation of the Code of Medical Ethics.

Since, the Institutional Heads have hided the unethical practices of Dr. Sadanand Govindrao Kulkarni, the Committee also decided that Principal/Dean of Re Vera Institute of Medical Sciences & Research, Thane should be called to appear before the Ethics Committee in its next/subsequent meeting alongwith all the relevant records related to Dr. Sadanand Govindrao.”

In view of the above decision, it appears that since the final decision in respect of Dean/Principal of Re Vera Institute of Medical Sciences & Research, Thane was pending to be decided in subsequent/next meeting. Hence, the decision in the matter of Dr. Sadanand Govindrao Kulkarni was incomplete and not placed before the Executive Committee for approval at that time.

After granting ample opportunities to the Dean/principal of Re Vera Institute of Medical Science & Research, Thane to appear before the Ethics Committee, the Ethics Committee at its meeting held on 22-23rd December, 2015 decided to invoke clause 8.5 against the then Dean/Principal of said college, which makes the decision complete in the matter of Dr. Sadanand Govindrao Kulkarni, Professor of Anaesthesiology.

The decision of Ethics Committee held on 29th& 30th April, 2015 was to debar Dr. Sadanand Govindrao for 5 years from undertaking any post of medical teacher or any post of similar nature in any university/medical college for violation of the Code of Medical Ethics.

In view of above, the Executive Committee of the Council approved the recommendations of the Ethics Committee to-

- (i) debar Dr. Sadanand Govindrao for 5 years from undertaking any post of medical teacher or any post of similar nature in any university/medical college for violation of the Code of Medical Ethics and
- (ii) invoke Section 8.5 of the Ethics Regulations against the Dean who has not appeared before Ethics Committee in spite of several opportunities being granted to him

The Executive Committee directed that the copy of the above decision be also sent to Health Secretary, DME, affiliating University, State Medical Council and the representative of the State on MCI.

24. Request for appointment as Standing Counsel for Medical Council of India in the Hon'ble Supreme Court of India and Delhi High Court.

Read: the matter with regard to request for appointment as Standing Counsel for Medical Council of India in the Hon'ble Supreme Court of India and Delhi High Court.

Item Withdrawn in view of Email received from Shri Ruchin Midha requesting for withdrawal of his application.

25. Late Shri Baliram Kashyap Memorial, NDMC Govt. Medical College, Jagdalpur – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2017-18.

Read: the matter with regard to Late Shri Baliram Kashyap Memorial, NDMC Govt. Medical College, Jagdalpur – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (28th& 29th December, 2016) alongwith a representation/letter dated 29.12.2016 from Dr. A.K. Chandraker, Director Medical Education, Chhattisgarh and noted the following:-

1. Deficiency of faculty is 26.66 % as detailed in the report.
2. Dr. Avinash Meshram, Medical Superintendent has only 6 years of administrative experience against requirement of 10 years as per Regulations; hence not qualified to hold the post.
3. Shortage of Residents is 25.37 % as detailed in the report.
4. OPD attendance is 686 on day of assessment against requirement of 800.
5. There were only 4 Major Operations on day of assessment.
6. Radiological workload is inadequate.
7. OPD: Dressing Room is common for males/females. Dark Room is not available in Ophthalmology OPD. Waiting area, Examination rooms for patients, Teaching areas are inadequate. Child Welfare clinic & Child Rehabilitation clinic are not available in Paediatrics OPD. Antenatal clinic, Sterility clinic, Cancer Detection clinic are not available in OG OPD.
8. Speech Therapy is not available.
9. Wards: Demonstration rooms are not available in many wards as detailed in the report. Space is congested.
10. Casualty: Central O₂ and Central Suction are not available.

11. CT Scan is not functional. It is single slice against requirement of minimum 16 slice.
12. Only 1 USG is available against requirement of 3.
13. MRD: It is partially computerized. ICD X classification of diseases is not followed for indexing.
14. Intercom is not available in the hospital.
15. Lecture Theaters: Hospital Lecture Theater is not of Gallery type. Capacity is 120 against requirement of 150.
16. Students' Hostels: Visitors' Room, A.C. Study room with Computer & Internet & Indoor Games Room are not available in Boys' & Girls' Hostel.
17. Interns' Hostel: Visitors' room, A.C. Study room with Computer & Internet, Recreation room are not available.
18. Residents' Hostel: Visitors' room, A.C. Study room with Computer & Internet, Recreation room are not available.
19. Anatomy department: Dissection Microscopes are not available. Available cadavers are 5.
20. Physiology department: Mammalian laboratory is empty. There are no instruments/equipment. It is used as a storage place for chairs.
21. Website: Citizens' Charter is not available. Toll free number to report ragging is not available.
22. Common Rooms for Boys & Girls are not furnished.
23. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 50-100 at Late Shri Baliram Kashyap Memorial, NDMC Govt. Medical College, Jagdalpur under Chhattisgarh Ayush & Health Sciences University, Chhattisgarh u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

26. Increase of seats in MBBS course from 150-250 at VSS Institute of Medical Sciences & Research, Burla u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

Read: the matter with regard to increase of seats in MBBS course from 150-250 at VSS Institute of Medical Sciences & Research, Burla u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

The Executive Committee of the Council considered the Council Assessors report (29th&30th December, 2016) and noted the following:

1. Deficiency of faculty is 44.2 % as detailed in the report.
2. Shortage of Residents is 17.69 % as detailed in the report.
3. OPD attendance on day of assessment is 944 against requirement of minimum 3,000.
4. Bed Occupancy is 70 % on day of assessment.
5. Teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	Paediatrics	120	74	46
2	Psychiatry	30	20	10
3	General Surgery	240	203	37
4	Orthopaedics	150	129	21
5	Ophthalmology	60	54	06

6	O.G.	150	134	16
	TOTAL			136

6. Wards: Demonstration room is not available. Distance between 2 beds is < 1.5 m. Pantry, Duty room for Doctors are not available.
7. CT Scan is dual slice against requirement of minimum 16 slice as per Regulations.
8. Casualty: Available beds are 20 against requirement of 30. Central O₂ and Central Suction are not available. Disaster
9. O.T.: Available Major O.T.s are 10 against requirement of 11. Equipment like Defibrillators, Infusion Pumps are not available.
10. Central Library: Available area is 3,035 sq.m. against requirement of 4,000 sq.m.
11. Students' Hostels: Available accommodation is 704 against requirement of 938. 33 rooms are 4 seater which is not permissible. Many rooms in Girls' Hostels are unfurnished.
12. MRD: ICD X classification of diseases is not followed for indexing.
13. Community Medicine department: Only 2 Demonstration rooms are available against requirement of 4.
14. Other deficiencies as pointed out in the assessment report.

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(b)(i), 6(b)(ii) & 6(b)(iii) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) as number of teaching beds and Bed occupancy are less than the required for eligibility, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 250 at VSS Institute of Medical Sciences & Research, Burla under Sambalpur University, Burla for the academic year 2017-2018 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

27. Establishment of new medical college at Pudukkottai Tamilnadu (Govt. Medical College, Pudukkottai, Tamilnadu) by Govt. of Tamilnadu with an annual intake of 150 MBBS students under The Tamil Nadu Dr. M.G.R. Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard establishment of new medical college at Pudukkottai Tamilnadu (Govt. Medical College, Pudukkottai, Tamilnadu) by Govt. of Tamilnadu with an annual intake of 150 MBBS students under The Tamil Nadu Dr. M.G.R. Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (28th and 29th December, 2016) and noted the following:-

1. Administrative experience of Dr. C. Paranthakan, Medical Superintendent is less than 10 years.
2. OPD: Separate Registration Counters for OPD/IPD are not available. Teaching areas are not available. Enquiry Desk is not available. Minor O.T. is not functional. Child Welfare clinic, Child Rehabilitation clinic are not available.
3. Audiometry, Speech Therapy are not available.
4. Wards: Demonstration rooms are not available.

5. Workload of Histopathology, Cytopathology is NIL.
6. There was only 1 patient in NICU/PICU and 2 patients in SICU on day of assessment.
7. ETO Sterilizer is not available.
8. Anatomy department: Cadavers are not available.
9. MRD: It is not fully computerized.
10. Area of Medical Superintendent's office is inadequate.
11. College building is under construction.
12. Lecture Theaters, Central Library, Central Photography Section are not available.
13. Students', Residents' & Nurses' Hostels are under construction.
14. Residential Quarters are under furnishing stage.
15. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Pudukkottai Tamilnadu (Govt. Medical College, Pudukkottai, Tamilnadu) by Govt. of Tamilnadu under The Tamil Nadu Dr. M.G.R. Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

28. **Establishment of New Medical College at Modinagar, District Ghaziabad, Uttar Pradesh (Divya Jyoti Institute of Medical Sciences & Research) by Jassar Dental Medical Education Health Foundation (JDMEHF) Modinagar, Ghaziabad with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of New Medical College at Modinagar, District Ghaziabad, Uttar Pradesh (Divya Jyoti Institute of Medical Sciences & Research) by Jassar Dental Medical Education Health Foundation (JDMEHF) Modinagar, Ghaziabad with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 28/12/2016 received from the appointed team of Council assessors and noted the following:-

"As per the letter received by us vide reference cited above, we the members of the inspection team visited the Divya Jyoti Institute of Medical Sciences, Modinagar, Ghaziabad, U.P. on 28.12.2016 9.40 AM. When we reached the institution, nobody were available in the Hospital However one lady staff member was present in pharmacy shop which was open in the Hospital premises. We asked her to call the Dean or any other authorized persons. After 30 minutes Mrs. Amrita Jassar, from the management along with one assistant reached there. We entered the Principal's chamber alongwith Mrs. Amrita Jassar and her assistant. She explained that the management already withdrew the writ petitions no. (s) 525/2016 from the Court and said that we have not requested the MCI for the inspection for the academic year 2017-18.

As per the telephonic discussion with Dr. S. Barik, we visited the Hospital and found that Hospital was completely empty. No patients were present in any of the wards. All the wards were locked from outside. No staff, no doctors were present either outside or inside the wards. We took photograph of most of the wards with our mobile phone as there was no photographer. Management accepted that Hospital is empty as they were not prepared for Inspection for this year (2017-18).

We received the letter handed over by the C.E.O of the institute, Mrs. Amrita Jassar from the Administration informing their inability to allow us to conduct the inspection due to sudden demise of her father, the chair person of the

Institute Mr. Jassar, and withdrawal of writ petition no. (s) 525/2016 from the court and end of their legal proceeding in this connection.

We enclose the letter with annexures (Letter ref. no DJCMSR/MCI/2016, dated 28.12.2016), the conflict of interest from the assessors, the CD format of photographs taken during inspection for your perusal."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Modinagar, District Ghaziabad, Uttar Pradesh (Divya Jyoti Institute of Medical Sciences & Research) by Jassar Dental Medical Education Health Foundation (JDMEHF) Modinagar, Ghaziabad to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

29. Establishment of new medical college at Churu (Govt. Medical College, Churu), Rajasthan by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Churu (Govt. Medical College, Churu), Rajasthan by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 29/12/2016 received from the appointed team of Council assessors and noted the following:-

"We, the assessors deputed to carryout the assessment of the physical and other teaching facilities available for establishment of a New Govt. Medical College at Churu, Rajasthan by Govt. of Rajasthan (100 seats) under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic session 2017-2018 hereby state as under:-

1. *The construction of New Medical College building (including College Building, Hostels & Staff Residences) at Churu has started and reached upto basement level (Total covered area 6000 sq. Mt.) (Today's Photographs, Video CD & Maps are enclosed).*
2. *No appointment of Dean/Principal, faculty or resident has yet been made. A Nodal Officer has been appointed for monitoring of work for this New Medical College. (copy enclosed).*
3. *The Nodal Officer of this New Medical College, Churu Project is Dr. Veer Bahadur Singh, Professor & HOD, Department of Medicine, S.P. Medical College, Bikaner. He has stated that the local District Hospital at Churu will be adopted by college. Upgradation work of District Hospital has also been started/. However, administrative control of the District Hospital is not yet with the Medical Education Department but still with the State Health Department."*

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Churu (Govt. Medical College, Churu), Rajasthan by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is

no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

30. Establishment of new medical college at Pali (Govt. Medical College, Pali), Rajasthan by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Pali (Govt. Medical College, Pali), Rajasthan by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the Council Assessors report (28th December, 2016) and noted the following:-

1. Dean is not yet appointed.
2. There is no Medical Superintendent as such.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. District Hospital, Pali is proposed to be attached to the medical college; however as yet it is not attached.
6. College building is under construction.
7. Lecture Theaters; Central Library; Students', Residents' & Nurses' Hostels; Residential Quarters are under construction.
8. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
9. Other deficiencies as pointed out in the assessment report.

The Committee further perused the letter dated 28/12/2016 received from the Dr. S.N. Sharma, Patna, Bihar (Co-ordinator) stating that the college administration has not sent duly filled in Form A, Form B, Form A-1 and declaration forms of the faculty to the MCI Headquarters and it was also not submitted at the time of assessment. The reasons are up till now the Principal of the Medical College has not been appointed/notified by the Govt. It is in process. The district hospital at Pali named as Bangur Hospital is yet to be attached for teaching and training purposes to this medical college. The orders for the same are also in the process. Since no faculty has been appointed, so no declaration form is sent.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Pali (Govt. Medical College, Pali), Rajasthan by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

31. Establishment of new medical college at Sikar, Rajasthan (Government Medical College, Sikar) by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Sikar, Rajasthan (Government Medical College, Sikar) by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (28th&29th December, 2016) and noted the following:

1. Dean is not yet appointed.
2. Medical Superintendent is not yet appointed.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. Nursing Staff: 115 Nursing staff are available against 175 required.
6. Histopathology, Cytopathology workload is NIL.
7. OPD: Teaching areas, Enquiry Desk are not available. Injection room is common for males/females. Dressing room is common for males/females. Plaster Cutting room is not separate. Child Welfare clinic, Child Rehabilitation clinic are not available in Paediatrics OPD. Cancer Detection clinic is not available in OG OPD.
8. Speech Therapy is not available.
9. Wards: Ancillary facilities are not available. Demonstration rooms are not available.
10. Casualty: Central O₂ and Central Suction are not available. Separate Casualty for O.G. is not available. Crash Cart is not available.
11. O.T.: 2 Major O.T.s are available against requirement of 4; even out of these 2, 1 is not functional. 1 Minor O.T. is available against requirement of 2. Preoperative & Postoperative beds are not available.
12. ICUs: ICCU, SICU are not available.
13. Labour Room: Septic Labour room is not available.
14. 1 USG machine is available against requirement of 2.
15. CSSD, Intercom, Central Kitchen are not available.
16. Lecture Theaters; Central Library; Students', Residents' & Nurses' Hostels are under construction.
17. Residential Quarters are under construction.
18. MRD: It is partly computerized. ICD X classification for indexing of diseases is not followed.
19. College building is under construction.
20. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
21. Pharmaco Vigilance Committee, Gender Harassment Committee are not yet constituted.
22. Website: It is not available.
23. RHTC, UHC are not identified.
24. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Sikar, Rajasthan (Government Medical College, Sikar) by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

32. Establishment of new medical college at Ahmedabad, Gujarat (Dr. M.K. Shah Medical College & Research Centre, Chandkheda), Ahmedabad, by Sumandeep Vidyapeeth Trust, Ahmedabad, Gujarat with an annual intake of 150 MBBS students under Gujarat University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Ahmedabad, Gujarat (Dr. M.K. Shah Medical College & Research Centre, Chandkheda), Ahmedabad, by Sumandeep Vidyapeeth Trust, Ahmedabad, Gujarat with an annual intake of 150 MBBS students under Gujarat University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (28th&29th December, 2016) and noted the following:

1. Deficiency of faculty is 7.65 % as detailed in the report.
2. Nursing Staff: 167 Nursing Staff are available against 175 required.
3. OPD: Plaster room & Plaster Cutting room are not separate. Injection room is common for males/females. Most of the Specialty clinics seem to be non-functional.
4. ICUs: There was only 1 patient in MICU on day of assessment.
5. Blood Bank: Equipment is available. NOC is obtained from the State Govt. Final License from the Central Govt. is awaited.
6. ETO Sterilizer is not available.
7. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
8. Lecture Theaters are under construction.
9. Central Library is under construction.
10. Central Photography Section is not available.
11. Students' & Nurses' hostels, Residential Quarters are under construction.
12. RHTC & UHC are not yet identified.
13. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Ahmedabad, Gujarat (Dr. M.K. Shah Medical College & Research Centre, Chandkheda), Ahmedabad, by Sumandeep Vidyapeeth Trust, Ahmedabad, Gujarat under Gujarat University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

33. Establishment of new medical college at Peeplabandpur, Distt. Hapur (G.S. Medical College & Hospital, Piplabandpur, Distt. Hapur, U.P.) by Shri Jaipal Singh Sharma Trust, Ghaziabad, Uttar Pradesh with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut /s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Peeplabandpur, Distt. Hapur (G.S. Medical College & Hospital, Piplabandpur, Distt. Hapur, U.P.) by Shri Jaipal Singh Sharma Trust, Ghaziabad, Uttar Pradesh with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut /s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (28th&29th December, 2016) and noted the following:

1. Deficiency of faculty is 9.23 % as detailed in the report.
2. Shortage of Residents is 19.56 % as detailed in the report.
3. Casualty: Separate Casualty for O.G. is not available.

4. ICUs: There was only 1 patient in SICU & 2 patients each in ICCU, MICU on day of assessment.
5. In ENT & Ophthalmology, male & female patients are admitted in the same ward.
6. Histopathology & Cytopathology workload is NIL on day of assessment.
7. Pharmaco Vigilance Committee: No meeting is held till date.
8. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Peeplabandpur, Distt. Hapur (G.S. Medical College & Hospital, Piplabandpur, Distt. Hapur, U.P.) by Shri Jaipal Singh Sharma Trust, Ghaziabad, Uttar Pradesh under Ch. Charan Singh University, Meerut/s 10A of the IMC Act, 1956 for the academic year 2017-18.

34. Establishment of new medical college at Konni (Govt. Medical College, Konni, Pathanamthitta), Kerala by Govt. of Kerala with an annual intake of 100 MBBS students under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Konni (Govt. Medical College, Konni, Pathanamthitta), Kerala by Govt. of Kerala with an annual intake of 100 MBBS students under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 16/12/2016 received from the appointed team of Council assessors and noted the following:-

"As per the instructions given to us by the MCI in the above stated reference letter, we conducted a surprise inspection of the new Medical College constructed at Konni, Pathanamthitta, Kerala on 16.12.2016. We submit the following statement for your perusal.

1. INFRASTRUCTURE

There was a huge building without any name board mentioning this building as new Medical College under construction. There was an office for the construction activities by HITES, where we met the Project Manager, Mr. R. Ratheesh Kumar, who gave us the status report of the 'Current Progress & completion of the building.

2. FACULTY

The site had an office for the Principal with dining table in another room. There were not a single faculty in the Office upto 11 am, when we left. We spoke to Dr. S. Vijayakumar, Microbiology Assoc. Professor cum Vice-Principal of the institution, over mobile (09447054249), whose number was given to us by the Project Manager.

He informed us over phone that he was at Coimbatore on leave for three days. No faculty members are available at present for inspection and all of them were redeployed to various other Medical Colleges. No Principal available now. And there is no other person to come and meet us in the campus and sign our report on behalf of the institution.

3. CLINICAL MATERIAL-HOSPITAL

The Patanamthitta General Hospital, which was shown as the teaching hospital for the upcoming new College is situated 12 kms away from the Medical College building. They were not willing to allow the MCI medical

team for conducting the inspection, which was done during the previous MCI inspection in January 2016. They have submitted a letter that they are not attached to Directorate of Medical Education, Govt. of Kerala and the hospital is under the control of Directorate of Health Services and the hospital is not attached to Konni Medical College, Pathanamthitta

We spoke to the Director of Medical Education, Govt. of Kerala, Dr. Remla Beevi. A (09447042126) on our way back to Trivandrum. We met her in her office, where she submitted an undertaking which states that the construction of new hospital is underway and not yet completed. The posts for faculty (both medical and non-medical) have been created and for the time being till the hospital construction is completed, the faculty are redeployed to other Medical Colleges. The construction of the hospital building and the College building will take 2 years from now for completion."

The Executive Committee further perused the letter dated 25.11.2016(received on 31/12/2016) from the Additional Chief Secretary to the Government of Kerala, Health & Family Welfare(S) Department, Thiruvananthapuram stating therein as under:-

"... I am to invite your attention to the letters cited and inform you that the infrastructure for the Government Medical College, Pathanamthitta(Konni) & its Hospital is expected to be completed only by 31.03.2017. The facilities as per Medical Council of India requirements are not available now and as such it is not possible to prepare an application containing all the requirements necessary for the Medical Council of India. Hence I am to request you to defer the proposed inspection to the next academic year 2018-2019. I am also to request you to inform whether the fee paid for the said purpose can be adjusted for the same also."

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Konni (Govt. Medical College, Konni, Pathanamthitta), Kerala by Govt. of Kerala under Kerala University of Health Sciences, Thrissur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

35. Establishment of new medical college at Bhilwara, Rajasthan (Government Medical College, Bhilwara by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Bhilwara, Rajasthan (Government Medical College, Bhilwara by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (28th&29th December, 2016) and noted the following:

1. Dean is not appointed yet. Dr. Rajesh Pathak who is Professor of Physiology at JLN Medical College, Ajmer is holding the charge of Nodal Officer.

2. Medical Superintendent is not yet appointed.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. Teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	Skin & VD	08	04	04
2	General Surgery	90	78	12
3	ENT	10	07	03
	TOTAL			19

6. Paramedical & Non-teaching staff: NIL Paramedical & Non-teaching staff are available.
7. OPD: Separate Registration counters for males/females and also for OPD/IPD are not available. Examination rooms are inadequate. Teaching areas are not available. They are partially computerized. Staff is inadequate. Waiting area is inadequate. Dressing room is not available in Ophthalmology OPD. Child Welfare clinic & Child Rehabilitation clinic are not available in Paediatrics OPD. Sterility clinic & Cancer Detection clinic are not available in O.G. OPD.
8. Soundproof & A.C. Audiometry & Speech therapy are not available.
9. Wards: Distance between 2 beds is 1 m against requirement of 1.5 m. Examination cum treatment room, Demonstration room, Pantry are not available.
10. Microbiology, Histopathology investigations are not performed.
11. Casualty: Central O₂ and Central Suction are not available. Separate Casualty for O.G. is not available.
12. Central Clinical Laboratory is not available.
13. O.T.: 2 Major O.T.s are available against requirement of 4.
14. ICUs: SICU is not available. There was only 1 patient in ICCU on day of assessment.
15. Radiodiagnosis department: NIL Mobile X-ray machine is available. No information is available regarding AERB approval.
16. Pharmacy, CSSD, Intercom, Central Kitchen, Canteen are not available.
17. MRD: It is partially computerized. ICD X classification of Diseases is not followed for indexing.
18. Dean's office is not available.
19. Preclinical departments of Anatomy, Physiology, Biochemistry are not available.
20. Lecture Theaters, Central Library, Common Rooms for Boys & Girls are under construction.
21. Students', Residents' & Nurses' Hostels are under construction.
22. Residential Quarters are under construction.
23. UHC is not identified.
24. College Council, Pharmacovigilance Committee, Gender Harassment Committee are not yet constituted.
25. Website: It is not available.
26. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Bhilwara, Rajasthan (Government

Medical College, Bhilwara) by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

36. Establishment of new medical college at Koraput, Odisha (Saheed Laxman Nayak Medical College & Hospital, Koraput) by Govt. of Odisha with an annual intake of 100 MBBS students under Berhampur University, Odisha u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Koraput, Odisha (Saheed Laxman Nayak Medical College & Hospital, Koraput) by Govt. of Odisha with an annual intake of 100 MBBS students under Berhampur University, Odisha u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (28th&29th December, 2016) and noted the following:

1. Deficiency of faculty is 100 % as detailed in the report.
2. Medical Superintendent is not yet appointed.
3. Shortage of Residents is 100 % as detailed in the report.
4. OPD attendance was 284 at 2 p.m. against requirement of 400 as per Regulations.
5. Bed Occupancy was 35 % at 10 a.m. on day of assessment.
6. There was NIL Minor Operation for the whole hospital on day of assessment.
7. Histopathology & Cytopathology workload was NIL on day of assessment.
8. Nursing staff: 64 Nursing staff are available against requirement of 175.
9. Paramedical & Non-teaching staff: 53 Paramedical & Non-teaching staff are available against requirement of 101.
10. OPD: Teaching areas are not available. Injection Rooms for males/females are not available. Dressing Rooms for males/females are not available. Plaster Cutting room is not separate.
11. Wards: Examination cum Treatment Room; Demonstration Room are not available. Ancillary facilities are not available as detailed in the report.
12. Casualty: 4 beds are available against requirement of 10. Separate Casualty for O.G. is not available. Monitoring equipment is inadequate.
13. O.T.: 3 Major O.T.s are available against requirement of 4.
14. ICUs: There was NIL patient in ICCU, SICU on day of assessment.
15. 1 Static X-ray machine is available against requirement of 2.
16. MRD: It is manual.
17. Medical Superintendent's office is not available.
18. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
19. Lecture Theaters; Central Library; Common Rooms for Boys & Girls are under construction.
20. Central Photography Section is not available.
21. Students' & Residents' Hostels are under construction.
22. Nurses' Hostel is not available.
23. Residential Quarters for faculty are under construction. NIL quarters are available for Non-teaching staff.
24. Website is not available.
25. College Council; Pharmaco Vigilance Committee; Gender Harassment Committee are not yet constituted.
26. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Koraput, Odisha (Saheed Laxman Nayak Medical College & Hospital, Koraput) by Govt. of Odisha under Berhampur University, Odisha u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

37. Renewal of permission for MBBS course for 4th batch (150 seats) of Rajshree Medical Research Institute, Bareilly, Uttar Pradesh under Mahatma Jyotiba Phule Rohilkhand University, Bareilly, U.P u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 4th batch (150 seats) of Rajshree Medical Research Institute, Bareilly, Uttar Pradesh under Mahatma Jyotiba Phule Rohilkhand University, Bareilly, U.P u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (28th and 29th December, 2016) and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of 150 MBBS students at Rajshree Medical Research Institute, Bareilly, Uttar Pradesh under Mahatma Jyotiba Phule Rohilkhand University, Bareilly, U.P u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

38. Renewal of permission for MBBS course for 3rd batch (150 seats) of GMERS Medical College, Himmatnagar, Gujarat under Hemchandracharya North Gujarat University, Patan u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to Renewal of permission for MBBS course for 3rd batch (150 seats) of GMERS Medical College, Himmatnagar, Gujarat under Hemchandracharya North Gujarat University, Patan u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (29th & 30th December, 2016) and noted the following:

1. Administrative experience of Dr. Jayant Uperia, Medical Superintendent is not shown; hence it is not possible to verify whether his appointment as per Regulations or not.
2. Nursing staff: 169 Nursing staff are available against requirement of 175.
3. Paramedical & Non-teaching staff: They are out-sourced. Available number is not shown; hence it is not possible whether they are adequate or not.
4. OPD: Waiting areas, Examination rooms are inadequate. Minor O.T. is not well equipped. Separate Plaster Cutting room is not available. Dark room, Dressing room are not available in Ophthalmology OPD.
5. Soundproof & A.C. Audiometry is not available.
6. Wards: Nursing Station, Examination cum treatment room, Ancillary facilities are inadequate.
7. CT Scan is not available.
8. Casualty: 10 beds are available against requirement of 15. Separate Casualty for O.G. is not available. Disaster trolley is not available. Defibrillator is not functional.
9. O.T.: There is no Central gas supply. No proper safety/hygiene protocol is available.
10. 2 Static X-ray machines are available against requirement of 3.
11. Central research Laboratory: Facilities are inadequate.
12. MRD: It is manual. ICD X classification of diseases is not followed for indexing.

13. Lecture Theaters: Hospital Lecture Theater is not available.
14. Students' Hostels: Visitors' room is not fully furnished.
15. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at GMERS Medical College, Himmatnagar, Gujarat under Hemchandracharya North Gujarat University, Patan u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

39. Renewal of permission for MBBS course for 2nd batch (100 seats) of Govt. Medical College, Ambikapur, Chhattisgarh under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (100 seats) of Govt. Medical College, Ambikapur, Chhattisgarh under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the compliance verification assessment report (21st & 22nd December, 2016) alongwith previous assessment report (4th May, 2016) and noted the following:

1. Deficiency of faculty is 47.05 % on day of assessment.
2. Shortage of Residents is 51.06 % on day of assessment.
3. Nursing staff: Only 74 Nursing staff are available against requirement of 175.
4. OPD attendance is 448 on day of assessment against requirement of 500.
5. Radiological & Laboratory investigations workload is inadequate.
6. Histopathology & Cytopathology workload is NIL on day of assessment.
7. OPD: Teaching areas are not adequate. Dressing room is common for males/females. Sterility clinic is not available in O.G. OPD.
8. MRD: It is manual.
9. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley, Crash Cart are not available.
10. O.T.: Central O₂ and Central Suction are not available. Monitoring & Resuscitation equipment are not available.
11. ICUs: There was NIL patient in MICU & SICU and 2 patients in ICCU on day of assessment.
12. Labour Room: Septic Labour room is not available.
13. AERB approval is not available.
14. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
15. Intercom: It is available only in hospital.
16. Website: Citizens' Charter is not available.
17. Examination Hall: It is not available.
18. Anatomy department: There is NIL cadaver. Band saw is not available. Cold storage is not available. Lockers are not available. There are only 27 specimens in the museum.
19. Audiovisual aids are not available in the Demonstration rooms of Physiology, Biochemistry departments.
20. Pathology, Microbiology, Pharmacology, Forensic Medicine departments are under renovation and not functional.
21. Lecture Theaters: None of available Lecture Theaters is of Gallery type.
22. Central Library: It is not air-conditioned. Furniture is inadequate. Staff Reading room is not available. NIL journals are available.
23. Central Photography section: Staff & Equipment are not available.
24. Pharmaco Vigilance Committee: No meeting is held during the year.

25. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 100 MBBS students at Govt. Medical College, Ambikapur, Chhattisgarh under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

40. Renewal of permission for MBBS course for 2nd batch (150 seats) of T.S. Misra Medical College & Hospital, Amausi, Lucknow under Dr. Shakuntala Misra National Rehabilitation University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of T.S. Misra Medical College & Hospital, Amausi, Lucknow under Dr. Shakuntala Misra National Rehabilitation University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (28th and 29th December, 2016) **alongwith** a letter/representation dated 29/12/2016 from the Principal of the Institute and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of 150 MBBS students at T.S. Misra Medical College & Hospital, Amausi, Lucknow under Dr. Shakuntala Misra National Rehabilitation University, Lucknow u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

41. Renewal of permission for MBBS course for 2nd batch (100 seats) of Dr. Y.S. Parmar Govt. Medical College, Nahan, H.P. under Himachal Pradesh University, Shimla u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (100 seats) of Dr. Y.S. Parmar Govt. Medical College, Nahan, H.P. under Himachal Pradesh University, Shimla u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (28th & 29th December, 2016) and noted the following:

1. Deficiency of faculty is 37.64 % as detailed in the report.
2. Shortage of Residents is 71.73 % as detailed in the report.
3. Bed Occupancy is 57 % on day of assessment against 60 % required.
4. Nursing staff: 131 Nursing staff are available against 175 required.
5. Paramedical & Non-teaching staff: 37 Paramedical & Non-teaching staff are available against 101 required.
6. OPD: Plaster Cutting room is not separate.
7. Casualty: Separate Casualty for O.G. is not available.
8. O.T.: Out of available 4 O.T.s, only 2 are functional.
9. ICUs: There was NIL patient in ICCU, MICU & only 2 in NICU/PICU on day of assessment.
10. Radiodiagnosis department: 1 Static X-ray machine is available against requirement of 2. Out of 2 USG available, only 1 is functional.
11. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
12. Central Research Laboratory: Facilities are inadequate.
13. Website: Toll free number to report ragging is not available.
14. Examination Hall: It is not available.
15. Central Library: Only 7 Journals are available against requirement of 20.
16. Students' Hostel: It is taken on lease. Study room does not have computers.

17. Residents' Hostel: Available accommodation is for 30 against requirement of 47.
18. Anatomy department: Only 45 specimens are available.
19. Physiology department: Capacity of Demonstration room is smaller than required.
20. Audiovisual aids are not available in the Demonstration rooms of Physiology, Biochemistry departments.
21. Pathology department: Museum is not functional. Audio Visual aids are not available.
22. Microbiology department: Audiovisual aids are not available. Media preparation facility is not functional.
23. Pharmacology department: Museum is not functional. Audio Visual aids are not available.
24. Forensic Medicine department: Museum is not functional. Audio Visual aids are not available.
25. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
26. RHTC is located 45 km. away from the college which is not as per Regulations.
27. No CME programme is held during the year.
28. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 100 MBBS students at Dr. Y.S. Parmar Govt. Medical College, Nahan, H.P. under Himachal Pradesh University, Shimla/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

42. Renewal of permission for MBBS course for 2nd batch (150 seats) of Parul Institute of Medical Sciences & Research, Vadodara, Gujarat under Parul University, Vadodara u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Parul Institute of Medical Sciences & Research, Vadodara, Gujarat under Parul University, Vadodara u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (29th and 30th December, 2016) and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of 150 MBBS students at Parul Institute of Medical Sciences & Research, Vadodara, Gujarat under Parul University, Vadodara u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

43. Renewal of permission for MBBS course for 4th batch (150 seats) of Viswabharathi Medical College, Kurnool, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 4th batch (150 seats) of Viswabharathi Medical College, Kurnool, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that the compliance verification assessment report (18th February 2016) along with previous assessment report (26th & 27th November, 2015.) as well as letter dated 19/02/2016 received from the Principal, Viswabharathi Medical College, Kurnool with regard to Renewal of permission for MBBS course for 3rd batch of 150

MBBS students at Viswabharathi Medical College, Kurnool, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (18th February 2016) along with previous assessment report (26th & 27th November, 2015) as well as letter dated 19/02/2016 received from the Principal of the college and noted the following:-

1. *Deficiency of faculty is 7 % as detailed in the report.*
2. *Shortage of Residents is 12.24 % as detailed in the report.*
3. *Residents were questioned about senior faculty & patients in their wards. Those who were not knowing about them were rejected.*
4. *Clinical material is inadequate. Deficiency persists.*
5. *There were only 2 Major & NIL Minor operations on day of assessment.*
6. *There was NIL Normal Delivery on day of assessment.*
7. *Although total 7 units of Blood were dispensed on day of assessment, they were issued to patients of Oncology not required for UG teaching or for trivial reasons.*
8. *OPD: Very few patients were seen in OPD at time of assessment. Data of OPD attendance at 776 given by institute appears to be inflated as healthy people were brought in for statistics.*
9. *Many patients were kept in wards for many days without indication. Oncology patients were kept for inflating occupancy. Many other cases were admitted for trivial reasons. Majority of patients in Orthopaedics ward were of back pain.*
10. *Wards: It is not possible to visualize all the patients from Nursing Station in some wards. Deficiency remains as it is. Wards of Tb & Chest, Psychiatry and Skin & VD are small rooms with 3-4 beds with only partial or NIL ancillary facilities.*
11. *ICUs: ICCU & MICU are combined. PICU & NICU are combined. There were only 2 patients each in ICCU & NICU on day of assessment.*
12. *There was only 1 Major & NIL Minor operation on day of assessment.*
13. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at Viswabharathi Medical College, Kurnool, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017".

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14/05/2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students for the academic year 2016-2017.

The Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 3rd batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directives dated 13.06.2016 of the Supreme Court Mandated Oversight Committee (OC subject to submission of bank guarantees, affidavit and some other conditions.)

In continuation to the earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 31.08.2016 has forwarded the following documents as submitted by the college to the Ministry on 29.08.2016:-

- i. An affidavit dated 24.08.2016 from the Chairman of the Trust/Society concerned.
- ii. An affidavit dated 24.08.2016 from the Dean/Principal of the college concerned.

- iii. A Bank guarantee bearing No. 0381616BG0000018 dated 26.08.2016 Rs. 2 Cr issued by Central Bank of India in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of Permission for admission of in 3rd batch (150 seats) of MBBS Course at Vishwabharathi Medical College, Kurnool for the academic session 2016-17 has been carried out on **28th and 29th December**, 2016 alongwith representation dated 29.12.2016 received from the Principal of the college and noted the following:

1. OPD attendance of 914 as claimed by the Institute appears to be inflated.
2. A large number of patients were such who did not require admission. E.g. in General Surgery ward, patients of APD, Sebaceous Cyst, Lipoma were admitted.
3. With regard to available clinical material assessors have observed as under in the report:-
 - (a) Two patients with diagnosis of APD viz Hanumanthu and Prabhakar were not seen in the ward. On asking their whereabouts it was intimated that they have gone for x-ray. Immediate personal visit of the assessor to the Radiology deptt. Revealed that they were not there and their name was not entered in the register of patients who had undergone x-ray Chest by 11 a.m. It was intimated that they had gone for ECG. The assessor failed to understand as to why ECG was required in a patient of APD.
 - (b) One of the Residents posted in the surgical wards did not know about the ward patients that he was looking after.
 - (c) In one patient, the stamp put on the case sheet of trating Consultant was (Dr. C. Vasuda Reddy) showing him as Consultant Surgical Oncologist and not a teaching designation.
 - (d) In Medicine wards, some of male patients admitted were such as do/did not require admission viz APD, UTI, Anemia etc.
 - (e) In female medicine ward, patients with diagnosis of other speciality were admitted viz. Cholecystitis, Cholelithiasis, Cervical Spondylitis etc and many did not require hospitalization at all like Body ache, headache, Gastroenteritis (without any IV drip), fever (without any investigative work up attached in the file as required for PUO) etc.
 - (f) Pediatric ward had patients with diagnosis of Inflammation cheek, Otitis media, Joint pains, Acute gastritis (without any history of vomiting as asked from the patient himself), PUO (without any investigations in the file).
 - (g) One patient Chanti admitted in Pediatric ward was admitted on the day of assessment having blank prescription slip attached to the admission file.
 - (h) In another pediatric ward, out of 11 patients, the only diagnosis was Respiratory tract infection (whereas all such patients were sleeping comfortably without any respiratory problem) and fever (without any fever) as observed and elicited by the assessor.
 - (i) In third ward of Paediatrics, virtually all 7 patients were admitted with the diagnosis of respiratory tract infection whereas all the children were normal without any respiratory problem or fever as observed and elicited by the assessor.
 - (j) In dermatology ward, patient with the diagnosis of Dermatofibroma protuberans (for biopsy), Balanoposthitis and keloid etc. were admitted.
 - (k) Gynecology ward had some patients of senile vaginitis admitted.

4. There was NIL Normal Delivery & 1 Caesarean Section on day of assessment. Only 10 Caesarean Section were performed for the month of December 2016 as per O.T. records.
5. Only 12 Gynaecological operations were performed for the month of December 2016 as per O.T. records.
6. Data of clinical material as provided by Institute appears to be inflated.
7. Admission Discharge register in the wards had many entries without provisional diagnosis raising doubts about genuine nature of data.
8. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley is not available.
9. O.T.: Out of 8 O.T.s, 2 O.T.s in Emergency were not functioning on day of assessment; resultantly 6 O.T.s are functional against requirement of 7.
10. ICUs: There was only 1 patient in PICU on day of assessment.
11. Radiodiagnosis department: The X-ray machines are not registered in the name of Medical College but in the name of Cancer or General Hospital.
12. CSSD is managed by Nursing staff. No qualified technical personnel are available.
13. Wards: Chairs in Demonstration rooms of several wards are plastic chairs like those in pandal, not suitable for study.
14. Central Library: It is not air-conditioned. There are only 2 A.C.s which are not working properly.
15. No CME programme is held during the year.
16. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 4th batch of 150 MBBS students at Viswabharathi Medical College, Kurnool, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

44. **Establishment of new medical college at Lucknow (Dr. M.C. Saxena College of Medical Sciences), Uttar Pradesh by Society for the Advancement of Environmental Sciences, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Ram Manohar Lohia Avadh University, Faizabad u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Lucknow (Dr. M.C. Saxena College of Medical Sciences), Uttar Pradesh by Society for the Advancement of Environmental Sciences, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Ram Manohar

Lohia Avadh University, Faizabad u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (3rd and 4th January, 2017) and noted the following:

1. Deficiency of faculty is 73.80 % as detailed in the report.
2. Shortage of Residents is 80.43 % as detailed in the report.
3. Bed Occupancy as assessed by assessors at 10 a.m. was 18 %.
4. There was NIL Major & NIL Minor Operation on day of assessment. No case was posted. There was no register. No Doctor was present in O.T. complex and there was no O.T. list.
5. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment. There were only 3 deliveries in the whole of 2015 and none in 2016. There was no parturition register in the labour room.
6. OPD attendance of 507 as claimed by the Institute is inflated; even so it is inadequate against requirement of 600 as per Regulations. All OPD rooms were empty and did not have any register.
7. Nursing staff: Only 21 Nursing staff are available against requirement of 175.
8. Paramedical & Non-teaching staff: 25 Paramedical & Non-teaching staff are available against requirement of 100.
9. Radiological & Laboratory investigation workload on day of assessment was grossly inadequate.
10. OPD: Teaching areas are inadequate. Injection Rooms for males/females are not available. Dressing room is common for males/females. Plaster Cutting room is not separate. There is no evidence of any treatment being provided.
11. Wards: Treatment rooms are empty rooms without any furniture or drugs. Pantry & Store rooms are also empty rooms without any facility. Some of the wards had only one Nurse & no records were maintained. Indent book & Drugs, etc. were not seen in any ward.
12. Casualty: 3 C.M.O.s are available against requirement of 4.
13. ICUs: There was NIL patient in ICCU, SICU, NICU/PICU on day of assessment.
14. Radiodiagnosis department: 1 Mobile X-ray machine is available against requirement of 2. 1 Static X-ray machine is available against requirement of 2. 1 USG machine is available against requirement of 2.
15. Blood Bank: There was NIL unit stored. No unit was dispensed on day of assessment.
16. Intercom is not available.
17. Website: Very little information is uploaded on website as verified by assessors.
18. Central Library: It is not air-conditioned. Students' Reading room (Outside) & Staff reading room are not available. Only 14 Journals are available, which are old, against requirement of 20; NIL foreign Journals are available.
19. Central Photography Section: Staff and Equipment are not available.
20. Students' Hostels: They are inadequately furnished. Hygiene is not maintained. Visitors' Room, A.C. Study room with Computer & Internet and Recreation Room are not available.
21. Residents' Hostel: Visitors' Room, A.C. Study room with Computer & Internet and Recreation Room are not available.
22. Nurses' Hostel: They are inadequately furnished. Hygiene is not maintained. Toilet facilities are inadequate.
23. Residential Quarters: 12 quarters are available for the faculty against requirement of 14.
24. Anatomy department: Only 50 specimens are available. Only 1 cadaver is available. NIL Lockers are available. Adequate exhaust, light source, water supply & drainage are not available.

25. Physiology department: Instruments are not available in Clinical Physiology laboratory as detailed in the report.
26. Biochemistry department: Practical laboratory is not furnished and is not functional.
27. Gender Harassment Committee is not constituted.
28. College Council: No information is provided by the college.
29. Pharmaco Vigilance Committee: NIL meeting is held.
30. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Lucknow (Dr. M.C. Saxena College of Medical Sciences), Uttar Pradesh by Society for the Advancement of Environmental Sciences, Lucknow, Uttar Pradesh under Ram Manohar Lohia Avadh University, Faizabad u/s 10A of the IMC Act, 1956 for the academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

45. Renewal of permission for MBBS course for 3rd batch (150 seats) of Pacific Institute of Medical Sciences, Umarda, Udaipur under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of Pacific Institute of Medical Sciences, Umarda, Udaipur under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (3rd and 4th January, 2017) alongwith representation dated 29.12.2016 received from the Principal of the college and noted the following:-

1. Many Junior Residents were not regular as evident from their salary statements.
2. While making round at 10 a.m., it was observed by assessor that there was no woman in the Labour room & no case of Caesarean was listed for the day.
3. Histopathology & Cytopathology workload is inadequate as detailed in the report.
4. Anatomy department: Specimens are not labelled.
5. Pathology department: There are 142 specimens which are not labelled.
6. Microbiology department: 7 Service laboratories are not available. Central Laboratory is used which is not a substitute for 7 different service laboratories.
7. Pharmacology department: Clinical Physiology laboratory is also used as Experimental Pharmacology laboratory.
8. Forensic Medicine department: There are NIL Medico-legal specimens in the museum.

9. Laboratories are shared between departments; however in the assessment report, there is no mention of 2 small laboratories of 90 sq.m. required as per Regulations.
10. RHTC: It is not as per MSR norms. It is running in rented house of which the agreement is done on Non judicial stamp paper purchased just 1 week before assessment on 27/12/2016. Specialists' visits are not organized. Immunization is not carried out at RHTC but it is done by Govt. staff at sub-center. Cold chain is not available.
11. UHC is running in a building owned by the Chairman but yet not handed over to the Institute. Specialists' visits are not organized. Paramedical staff is inadequate. Cold chain equipment is not available.
12. There are no fire safety measures in hostels.
13. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at Pacific Institute of Medical Sciences, Umarda, Udaipur under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

46. Renewal of permission for MBBS course for 2nd batch (150 seats) of Jaipur National University Institute for Medical Sciences and Research Centre, Jagatpura, Jaipur, Rajasthan under Jaipur National University, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of Jaipur National University Institute for Medical Sciences and Research Centre, Jagatpura, Jaipur, Rajasthan under Jaipur National University, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (4th & 5th January, 2017) and noted the following:-

1. There were only 2 patients in PICU/NICU on day of assessment.
2. There were some patients in General Medicine ward who were admitted with trivial complaints.
3. Central Library: Capacity of Students' Reading room (Outside) is 90 against 150 required.
4. Anatomy department: There are only 92 specimens.
5. Pathology department: There are only 95 specimens.
6. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at Jaipur National University Institute for Medical Sciences and Research Centre, Jagatpura, Jaipur, Rajasthan under Jaipur National University, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

47. Renewal of permission for MBBS course for 3rd batch (150 seats) of GMERS Medical College, Junagadh, Gujarat under Bhakta Kavi Narsinh Mehta University u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of GMERS Medical College, Junagadh, Gujarat under Bhakta Kavi Narsinh Mehta University u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (28th & 29th December, 2016) and noted the following:

1. Deficiency of faculty is 19.00 % as detailed in the report.
2. OPD: Cancer Detection clinic is not available in O.G. OPD.
3. O.T.: Central O₂ and Central Suction are not available. Ophthalmic O.T. & Septic O.T. are not air-conditioned.
4. ICUs: Central O₂ and Central Suction are not available. There was NIL patient in SICU. ABG Analyzer is not available. There is no Nursing station. Beds are scattered. Resuscitation Equipment is inadequate.
5. Casualty: Separate Casualty for O.G. is not available. Emergency Tray is not available.
6. Only 1 Mobile X-ray machine is functional against requirement of 2.
7. Wards: There is no separate duty room for doctors. Both males/females are accommodated in the same ward in General Surgery.
8. CT Scan is single slice against minimum 16 slice required.
9. CSSD: Receiving & Distribution points are not separate. Some Autoclaves are not functional.
10. Lecture Theaters: Hospital Lecture Theater is not as per MSR. It is not of Gallery type. Its capacity is 150 against 200 required.
11. Central Library: It is partially air-conditioned.
12. Students' Hostels: A.C. Study rooms with Computer & Internet are not available.
13. Residents' Hostel: A.C. Study room with Computer & Internet is not available.
14. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at GMERS Medical College, Junagadh, Gujarat under Bhakta Kavi Narsinh Mehta University u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

48. **Renewal of permission for MBBS course for 3rd batch (150 seats) of K.D Medical College, Hospital & Research Centre, Mathura, Uttar Pradesh under Dr. B.R Ambedkar University, Agra u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of K.D Medical College, Hospital & Research Centre, Mathura, Uttar Pradesh under Dr. B.R Ambedkar University, Agra u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that the compliance verification assessment report (24th February, 2016) alongwith a letter dated 05/02/2016 received from the appointed team of Council assessors enclosing therewith a brief report of assessment and assessment report (19th & 20th November, 2015) with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of K.D Medical College, Hospital & Research Centre, Mathura, Uttar Pradesh under Dr. B.R Ambedkar University, Agra u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (24th February, 2016) alongwith a letter dated 05/02/2016 received from the appointed team of Council assessors enclosing therewith a brief report of assessment and assessment report (19th & 20th November, 2015) and noted the following:-

1. *Deficiency of faculty is 35.10 % as detailed in the report.*
2. *Shortage of Residents is 38.29 % as detailed in the report.*
3. *Bed occupancy was 39 % on day of assessment.*
4. *Majority of patients admitted in the wards of General Medicine, General Surgery, Orthopaedics, O.G. & Psychiatry did not require admission and could have been managed on OPD basis. Case sheets were not written properly. Many patients were non-genuine.*
5. *There were NIL patients in Post-operative ward.*
6. *Data of clinical material and investigations provided by institute are inflated. These data did not match with indoor patient data.*
7. *There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.*
8. *Workload of Histopathology was only 01 & of Cytopathology was only 02 on day of assessment.*
9. *There was NIL patient in Casualty during assessment.*
10. *There was only 1 patient in ICCU & 2 in PICU/NICU. Patients admitted in MICU & SICU did not merit intensive care.*
11. *During assessment, it was observed that the patients from the lower floor wards were brought to upper floor beds; this was verified from indoor registers & treatment register.*
12. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at K.D Medical College, Hospital & Research Centre, Mathura, Uttar Pradesh under Dr. B.R Ambedkar University, Agra u/s 10A of the IMC Act, 1956 for the academic year 2016-2017".

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15/05/2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students for the academic year 2016-2017.

The Executive Committee further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 2nd batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive of the supreme Court Mandated Oversight Committee (OC subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 31.08.2016 had forwarded the following the documents as submitted by the college to the Ministry on 30.08.2016:-

- i) An affidavit dated 29.08.2016 from the Dean/Principal and Chairman of the Trust/Society/University/Company etc. Concerned.
- ii) A bank guarantee bearing No. 11600000416 dated 26.08.2016 Rs. 2 Cr issued by Oriental Bank of Commerce in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 3rd batch (150 seats) of K.D Medical College, Hospital & Research Centre, Mathura, Uttar Pradesh under Dr. B.R Ambedkar University, Agra u/s 10 A of the IMC Act, 1956 for the academic year 2017-18 has been carried out on 2nd & 3rd January, 2017. The Executive Committee considered the assessment report alongwith letter dated 03/01/2017 regarding complaint of Dr. S. Dixit against K.D. Medical College Hospital & Research Centre, Mathura, U.P as well as a letter dated 03/01/2017 of the college authorities and noted the following:

1. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
2. Histopathology workload was only 03 & Cytopathology workload only 05 on day of assessment.
3. ICUs: ABG Analyzer is not available in NICU/PICU.
4. O.T.s: Monitoring & Resuscitation equipment is inadequate as detailed in the report.
5. Blood Bank: NIL unit was issued on 31/12/2016.
6. Students' Hostels: Available accommodation is 320 against requirement of 339.
7. Anatomy department: 106 specimens are available in the museum.
8. Pathology department: 74 specimens are available in the museum.
9. RHTC: Cold chain equipment is not available.
10. Pharmaco Vigilance Committee: Minutes of meetings are not provided.
11. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 3rd batch (150 seats) of K.D Medical College, Hospital & Research Centre, Mathura, Uttar Pradesh under Dr. B.R Ambedkar University, Agra u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The Committee further decided that with regard to complaint of Dr. S. Dixit, the Executive Committee noted that the Assessors have stated that all the faculty mentioned in the complaint have left the institute and on enquiry Dean has stated that she does not know present their whereabouts.

The minutes of this item were read out, approved and confirmed in the meeting itself.

49. Live Streaming of both classroom teaching and the teaching hospital under Digital Mission Mode Project (DMMP) of MCI - Appointment of Expert Agency as Consultant for Project requirements and preparation of RFP etc.

Read: the matter with regard to Live Streaming of both classroom teaching and the teaching hospital under Digital Mission Mode Project (DMMP) of MCI - Appointment of Expert Agency as Consultant for Project requirements and preparation of RFP etc.

The Executive Committee of the Council decided to defer the consideration of the matter for the next meeting.

50. Digital Mission Mode Project (DMMP-MCI) by Medical Council of India - Scanning and digitization of additional documents.

Read: the matter with regard to Digital Mission Mode Project (DMMP-MCI) by Medical Council of India - Scanning and digitization of additional documents.

The Executive Committee of the Council decided to place the matter before Finance Committee for its consideration. However the Committee further decided that till the matter is finally decided, office be directed to act as per following recommendations of the Consultant (Finance) immediately-

“.....

2. Out of 11700 un scanned files of PG for which approximate 1,29,07,306 pages has been identified, should be reviewed and duplicity may be removed and only important and essential pages to be scanned.

3. Scanning of further files of Legal Section should be stopped immediately.

4. Scanning of essential record of other section should be considered only after completion of UG & PG records”.....

The minutes of this item were read out, approved and confirmed in the meeting itself.

51. Nomination of Chairman, Teachers Eligible Qualification Sub-Committee.

Read: the matter with regard to Nomination of Chairman, Teachers Eligible Qualification Sub-Committee.

The Executive Committee of the Council observed that as per Order dated 1.12.2016 in Civil Writ Jurisdiction case no.5291 of 2016 Dr. Basant Singh v/s State of Bihar & Ors., Dr. Arun Kumar Agarwal representing B.N. Mandal University on the Council as a member u/s 3(1)(b) of the IMC Act, 1956 is no more a member of the Medical Council of India and consequentially as Chairman of the TEQ Sub-Committee.

In view of above, the Executive Committee of the Council decided to appoint Dr. K.K. Gupta as Chairman of TEQ Sub-Committee.

The minutes of this item were read out, approved and confirmed in the meeting itself.

52. Consideration of applications of colleges which have applied for Increase of MBBS seats and starting /Increase of PG (Broad and Super Speciality) applications wherein clause 8(3)(1)(c) has been applied and/or Pre-PG assessment has not been cleared.

Read: the matter with regard to consideration of applications of colleges which have applied for Increase of MBBS seats and starting /Increase of PG (Broad and Super Speciality) applications wherein clause 8(3)(1)(c) has been applied and/or Pre-PG assessment has not been cleared.

The Executive Committee of the Council observed that Clause 8(3)(1)(c) had been applied against various medical colleges in Pre-PG/COR/Increase of seats assessments and the said Clause 8(3)(1)(c) is still persisting.

The Legal opinion obtained in this regard is given as under:-

“The querist has sought my opinion, in the cases of recognized medical colleges wherein in view of gross deficiencies found during inspection carried out for the academic session 2015-16, the querist has invoked Regulation 8(3)(1)(c) and as to whether the querist could process their applications for permission/renewal of grant of permission for the academic session 2016-17.

Regulation 8(3)(1)(c) of the Establishment of Medical College Regulation, 1999, is applicable on medical colleges which are already recognized for award of MBBS degree and / or is running postgraduate courses and provides that during any regular inspection, if such a medical college is found to have deficiency of teaching faculty and / or residents, being more than 10% and / or the deficiency of bed occupancy is found to be less than 80%, such an institute: (i) will not be considered for processing its application for starting postgraduate courses for that academic year (ii) will be issued a show cause notice as to why the recommendation for withdrawal of recognition of the undergraduate and postgraduate courses run by the institutions be not made (iii) stoppage of admissions in permitted postgraduate courses be not stopped.

The Regulation 8(3)(1)(c) also provides that a show cause notice be issued to the medical colleges as to why the recommendation for withdrawal of recognition of the courses being conducted by the institute to made in the context of undergraduate and postgraduate courses, which are recognized under Section 11(2) of the IMC Act, 1956.

In view of the above, I am of the opinion that in all such cases wherein after considering my reply of the medical college and/ or after any further inspection, the querist has satisfied itself that the college is maintaining the minimum standards of infrastructure, clinical material, teaching faculty and other physical facilities for the continuance of the recognized courses, their application can be processed for the academic year 2016-17 in accordance with the provisions of the IMC Act, 1956 and the Regulations made thereunder.

However in the cases of medical colleges, which were found to be failing to maintain minimum infrastructure for continuance of recognition, their applications can only be processed for the academic session 2016-17 once the querist is satisfied with the infrastructure, clinical material, teaching faculty and other physical facilities for the continuance of the recognized courses being conducted at colleges.”

After due & detailed deliberations the Executive Committee of the Council decided to approve the legal opinion and decided that in all such cases wherein an opportunity was given to the Institute to rectify the deficiencies pointed out in the assessment report but the institute has failed to remove the deficiencies to the satisfaction of MCI as evidenced by decision of the Executive Committee with regard to consideration of compliance verification assessment reports, their applications for increase of seats(UG and PG) /starting of PG courses be returned to the Central Government recommending disapproval of the scheme.

The minutes of this item were read out, approved and confirmed in the meeting itself.

53. **Gandhi Medical College, Bhopal– Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2017-18.**

Read: the matter with regard to Gandhi Medical College, Bhopal– Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 140-150 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (6th and 7th October, 2016) **alongwith additional information/documents submitted by the Assessors vide letter dt. 9.1.2017** and noted the following:-

1. Deficiency of faculty is 14.72 % as detailed in the report.
2. Dr. D.K. Pal, Medical Superintendent has only 7 years administrative experience against requirement 10 years as per Regulations; hence not qualified to hold the post.
3. OPD: Dressing room is common for males/females.
4. Wards: In General medicine ward, no treatment room is available. Out of 2 Skin & VD wards, 1 does not have Examination cum treatment room, Demonstration room & Doctors' Duty room. Female Orthopaedics ward does not have Examination room.
5. Casualty: Disaster Trolley is not available.
6. Central O₂ and Central Suction are not available.
7. ICUs: Air-conditioning is not in working order.
8. ETO Sterilizer is not available.
9. Examination Halls: There are 3 Examination Halls of capacity 80 each (i.e. total capacity 240) against requirement of 2 of 250 each (i.e. total capacity 500); even out of these 3, 1 is unfurnished & not in use.
10. Central Library: Only 37 Journals are available against requirement of 100. NIL foreign journals are available.
11. Residential Quarters: 31 quarters are available for Non-teaching staff against requirement of 36.
12. Anatomy department: Dissection Microscopes are not available.
13. Equipment & Instruments are inadequate in Physiology & Biochemistry departments as detailed in the report.
14. Pathology department: Only 50 specimens are available.
15. Specialists' visits are not organized at RHTC & UHC.
16. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 140-150 at Gandhi Medical College, Bhopal under Barkatullah University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

54. Maharashtra Institute of Medical Education and Research, Talegaon – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Maharashtra Institute of Medical Education and Research, Talegaon – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that a fourth Compliance Verification Assessment was carried out by the Council Assessors on 11.03.2016 for 100 seats. This compliance Verification Assessment report (11.03.2016) alongwith previous assessment report (22nd January, 2016, 20.08.2015 & 15th April, 2015 & 6th & 7th January, 2015) was considered by the Executive Committee at its meeting held on 22.03.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (11.03.2016) along with assessment report (20.08.2015 & 15th April, 2015 & 6th & 7th January, 2015) and noted the following:-

1. *Deficiency of teaching faculty is 6.68 % as detailed in the report.*
2. *Bed occupancy is 68.30 % on day of assessment.*
3. *In Orthopaedics ward, many patients were admitted who did not merit admission.*
4. *ICUs: In ICCU there was only 1 patient on day of assessment. Not all patients in MICU & MICU needed intensive care.*
5. *OPD: At 09: 30 a.m., very few patients were found at the registration counters. During round of OPDs between 10 & 11 a.m., not many patients were found in various OPDs.*
6. *In O.G. OPD, no separate Cancer Detection clinic & Family Planning clinic was available. In Paediatrics OPD, Dietician's room is used as Child Rehabilitation clinic.*
7. *In Endoscopy room of ENT OPD, Inj. Lignocaine with expiry date of December 2012 was kept. Audiometry room is not soundproof. No Speech therapy room, machines, staff are available.*
8. *Out of 6 Major operations mentioned in Orthopaedics OT register in last 3 days, only 1 was present in the ward. Others could not be traced.*
9. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to return the postgraduate applications of Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune recommending disapproval of the scheme.

The Executive Committee of the Council further decided that since the gross deficiencies of teaching faculty, residents, & infrastructure are still persisting inspite of repeated opportunities being given to the institute to rectify the same over a period of time, why the recognition for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune be not withdrawn u/s 19 of the IMC Act, 1956. It was further decided that the institute be directed not to make further admissions from the academic year 2016-17 onwards.

The Committee further decided to place the matter before the General Body of the Council."

The above recommendation of the Executive Committee was considered by the General Body of the Council at its meeting held on 30.03.2016 and it was decided as under:-

".....The Council also noted that in spite of repeated opportunities being given to Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune, it has not rectified the gross deficiencies of teaching faculty, residents, & infrastructure facilities for removal of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16.04.2010. The Council further noted that in the latest compliance verification assessment report (11.03.2016), the deficiencies are still persisting.

In view of above, the General Body of the Council decided to recommend to the Central Govt. for withdrawal of recognition for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik in respect of students being trained at Maharashtra Institute of Medical Sciences & Research, Talegaon, Pune u/s 19 of the IMC Act, 1956 and further to request the Central Govt. to ask the institution to stop admissions with immediate effect for the academic year 2016-17."

The above decision of the General Body of the Council was communicated to the Central Govt. vide Council letter dated 06.05.2016 with copy to other concerned authorities.

The Executive Committee further noted that the matter with regard to renewal of permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 at Maharashtra Institute of Medical Sciences and Research, Talegaon, Pune under Maharashtra University of Health Sciences, Nashik u/s 10 A of the IMC Act, 1956 for the academic session 2016-17 was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided that as the decision of the General Body shown above has already been communicated to the Central Government, the Executive Committee of the Council decided to recommend to the Central Govt.

not to renew the permission for fresh batch against the increased intake i.e. from 100 to 150 for the Academic Year 2016-2017.

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The Central Government vide its letter dated 15.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students against increased intake from 100-150 in MBBS course for the academic year 2016-17 and also against recognized intake of 100 seats for the academic session 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 15.06.2016 had also approved the recommendation of the Council not to admit any students in MBBS course against increased intake i.e. 100 to 150 for the academic year 2016-17 and also against recognized intake of 100 seats for the academic session 2016-17.

The Committee further noted that the Central Govt. vide its letter dated 26.09.2016 had granted approval to the said college for renewal of permission for admission of 3rd batch in MBBS students against increased intake from 100 to 150 & stoppage of de-recognition of recognized 100 MBBS seats for the academic year 2016-17, in the light of the directives dated 13.06.2016 of the Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 26.09.2016 as quoted above, the Central Govt. vide its letter dated 28/09/2016 has forwarded the following the documents as submitted by the college to the Ministry on 27.09.2016:-

- i. An affidavit dated 27.09.2016 from the Chairman of the Trust/Society and the Dean/Principal of the college concerned.
- ii. A bank guarantee bearing No. 0540IPEBG160221 dated 26.09.2016 Rs 2 Cr issued by Bank of India in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 0540IPEBG160220 dated 26.09.2016 Rs 1 Cr issued by Bank of India in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 26.09.2016 for renewal of permission for MBBS course for 3rd batch in MBBS students against increased intake from 100 to 150 at Maharashtra Institute of Medical Education and Research, Talegaon under Maharashtra University of Health Sciences, Nashik has been carried out on 6th and 7th January, 2017 and noted the following:

1. Shortage of Residents is 7.04 % as detailed in the report.
2. OPD attendance on day of assessment is 937 which is inadequate for an Institute at the stage of 3rd Renewal for increase in intake from 100 to 150.
3. 800 mA X-ray machine is not available in Radiodiagnosis department.
4. Casualty: Central Suction is not available.
5. Lecture Theater: Hospital Lecture Theater is under renovation. Hence its capacity and whether it is Gallery type or not cannot be verified.
6. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 06/09/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by

Oversight Committee in para 3.2(b) vide communication dated 06/09/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 4th Batch of MBBS students against the increased intake i.e. from 100-150 at Maharashtra Institute of Medical Education and Research, Talegaon under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 26/09/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

55. Lokmanya Tilak Municipal Medical College and General Hospital, Sion – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Lokmanya Tilak Municipal Medical College and General Hospital, Sion – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that the matter with regard to increase of seats in MBBS course from 100-150 at Lokmanya Tilak Municipal Medical College and General Hospital, Mumbai for the academic session 2016-17 u/s 10A of the IMC Act, was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

“The Executive Committee of the Council noted the letters dated 06/05/2016, 08/05/2016 and 9/05/2016 received from the Dean, Lokmanya Tilak Medical College & General Hospital, Sion, Mumbai, Mr. Rahul Shewale, Member of Parliament (Lok Sabha), New Delhi and Mr. Neelam Sonker, Member of Parliament (Lok Sabha), New Delhi.

The Executive Committee of the Council perused the opinion of Law officer which reads as under:

“The file of Lokmanya Tilak Medical College and General Hospital, Mumbai for increase of seats in MBBS from 100 to 150 has been referred for my opinion in context of letter dated 08.04.16 of the Central Government. Briefly stated the facts are that the applicant LNTM Medical College and Hospital had made an application to the Central Government on 11.08.15 and thereafter when the College enquired the status of the processing of its application it was found that the application was not traceable. Accordingly, the Ministry had sent on 18.02.16 the copy of the application that was returned by the Council as the application had been received after the cut-off date. In this regard the Ministry has stated in its letter that:

The Ministry is of the opinion that the application deserves consideration on merits as the records of the Ministry suggest receipt of the application/documents from the College before the closing date and the last date for making recommendation by MCI is not yet over.

I shall be grateful if you could consider the matter and make necessary recommendation to the Ministry on the scheme submitted by Lokmanya Tilak Municipal Medical College and General Hospital, Sion, Mumbai. Additional documents/details, if any, may be sought from the College.

2. *It may be noted that the time-schedule for application for increase in admission capacity in MBBS is same as that laid down in the Establishment of Medical College Regulations, 1999 and as per that the last date for Council to make its recommendation to the Central Government is 15th May. In order to make its recommendations, the Council firstly scrutinizes the application; and secondly, if the application is found in*

order physical verification of facilities is carried out by conducting assessment; and thirdly, if required compliance verification assessment is carried out. This whole exercise commences from 1st of October onwards. Therefore, at this juncture, when the application processing schedule has reached completion processing of an application afresh, i.e., the process that ought to have started on 01.10.2015 is not advisable.

3. Furthermore, it is noted that the consent of affiliation dated 23.06.15 issued by the Maharashtra University of Health Sciences, Nashik is for the academic session 2015-16 and on this ground the Council cannot process /consider the application for the academic year 2016-17.

4. In this regard, the Hon'ble Supreme Court in its judgment dated 20.08.15 in *Royal Medical Trust & Anr. vs. Union of India & Anr.* reported in (2015) 10 SCC 19 has in paragraph 27 of the judgment laid down the mode and manner in which the application for establishment of new Medical College, renewal of permission of existing and increase in intake capacity has to be processed, at all stages. It reads as under:-

27. The MCI and the Central Government have been vested with monitoring powers under Section 10A and the Regulations. It is expected of these authorities to discharge their functions well within the statutory confines as well as in conformity with the Schedule to the Regulations. If there is inaction on their part or non-observance of the time Schedule, it is bound to have adverse effect on all concerned. The affidavit filed on behalf of the Union of India shows that though the number of seats had risen, obviously because of permissions granted for establishment of new colleges, because of disapproval of renewal cases the resultant effect was net loss in terms of number of seats available for the academic year. It thus not only caused loss of opportunity to the students' community but at the same time caused loss to the society in terms of less number of doctors being available. The MCI and the Central Government must therefore show due diligence right from the day when the applications are received. The Schedule giving various stages and time limits must accommodate every possible eventuality and at the same time must comply with the requirements of observance of natural justice at various levels. In our view the Schedule must ideally take care of:

(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.

5. Further, the Hon'ble Supreme Court in its recent judgment in the case of *Medical Council of India vs. V.N. Public Health & Educational Trust & Anr.* in Civil Appeal No. 3964 of 2016 (arising out of SLP (C) No. 5326 of 2016) dated 18.04.16 has held as under:

14. In this context, we may profitably refer to the decision in ***D.Y. Patil Medical College v. Medical Council of India & Anr* 2015 (10) SCC 51** wherein the controversy had arisen due to rejection of the application of the institution on the ground that Essentiality Certificate was not filed along with the application form. The Court dwelled upon the principles stated in ***Educare Charitable Trust v. Union of India & Anr* AIR 2014 SC 902: (2013) 16 SCC 474, *Royal Medical Trust* (supra)** and various other decisions and, after analyzing the scheme of the Act, has held:-

"It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process."

15. The impugned order passed by the High Court is to be tested and adjudged on the anvil of the aforesaid authorities. The application for grant of approval was filed with the Essentiality Certificate which was a conditional one and, therefore, a defective one. It was not an Essentiality Certificate in law. In such a situation, the High Court could not have directed for consideration of the application for the purpose of the inspection. Such a direction, we are disposed to think, runs counter to the law laid down in ***Educare Charitable Trust* (supra)** and ***Royal Medical Trust* (supra)**. We may further proceed to state that on the date of the application, the Essentiality Certificate was not in order. The Schedule prescribed by the MCI, which had been approved by this Court, is binding on all concerned. MCI cannot transgress it. The High Court could not have gone beyond the same and issued any direction for conducting an inspection for the academic year 2016-17. Therefore, the directions issued by the learned single Judge and the affirmation thereof by the Division Bench are wholly unsustainable.

16. Consequently, the appeal is allowed and the judgments and orders passed by the High Court are set aside. It will be open to the Trust to submit a fresh application for the next academic year in consonance with the provisions of the Regulations of the MCI and as per the time Schedule; and in that event, it will be considered appropriately. In the facts and circumstances of the case, there shall be no order as to costs.

6. It is to be noted that the consent of affiliation submitted by the applicant is for the academic **year 2015-16 and not for the academic year 2016-17** for which applications are being processed. Consequently, the application is without a valid consent of affiliation that makes the application incomplete. The law laid down by the Hon'ble Supreme Court as referred above is loud and clear to the effect that incomplete applications are liable to be rejected. Therefore, it would be appropriate to recommend to the Central Government to disapprove the application of Lokmanya Tilak Medical College, Mumbai for increase of seats from 100 to 150 MBBS Admissions annually as the consent of affiliation issued by the MUHS is not valid for academic year 2016-17."

In view of above, the Executive Committee of the Council decided to approve the opinion of Law Officer and decided to return the application to the Central Govt. recommending disapproval of scheme for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 at Lokmanya Tilak Medical College & General Hospital, Sion, Mumbai under Maharashtra University of Health Sciences for academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Central Govt. vide letter dated 10.06.2016 had also disapproved the scheme of the applicant college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 15.09.2016 had issued Letter of Permission (100 to 150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 07.10.2016 as quoted above, the Central Govt. vide its letter dated 08.12.2016 has forwarded the following the documents as submitted by the college to the Ministry on 26.09.2016:-

- i. An affidavit dated 19.09.2016 from the Director (Medical Education and Major Hospitals), Municipal Corporation of Greater Mumbai.
- ii. An affidavit dated 19.09.2016 from the Dean of the college concerned.
- iii. A Bank guarantee bearing No. 0030016BG0000075 dated 22.09.2016 of Rs. 2 Cr issued by State Bank of India with a validity of 1 year with Bank's Statement that a minimum amount of Rs. 2 cr will not deposited in Municipal Corporation of Greater Mumbai's account at given point of time, for a minimum period of 1 year. The Bank is open for scrutiny for the same.
- iv. Undertakings from Municipal Commissioner, Additional Chief Secretary (Medical Education & Drugs Department) and chief Secretary, Government of Maharashtra.

The Executive Committee of the Council noted that an assessment had been conducted for renewal of 2nd batch of MBBS students on 5th and 6th January, 2017. The Executive Committee considered this assesement report and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of MBBS students against the increased intake i.e. from 100-150 in respect of Lokmanya Tilak Municipal Medical College and General

Hospital, Sion, Mumbai under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The minutes of this item were read out, approved and confirmed in the meeting itself.

56. KMCT Medical College, Kozhikode – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to KMCT Medical College, Kozhikode – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that a third compliance Verification Assessment report (16.12.2015) alongwith previous assessment report (01.07.2015, 18th April, 2015 and 12th& 13th January, 2015) was considered by the Executive Committee at its meeting held on 28.12.2015 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (16.12.2015) along with previous assessment reports (01.07.2015, 18th April, 2015 and 12th& 13th January, 2015) and noted the following:-

1. *Deficiency of faculty is 11.6 % as detailed in report.*
2. *Shortage of Residents is 29.4 % as detailed in report.*
3. *Bed occupancy is 59.5 % on day of assessment.*
4. *There were only 4 Minor operations for the whole hospital on day of assessment.*
5. *Institute is maintaining double registers. Register in General Medicine OPD did not match with one of registers having inflated data.*
6. *OPD attendance was only 413 on day of assessment against 800 required.*
7. *Radiological investigation workload is inadequate.*
8. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to return the postgraduate applications of KMCT Medical College, Kozhikode, Kerala recommending disapproval of the scheme.

The Executive Committee of the Council further decided that since the gross deficiencies of teaching faculty, residents, & infrastructure are still persisting inspite of repeated opportunities being given to the institute to rectify the same over a period of time, why the recognition for the award of MBBS degree granted by Kerala University of Health Sciences, Thrissur in respect of students being trained at KMCT Medical College, Kozhikode, Kerala be not withdrawn u/s 19 of the IMC Act, 1956. It was further decided that the institute be directed not to make further admissions from the academic year 2016-17 onwards.

The Committee further decided to place the matter before the General Body of the Council.”

The above decision was communicated to the Central Govt. vide Council letter dated 31.01.2016.

The Committee further noted that the above recommendation of the Executive Committee was considered by the General Body of the Council at its meeting held on 30.03.2016 and it was decided as under:-

“.....The Council also noted that in spite of repeated opportunities being given to KMCT Medical College, Kozhikode, Kerala under Kerala University of Health Sciences, Thrissur, it has not rectified the gross deficiencies of teaching faculty, residents, & infrastructure facilities for removal of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16.04.2010. The Council further noted that in the latest compliance verification assessment report (16.12.2015), the deficiencies are still persisting.

In view of above, the General Body of the Council decided to recommend to the Central Govt. for withdrawal of recognition for the award of MBBS degree granted by Kerala University of

Health Sciences, Thrissur in respect of students being trained at KMCT Medical College, Kozhikode, Kerala u/s 19 of the IMC Act, 1956 and further to request the Central Govt. to ask the institution to stop admissions with immediate effect for the academic year 2016-17."

The above decision of the General Body of the Council was communicated to the Central Govt. vide Council letter dated 06.05.2016 with copy to other concerned authorities.

Further, the Committee noted that the matter with regard to increase of seats in MBBS course from 100-150 at KMCT Medical College, Kozhikode for the academic session 2016-17 u/s 10A of the IMC Act, was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided that as the decision of the General Body shown above has already been communicated to the Central Government, the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of scheme for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 at KMCT Medical College, Kozhikode, Kerala under Kerala University of Health Sciences, Thrissur for academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Central Government vide its another letter dated 15.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students in MBBS course against recognized intake of 100 seats for the academic session 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 26.09.2016 had issued Letter of Permission (100 to 150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 26.09.2016 as quoted above, the Central Govt. vide its letter dated 28.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 27.09.2016:-

- i. An affidavit dated 26.09.2016 from the Chairman of the Trust/Society and the Dean/Principal of the College concerned.
- ii. A Bank Guarantee bearing No. 0097161GPER0009 dated 26.08.2016 of Rs. 2 Cr issued by Andhra Bank in favour of MCI, with a validity of 1 year.
- iii. A Bank Guarantee bearing No. 0097161GPER0011 dated 26.08.2016 of Rs. 1 Cr. issued by Andhra Bank in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council noted that an assessment had been conducted for renewal of 2nd batch of MBBS students on 6th and 7th January, 2017. The Executive Committee considered this assesement reportand decided to recommend to the Central Govt. to renew the permission for admission of 2ndbatch of MBBS students against the increased intake i.e. from 100-150 in respect of KMCT Medical College, Kozhikode under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The minutes of this item were read out, approved and confirmed in the meeting itself.

57. Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that a third compliance verification assessment report (16.12.2015) alongwith previous assessment report (01.07.2015, 8th May, 2015 and 10th & 11th March, 2015) was considered by the Executive Committee at its meeting held on 28.12.2015 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (16.12.2015) along with previous assessment reports (01.07.2015, 8th May, 2015 and 10th & 11th March, 2015) and noted the following:-

1. *Deficiency of faculty is 30.93 % as detailed in report.*
2. *Shortage of Residents is 46.83 % as detailed in the report.*
3. *Bed occupancy is 38.30 % on day of assessment.*
4. *Number of patients in OPD is 400 – 500 on day of assessment against requirement of 800.*
5. *Workload of Special investigations like Ba, IVP was NIL on day of assessment.*
6. *In Skin & VD ward, one male patient was without any case paper.*
7. *In USG register of Radiodiagnosis department, no entry of indoor patient was recorded.*
8. *In Histopathology register, there was no column/entry of patients, department, ward.*
9. *On enquiry, Registration counter clerks were not able to give clinical data.*
10. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to reiterate its earlier decision with regard to application of clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 and to return the postgraduate applications of Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram recommending disapproval of the scheme.

The Executive Committee of the Council further decided that since the gross deficiencies of teaching faculty, residents, & infrastructure are still persisting in spite of repeated opportunities being given to the institute to rectify the same over a period of time, why the recognition for the award of MBBS degree granted by Kerala University of Health Sciences, Thrissur in respect of students being trained at Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram be not withdrawn u/s 19 of the IMC Act, 1956. It was further decided that the institute be directed not to make further admissions from the academic year 2016-17 onwards.

The Committee further decided to place the matter before the General Body of the Council.”

Therefore, in view of its earlier decision as quoted above, the Committee decided to return the application for increase in MBBS seats from 100 to 150 at Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.”

The above decision of the Executive Committee was communicated to the Central Govt. vide Council letter dated 31.01.2016.

Subsequently, the college authorities vide letter dated 06.04.2016 had withdrawn the application for enhancement of MBBS seats from 100 to 150 seats from 2016-17.

In view of above, the Council office vide letter dated 04.05.2016 recommended to the Central Govt. to reiterate the earlier decision of the

Executive Committee to return the application for increase in MBBS seats from 100 to 150 at Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram under Kerala University of Health Sciences, Thrissuru/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

On the recommendation of the Council, the Central Govt. vide letter dated 12.05.2016 had returned the application for increase of seats of admission capacity in MBBS course from 100 to 150 u/s 10(A) of the IMC Act, 1956 to the college authorities with the advise to apply afresh for next academic year.

The Executive Committee further noted that the Central Government vide its another letter dated 15.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students in MBBS course against recognized intake of 100 seats for the academic session 2016-17.

The Central Govt. vide letter dated 12.05.2016 had also disapproved the scheme of the applicant college for the academic year 2016-2017.

The Committee further noted that the Central Government vide another letter dated 15.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students in MBBS course at Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram against recognized intake of 100 seats for the academic year 2016-17.

Thereafter, the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (100 to 150 seats) and renewal of recognition for 100 MBBS seats to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 20.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 31.08.2016:-

- i. An affidavit dated 23.08.2016 from the Chairman of the Society and the Principal of the College concerned.
- ii. A Bank Guarantee bearing No. 0721BG000082016 dated 31.08.2016 of Rs. 2 Cr issued by South Indian Bank, Trivandrum in favour of MCI, with a validity of 1 year.
- iii. An extended Bank Guarantee upto 31.12.2021 in continuation of Bank Guarantee bearing No. 734GOPG1224980002 dated 30.08.2012 of Rs. 1 Cr. issued by Canara Bank, (forwarded to MCI along with the application) in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council noted that an assessment had been conducted for renewal of 2nd batch of MBBS students on 6th and 7th January, 2017. The Executive Committee considered this assessment report and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of MBBS students against the increased intake i.e. from 100-150 in respect of Dr. Somervell Memorial CSI Medical College & Hospital, Thiruvananthapuram under Kerala University of Health Sciences, Thrissuru/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The minutes of this item were read out, approved and confirmed in the meeting itself.

58. Increase of seats in MBBS course from 100-150 at Raichur Institute of Medical Sciences, Raichur u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

Read: the matter with regard to increase of seats in MBBS course from 100-150 at Raichur Institute of Medical Sciences, Raichur u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (4th and 5th January, 2017) and noted the following:-

1. Deficiency of faculty is 11.11 % as detailed in the report.
2. Shortage of Residents is 51.94 % as detailed in the report.
3. Bed Occupancy would be 66.29 % on day of assessment.
4. Casualty: ABG Analyzer is not available.
5. OPD: Injection room is common for males/females. Dressing room is common for males/females. Plaster Cutting room is not separate. Immunization clinic is not available in Paediatrics OPD. Sterility clinic is not available in OG OPD. Teaching areas are not available in many OPDs.
6. Wards: Teaching area, Pantry, Treatment room are not available in many wards. Distance between 2 beds is < 1.5 m. Nursing stations are not properly located.
7. Lecture Theaters: Hospital Lecture Theater is not available.
8. Central Library: Available area is inadequate. Librarian is available. Capacity of Students' Reading room (Outside) & Students' Reading room (Inside) is 106 & 120 respectively against requirement of 150 each. Journals are very old.
9. Residents' Hostel: Temporary arrangement is done in the campus. As no details have been provided, it is not possible to verify whether it is adequate or not.
10. Physiology department: Capacity of 1 Demonstration room is inadequate.
11. Biochemistry department: Only 1 Demonstration room is available against requirement of 2.
12. In some laboratories, Electrical points are inadequate.
13. Open Mortuary is not available. Cold storage is shared between Forensic Medicine & Anatomy departments.
14. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to grant Letter of Permission for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 in respect of Raichur Institute of Medical Sciences, Raichur under Rajiv Gandhi University of Health Sciences, Bangalore for the academic year 2017-2018.

59. Renewal of permission for MBBS course for 3rd batch (150 seats) of GITAM Institute of Medical Sciences & Research, Vishakhapatnam under GITAM University, (Deemed) u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of GITAM Institute of Medical Sciences & Research, Vishakhapatnam under GITAM University, (Deemed) u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (4th & 5th January, 2017) and decided to recommend to the Central

Govt. to renew the permission for admission of 3rd batch of 150 MBBS students at GITAM Institute of Medical Sciences & Research, Vishakhapatnam under GITAM University, (Deemed)u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

60. **Establishment of new medical college at Meerut, Uttar Pradesh (Mulayam Singh Yadav Medical College & Hospital, Meerut, Uttar Pradesh) by KSD Charitable Trust, Meerut, Uttar Pradesh with an annual intake of 150 MBBS Students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Meerut, Uttar Pradesh (Mulayam Singh Yadav Medical College & Hospital, Meerut, Uttar Pradesh) by KSD Charitable Trust, Meerut, Uttar Pradesh with an annual intake of 150 MBBS Students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 10/01/2017 received from the appointed team of Council assessors and noted the following:-

"In referecnce to MCI(34(41)/2016-Med./E-66/ dated 05.01.2017, we the assessors reached the institute Mulayam Singh Yadav Medical College & Hospital at Meerut, Uttar Pradesh by KSD Charitable Trust for Assessment of the Physical and the other teaching facilities available for 150 seats u/s 10A of the IMC Act, 1956 for the academic year 2017-18 at 9.45 AM on 10.01.2017.

Principal Prof. Sarat Chandra Das MD (Microbiology) and Dr. Ashwani Sharma, Director General of this Institute was present. Principal received the letter at 10AM on 10.01.2017.

They were not in position to conduct the inspection process due to sudden demise of their trustee's father and declared holiday on 10.01.207. Hence we could not conduct the assessment process."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Meerut, Uttar Pradesh (Mulayam Singh Yadav Medical College & Hospital, Meerut, Uttar Pradesh) by KSD Charitable Trust, Meerut, Uttar Pradesh under Ch. Charan Singh University, Meerut to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

61. **Establishment of new medical college at Rampur, Uttar Pradesh (Jauhar Institute of Medical Sciences, Rampur) by Maulana Mohammad Ali Jauhar Trust, Rampur, Uttar Pradesh with an annual intake of 150 MBBS students under Mohammad Ali Jauhar University, Rampur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to Establishment of new medical college at Rampur, Uttar Pradesh (Jauhar Institute of Medical Sciences, Rampur) by Maulana Mohammad Ali Jauhar Trust, Rampur, Uttar Pradesh with an annual intake of 150 MBBS students under Mohammad Ali Jauhar University, Rampur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the letter dated 06/01/2017 received from the appointed team of Council assessors and noted the following:-

1. *The Principal/Dean of the Institute was not present and no other faculty members found present. Meanwhile, Vice Chancellor of the University met us. We informed him about the purpose of our visit. He expressed his inability to facilitate the assessment because of non-availability of faculties today i.e. on the day of assessment. Vice Chancellor handed over a letter for MCI to us which is enclosed herewith.*
2. *Therefore the LOP assessment could not be carried out and the assessment team returned."*

The Committee further perused the letter dated 06/01/2017 received from the Vice, Chancellor, Mohammad Ali Jauhar University, Rampur stating as under:-

"It is apprised that the MCI Assessors visited us on 06/01/18 (Friday) morning around 09.00 hrs. As per the charter of the visit, Assessors wanted to begin the assessment by marking the attendance of the faculty/clinical material. As Mohammad Ali Jauhar Institute of Medical Sciences is a minority Institution and University doesn't function on Friday, the assessment couldn't be done.

It was suggested that if possible the assessment may be postponed to begin on Saturday morning; the day University functions. However, the Assessors expressed to function in reference of the charter of MCI.

Hence the University has left with no option but to request for the postponement of assessment date with the request that MCI may not send their team on any Friday to met with the similar stalemate, considering that we are a minority institution....."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Rampur, Uttar Pradesh (Jauhar Institute of Medical Sciences, Rampur) by Maulana Mohammad Ali Jauhar Trust, Rampur, Uttar Pradesh under Mohammad Ali Jauhar University, Rampur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

62. Establishment of new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu with an annual intake of 150 MBBS students under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu with an annual intake of 150 MBBS students under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (10th March, 2016) alongwith previous assessment report (29th & 30th December, 2015) with regard to grant of Letter of Permission for establishment of New Medical College at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the

Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (10th March, 2016) along with previous assessment report (29th & 30th December, 2015) and noted the following:

1. *Deficiency of faculty is 38.46 % as detailed in the report.*
2. *Shortage of Residents is 26.09 % as detailed in the report.*
3. *OPD attendance on day of assessment is 371 against requirement of 600.*
4. *Bed occupancy on day of assessment is 12.66 %.*
5. *There was NIL Major operation on day of assessment.*
6. *There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.*
7. *Histopathology & Cytopathology workload on day of assessment is only 1 each which is grossly inadequate.*
8. *There was NIL patient in ICCU & all ICUs on day of assessment.*
9. *Blood Bank License is not available.*
10. *Casualty attendance was only 08 on day of assessment.*
11. *Radiological investigation workload is inadequate.*
12. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu under The Tamilnadu Dr. MGR Medical University, Chennai to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.”

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016.

The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 08/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 24.08.2016:-

- i. An affidavit dated 23.08.2016 from the Managing Trustee of the Society concerned and from the Dean of the College concerned.
- ii. A bank guarantee bearing No. 09/2016 dated 23.08.2016 of Rs. 2 Cr issued by Indian Bank in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 007/2015 dated 11.07.2015 of Rs. 7.5 Cr issued by Indian Bank in favour of MCI, with validity of 5 years alongwith extension No. 1 dated 20.08.2016 extending the Bank Guarantee till 30.09.2021.
- iv. A bank guarantee bearing No. 006/2015 dated 11.07.2015 of Rs. 2 Cr issued by Indian Bank in favour of MCI, with validity of 5 years alongwith extension No.1 dated 20.08.2016 extending the Bank Guarantee till 30.09.2021.

The Executive Committee further noted that in reference to conditional approval granted by the Central Govt. in the light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in

the Letter of Permission dated 20.08.2016 for establishment of new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu under The Tamilnadu Dr. MGR Medical University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 28th and 29th December, 2016. The Executive Committee considered the assessment report dated 28th & 29th December, 2016 alongwith letters/representation of the college authorities dated 28/12/2016, 29/12/2016 and 30/12/2016 and noted the following:-

1. Deficiency of faculty is 22.72 % as detailed in the report.
2. Shortage of Residents is 28.26 % as detailed in the report.
3. Bed Occupancy is 42.33 % at 10 a.m. on day of assessment as under:

#	Department	Beds	
		Available	Occupied
1	General Medicine	72	26
2	Paediatrics	24	06
3	Tb & Chest	08	04
4	Psychiatry	08	00
5	Skin & VD	08	07
6	General Surgery	90	45
7	Orthopaedics	30	15
8	Ophthalmology	10	02
9	ENT	10	06
10	O.G.	40	16
	TOTAL	300	127

4. Most of admitted patients did not merit to be admitted. In General Medicine ward, some patients were admitted for complaints of fever, headache, etc.
5. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
6. Cytopathology workload is NIL. Histopathology workload is only 01.
7. ICUs: There was NIL patient in NICU/PICU, only 1 patient each in ICCU; SICU and only 2 patients in MICU on day of assessment. Both patients in MICU were of Hypertension not meriting admission in MICU.
8. There were only 03 Major & 03 Minor Operations on day of assessment.
9. Radiological workload as observed by assessor is inadequate.
10. OPD attendance of 649 as claimed by the Institute and number of Laboratory investigations appear to be inflated data.
11. Other deficiencies as pointed out in the assessment report

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, has decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Manamai – Nellur, Tamilnadu by Ponnaiyah Institute of Medical Sciences & Technology Trust, Tamilnadu under The Tamilnadu Dr. MGR Medical University, Chennai, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and the Central Government.

The minutes of this item were read out, approved and confirmed in the meeting itself.

63. Establishment of new medical college at Bhopal, Madhya Pradesh by Advanced Medical Science and Educational Society with an annual intake of 150 students under Madhya Pradesh Medical University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Bhopal, Madhya Pradesh by Advanced Medical Science and Educational Society with an annual intake of 150 students under Madhya Pradesh Medical University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (2nd February 2016) alongwith previous assessment report (11th & 12th December, 2015) with regard to grant of Letter of Permission for Establishment of new medical college at Bhopal, Madhya Pradesh by Advanced Medical Science and Educational Society with an annual intake of 150 students under Madhya Pradesh Medical University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 at it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (2nd February 2016) along with previous assessment report (11th & 12th December, 2015) and letter dated 20/02/2016 received from Sh. Amitabh Agnihotri forwarding therewith a copy of Order dated 03/02/2016 passed by Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No.2110/2016 and noted the following:-

1. *Deficiency of faculty is 29.23 % as detailed in the report.*
2. *Shortage of Residents is 43.47 % as detailed in the report.*
3. *Most of Senior Residents are not residing in the hostel.*
4. *Bed occupancy was 20 % on day of assessment.*
5. *OPD attendance is only 446 which is inadequate.*
6. *In case of Dr. Rajesh Gattani, Professor of General Surgery, Dr. Preeti Gattani, Professor of O.G. and Dr. Vikas Trehan, Asst. Prof. of Anaesthesiology, it was observed that there was false signature in attendance sheet. They were absent during head counting.*
7. *In General Medicine, General Surgery, Orthopaedics, ENT wards, many non-genuine patients with minor complaints were admitted. Many patients did not have relevant complaints in case paper as well as treatment and investigation record.*
8. *Blood Bank is not functional.*
9. *Casualty: It was empty at 10:30 a.m. There were only 4 registered patients.*
10. *Wards: There are no Demonstration rooms, Pantry, Store room, Examination cum Treatment room Doctors' duty room, Nursing station in many wards. Deficiency remains as it is.*
11. *ICUs: ICCU, MICU & SICU has only 1 Ventilator. In PICU & NICU only basic equipment is available. There was only 1 patient in PICU, NICU on day of assessment. In PICU, operated patient of Hydrocele without any serious complication was kept. (Mr. P.N. Vishwakarma, IPD # 10633)*
12. *Intercom facility is not available. Deficiency remains as it is.*
13. *Central Clinical Laboratory has only OPD collection. There is no indoor collection.*
14. *There was only 1 Major & 1 Minor operation on day of assessment.*

15. *There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.*
16. *Radiological & Laboratory investigation workload is inadequate.*
17. *In Serology, Haematology, Cytopathology & Histopathology laboratories, false entry & reporting were observed.*
18. *Unit-wise bed distribution is not there.*
19. *CSSD had dispatched only 1 Drum & 3 Trays on day of assessment which is inadequate.*
20. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Bhopal, Madhya Pradesh by Advance Medical Science and Educational Society under Madhya Pradesh Medical University, Jabalpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council also decided to refer the matter to the Ethics Committee for necessary action in the matter."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016.

The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 12.09.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 12.09.2016 the Central Govt. vide its letter dated 06/10/2016 had forwarded the following the documents as submitted by the college to the Ministry on 30.08.2016:-

- i. An affidavit dated 19.09.2016 from the Chairman of the Society concerned.
- ii. An affidavit dated 19.09.2016 from the Dean of the College concerned.
- iii. A bank guarantee bearing No. 68680IGL0000716 dated 22.09.2016 of Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 1 year.
- iv. A bank guarantee bearing No. 68680IGL0000816 dated 23.09.2016 of Rs. 9.5 Cr issued by Union Bank of India in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 12.09.2016 for Establishment of new medical college at Bhopal, Madhya Pradesh by Advanced Medical Science and Educational Society with an annual intake of 150 students under Madhya Pradesh Medical University, Jabalpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 4th & 5th January, 2017. The Executive Committee considered the assessment report dated 4th & 5th January, 2017 alongwith a representation dated 5.1.2017 received from the Dean of the College and a complaint dated 22.11.2016 (received on 04.01.2017) from Dr. Sheodutt Dixit, Bhopal. The Committee noted the following:-

1. Deficiency of faculty is 30.76 % as detailed in the report.
2. Physical attendance registers of the faculty were not available in Dean's office. Attendance was marked by a few faculty for the previous day.

3. Shortage of Residents is 80.43 % as detailed in the report.
4. Many Residents are not staying in the Residents' hostel.
5. OPD attendance was < 250 against requirement of 600. At the time of taking round, only 08 patients were seen in OPD.
6. Bed Occupancy was 25.66 % on day of assessment at 10 a.m.
7. Out of 25.66% indoor patients, many patients did not appear genuine it seems that some workers/staff members without any medical illness were lying on the beds. No personal belongings, attendant or medicines were there. One patient Daulat Singh M 26 years admission number 10186 was admitted on 02.01.2017 and follow up doctor's treatment notes were not recorded on the case sheet on the day of assessment. One patient Bhagwan male 50 years admission No.10193 admitted on 02.10.2017 but no doctor's treatment follow up notes for the 04.1.2017 was available (copy of the case sheet are enclosed).
8. There were only 3 Major Operations on day of assessment.
9. During the round in teaching staff quarters it was found that BG-4 was allotted to Four faculty namely Dr. Faizan Chitapuri, Dr.Ankit Kumar Shah, Dr. Pawan Kumar Gupta and Dr.Brij Mohan Gupta but quarter was fully vacant and nobody was staying there.
10. Nursing and Paramedical & Non-teaching staff are inadequate.
11. Salary statements of faculty & other staff were not provided in spite of repeated reminders.
12. Medical college campus is not unitary but divided in 2 parts by a State public road. One piece of land admeasuring 23 Acres accommodates college building, hospital and hostels; second piece admeasuring 2 Acres only accommodates staff quarters.
13. Laboratory investigation workload is less. Histopathology is outsourced.
14. OPD: Cancer Detection clinic is not available in OG OPD.
15. Casualty: Separate Casualty for O.G. is not available.
16. ICUs: There was NIL patient in SICU and NICU/PICU.
17. Only 1 USG is available against requirement of 2. PNDD certificate for USG is required.
18. Blood Bank: No unit was dispensed on day of assessment.
19. CSSD: Receiving & Distribution points are not separate.
20. Lecture Theaters: Audiovisual aids are available in 1 Lecture Theater only.
21. Central Library: It is not air-conditioned.
22. Common Rooms for Boys & Girls: Designated area is a single big hall without partition and without furniture.
23. Students' Hostel: Visitors' room, A.C. Study room with Computer & Internet are not available.
24. Nurses' Hostel: Facilities are inadequate. No Nurses are residing here. On visit it was observed that a few labourers were staying there.
25. Residential Quarters: 11 quarters are available for faculty against 14 required; even these quarters are not available in the main campus. NIL quarters are available for Non-teaching staff.
26. Anatomy department: Only 60 specimens are available. Only 5 cadavers are available.
27. Other deficiencies as pointed out in the Assessment Report.

The Executive Committee further noted the *clause 2(2) of Establishment of Medical College Regulations, 1999* amended vide Notification dated 04.06.2012 and further amended vide Notification dated 28.10.2013 which reads as under:-

...2. IN the "Establishment of Medical College Regulations, 1999", as amended vide notification dated 14.10.2011, in clause 2(2) under the heading "QUALIFYING CRITERIA" the following shall be added after the third paragraph:-

“Provided further for a period of five years in the states of Bihar, Chattisgarh, Jharkhand, Madhya Pradesh, Orissa, Rajasthan, Uttar Pradesh and West Bengal, establishment of medical college shall be allowed on two pieces of land comprising minimum of 20 (twenty) acres of land. However, one plot of land shall not be less than 10 (ten) acres and the second plot of land shall also be not less than 5(five) acres. The distance between two pieces of land shall not be more than 10 (ten) kilometers with well connected road and free transportation facility for students and staff. The hospital should be on one piece of land and the building of the college including library and hostels for the students, intern, Pgs/Residents, nurses may be housed on any of the two pieces of land. The said hospital should be functional for atleast 3 years.

The Executive Committee noted that the above criteria has not been fulfilled by the applicant institution as the medical college campus is not unitary but divided in 2 parts by a State public road. One piece of land measuring 23 Acres accommodates college building, hospital and hostels; second piece measuring 2 Acres only accommodates staff quarters. It is further noted that the hospital has been established in July, 2014 as per Essentiality Certificate dated 16.1.2015 issued by the State Govt. of Madhya Pradesh as well the certificate dated 5.1.2017 provided by the Dean of the Institution which states that hospital was started only since 5th Dec. 2014 and therefore was not functional for 3 years at the time of submission of application i.e.28.08.2015.

In view of above as the applicant has failed to meet the qualifying criteria u/s 3(2)(2) of Establishment of Medical College Regulations, 1999 it is not entitled to establish a new medical college at Bhopal *and also* as the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per the directions passed by the Supreme Court mandated Oversight Committee and communicated vide Ministry of Health & F.W. letter dated 12/09/2016 [para 1 (i)]. The Executive Committee, after due deliberation and discussion, has decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee and communicated vide Ministry of Health & F.W. letter dated 12/09/2016 [in para 2(b)], the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Bhopal, Madhya Pradesh by Advanced Medical Science and Educational Society under Madhya Pradesh Medical University, Jabalpur, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 12/09/2016 is liable to be encashed.

The Executive Committee further noted that the grant of Letter of Permission by the Central Government on the directives of Oversight Committee has been without fulfilling the Qualifying Criteria of Establishment of Medical College Regulations, 1999 pertaining to hospital being functional for 3 years at the time of making application. Accordingly, the Executive Committee decided to recommend to the Central Govt. to revoke the Letter of Permission granted on 12.09.2016.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

64. Establishment of New Medical College at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun, Uttarakhand u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

Read: the matter with regard to establishment of New Medical College at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun, Uttarakhand u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

The matter with regard to Establishment of New Medical College at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun, Uttarakhand u/s 10A of the IMC Act, 1956 for the academic year 2016-17 was considered by the Executive Committee of the Council at its meeting held on 13/05/2016 and it was decided as under:-

“The Executive Committee of the Council perused the opinion of law Officer which reads as under:

“The file of Undergraduate Section for establishment of new Medical College at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun for establishment of new Medical College has been referred for my opinion in context of Central Government letter dated 11.05.16. The Central Government has referred back the matter to Medical Council of India to verify the land deed and property card of the trust and with consultation of Legal Cell called upon the Council to take further suitable action.

2. *In this regard the representation dated 06.05.2016 of the authorized representative of the Principal and Dean of the college has been also forwarded. The applicant has refuted the Council objections that a part of land that the applicant Dr. Jagat Narain Subharti Charitable Trust is claiming to be owned and possessed by it is in the name of Sri Sri 1008 Narayan Swami Charitable Trust. It has stated that the land is either in the name of Dr. Jagat Narain Subharti Charitable Trust and Sri Sri 1008 Narayan Swami Charitable Trust belongs to the applicant. In this regard reliance is placed on the certificates dated 16.12.2014 of Tehsildar (Enclosure No. 3 of the representation) and 17.11.2015 of the District Magistrate (Enclosure No. 9 of the representation).*

3. *The first certificate of Tehsildar contains details in respect of 44 pieces of land in Table – A and Eight pieces of land in Table – B. Nine pieces of land in Table – A are shown to be registered in the name of Sri Sri 1008 Narayan Swami Charitable Trust. It also contains a line to the effect that the land is registered in the name of Dr. Jagat Narain Subharti Charitable Trust and in the name of its previous name Sri Sri 1008 Narayan Swami Charitable Trust. Further in the letter dated 17.11.2015 of the District Magistrate that is addressed to Secretary, Medical Education, Government of Uttarakhand, details of land are provided in a Table as under:*

Sr. No.	Name of the Village	Ownership as per records	Area (in Hect.)
1.	Kotda Santaur	Sri Sri 1008 Narayan Swami Charitable Trust	2.6058
		Dr. Jagat Narain Subharti Charitable Trust	2.3161
2.	Kolhupani Jhajhra	Dr. Jagat Narain Subharti Charitable Trust	0.855
3.	Jhajhra	Dr. Jagat Narain Subharti Charitable Trust	2.3335
		Total	8.1108Hect.

4. *Both above certificates are clear to the effect that ownership in respect of 2.6058 Hectare of land is vested with Sri Sri 1008 Narain Swami Charitable Trust. Thus, partly the land is registered in the name of another Trust.*

5. Further, the applicant has also enclosed certificate dated 01.03.2016 issued by the District Magistrate, Dehradun and addressed to the Administrative Officer of the applicant Trust wherein the table in respect of land in the certificate issued by the Tehsildar referred above are reproduced. Further the District Magistrate has also stated in his letter that the Administrative Officer of the applicant had appeared on 27.02.2016 in his office and produced before him registered "Amended Trust Deed" dated 15.09.2011 In paragraph 6(A) of this trust deed it is stated that the name of Sri Sri 1008 Sri Narain Swami Charitable Trust has been changed to Dr. Jagat Narain Subharti Charitable Trust. Therefore, as per amended trust deed dated 15.09.2011 the total extent of land in the name of the trust is 8.1108 Hectare or 20 Acre of land. Furthermore, the said certification also states that as per revenue records the land is free from any encumbrance.

6. The Council office is also in receipt of complaint dated 06.05.2016 made by Sh. Manish Verma addressed to Joint Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi with copies marked to President, Secretary, Medical Council of India and Director, CBI. The complaint contains various allegations and as regards land there is reference that the dispute between the two trusts is pending in the court of Hon'ble District Judge, Dehradun. Further, it is alleged that till date any application for mutation in respect of land registered in the name of Sri Sri 1008 Narain Swami Charitable Trust has not been made by the trustees of Dr. Jagat Narain Subharti Trust. The complainant has also annexed copy of note sheet dated 27.01.2016 in which the Joint Secretary, Home and Medical Education Department Govt. of Uttarakhand has stated that 2.6058 Hectare land is not entered in revenue records in the name of Dr. Jagat Narain Subharti Charitable Trust. It is in the name of Sri Sri 1008 Narain Swami Charitable Trust. Further, in the said note sheet there is a reference to Suit No. 60/2012 between the two trusts is pending in the Hon'ble District Court.

7. The Council is a respondent in the litigation pending in the Hon'ble District Court. It is represented by Sh. Rajpal Singh, Advocate who has informed that the case between the two trusts is as on date pending.

8. After perusal of the above documents, it is evident that land to the extent of 2.6058 Hectare is registered in the name of Sri Sri 1008 Narain Swami Charitable Trust i.e. evident from the certificate issued by Tehsildar as well as District Magistrate. The contention of college that the Dr. Jagat Narain Subharti Charitable Trust owns the land of Sri Sri 1008 Narain Swami Charitable Trust is unacceptable in view of the pending litigation between the parties as well as the fact, it has till date not been entered in the revenue records in the name of Dr. Jagat Narain Subharti Charitable Trust.

9. In this regard, it may be noted the Hon'ble Supreme Court in its judgment dated 20.08.15 in Royal Medical Trust & Anr. vs. Union of India & Anr. reported in (2015) 10 SCC 19 has in paragraph 27 of the judgment laid down the mode and manner in which the application for establishment of new Medical College, renewal of permission of existing and increase in intake capacity has to be processed, at all stages. It reads as under:-

27. The MCI and the Central Government have been vested with monitoring powers under Section 10A and the Regulations. It is expected of these authorities to discharge their functions well within the statutory confines as well as in conformity with the Schedule to the Regulations. If there is inaction on their part or non-observance of the time Schedule, it is bound to have adverse effect on all concerned. The affidavit filed on behalf of the Union of India shows that though the number of seats had risen, obviously because of permissions granted for establishment of new colleges, because of disapproval of renewal cases the resultant effect was net loss in terms of number of seats available for the academic year. It thus not only caused loss of opportunity to the students' community but at the same time caused loss to the society in terms of less number of doctors being available. The MCI and the Central Government must therefore show due diligence right from the day when the applications are received. The Schedule giving various stages and time limits must accommodate every possible eventuality and at the same time must comply

with the requirements of observance of natural justice at various levels. In our view the Schedule must ideally take care of:

(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.

10. Further, the Hon'ble Supreme Court in its recent judgment in the case of *Medical Council of India vs. V.N. Public Health & Educational Trust & Anr.* in Civil Appeal No. 3964 of 2016 (arising out of SLP (C) No. 5326 of 2016) dated 18.04.16 has held as under:

1. In this context, we may profitably refer to the decision in **D.Y. Patil Medical College v. Medical Council of India & Anr 2015 (10) SCC 51** wherein the controversy had arisen due to rejection of the application of the institution on the ground that Essentiality Certificate was not filed along with the application form. The Court dwelled upon the principles stated in **Educare Charitable Trust v. Union of India & Anr AIR 2014 SC 902: (2013) 16 SCC 474, Royal Medical Trust** (supra) and various other decisions and, after analyzing the scheme of the Act, has held:-

“It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.”

15. The impugned order passed by the High Court is to be tested and adjudged on the anvil of the aforesaid authorities. The application for grant of approval was filed with the Essentiality Certificate which was a conditional one and, therefore, a defective one. It was not an Essentiality Certificate in law. In such a situation, the High Court could not have directed for consideration of the application for the purpose of the inspection. Such a direction, we are disposed to think, runs counter to the law laid down in **Educare Charitable Trust** (supra) and **Royal Medical Trust** (supra). We may further proceed to state that on the date of the application, the Essentiality Certificate was not in order. The Schedule prescribed by the MCI, which had been approved by this Court, is binding on all concerned. MCI cannot transgress it. The High Court could not have gone beyond the same and issued any direction for conducting an inspection for the academic year 2016-17. Therefore, the directions issued by the learned Single Judge and the affirmation thereof by the Division Bench are wholly unsustainable.

16. Consequently, the appeal is allowed and the judgments and orders passed by the High Court are set aside. It will be open to the Trust to submit a fresh application for the next academic year in consonance with the provisions of the Regulations of the MCI and as per the time Schedule; and in that event, it will be considered appropriately. In the facts and circumstances of the case, there shall be no order as to costs.

11. It is to be noted that in accordance with the time-schedule for establishment of new Medical College, an applicant is required to submit a complete application to the Central Government. An applicant is required to own and possess clear and undisputed title to the land. In this case the facts as stated as above brings out the title is not clear and it is disputed.

12. Therefore, in my considered opinion the applicant has failed to fulfill the qualifying criteria regarding land as required in accordance with the Regulations. Hence, on this count of the application is liable to be rejected. The law laid down by the Hon'ble Supreme Court as referred above is loud and clear to the effect that Land is part of qualifying criteria and thus when the title of land is not clear and disputed the application becomes incomplete and such applications are liable to be rejected. Therefore, it would be appropriate to recommend to the Central Government to disapprove the application of for

establishment of new Medical College by Dr. Jagat Narain Subharti Charitable Trust as it has failed to fulfill the qualifying criteria of owning and possessing land as required by Regulations at the time of making application.

13. It is also brought to notice that the applicant trust has filed writ petition bearing no. 1125 of 2016 before the Hon'ble High Court of Uttarakhand. In this petition the petitioner has inter-alia prayed for directions to conduct assessment by independent observers appointed by the Hon'ble High Court and processing of its application uninfluenced by complaints regarding land. Sh. Parikshit Saini, Standing Counsel of Medical Council of India in the Hon'ble High Court of Uttarakhand has telephonically informed of the order passed on 12.05.2016, that reads as under:

"Learned counsel for respondent no. 2-MCI has come up with the instructions that the MCI will hold the meeting, and then decide what to do with the directions issued by the Central Government vide letter dated 06.05.2016 in respect of the petitioner.

The only direction, which the Court deems fit is that the decision, if any taken up MCI shall be communicated to the Union of India as well as to the petitioner, at an earliest possible, keeping in view the time schedule prescribed by the authority concerned.

Let a certified copy of this order be supplied to the learned counsel for the petitioner, today itself, on payment of usual charges."

14. In view of the above order of the Hon'ble High Court, the decision taken by the Executive Committee on the directions of Central Government is required to be communicated to the Central Government as well as to the petitioner keeping in view the time schedule regarding processing of application.

The Executive Committee of the Council decided to approve the opinion of law officer and it was further decided to reiterate earlier decision to return the application as the applicant has failed to meet the qualifying criteria u/s 3(2)(2) of Establishment of Medical College Regulations, 1999 for establishment of a new medical college at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun, Uttarakhand to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17."

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15/05/2016 and copy to the applicant Trust.

The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 26.09.2016, the Central Govt. vide its letter dated 28/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 27.09.2016:-

- i. An affidavit dated 27.09.2016 from the Chairman of the Trust/Society and the Principal/Dean of the College concerned.
- ii. A bank guarantee bearing No. 0318ILG001316 dated 27.09.2016 of Rs. 7.5 Cr issued by Punjab National Bank in favour of MCI, with a validity of 5 years.

- iii. A bank guarantee bearing No. 0318ILG001116 dated 27.09.2016 of Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 1 year.
- iv. A Bank guarantee bearing No. 0318ILG001216 dated 27.09.2016 of Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 5 years.

The Executive Committee further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun, Uttarakhand under H.N.B. Uttarakhand Medical Education University, Dehradun u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was carried out by the Council Assessors on 26th & 27th October, 2016. The Executive Committee considered the assessment report (26th & 27th October, 2016) and noted the following:-

1. Deficiency of faculty is 20.00 % as detailed in the report.
2. Shortage of Residents is 21.70 % as detailed in the report.
3. OPD attendance is 535 on day of assessment against requirement of 600 as per Regulations.
4. Bed Occupancy is 31.33 % at 10 a.m. on day of assessment as under:

#	Department	Beds	
		Available	Occupied
1	General Medicine	72	30
2	Paediatrics	24	05
3	Tb & Chest	08	00
4	Psychiatry	08	00
5	Skin & VD	08	00
6	General Surgery	90	18
7	Orthopaedics	30	08
8	Ophthalmology	10	11
9	ENT	10	04
10	O.G.	40	18
	TOTAL	300	94

5. There was NIL Normal Delivery & 1 Caesarean Section on day of assessment.
6. ICUs: There was NIL patient in ICCU & only 1 patient each in MICU; SICU and NICU/PICU on day of assessment.

It is stated that the Council Office vide its letter dated 04.10.2016 brought the facts of the land dispute of the applicant college to the notice of the Secretary to the Oversight Committee as well as Central Govt. with the request to re-consider their decision with regard to Sridev Suman Subharati Medical College, Dehradun, Uttarakhand as 20 acres of land was not in the name of the applicant Trust as well as no assessment had taken place for the academic year 2016-2017.

Thereafter, the Council Office had received a copy of Order dated 14/10/2016 passed by the Court of Additional Commissioner, Garhwal Mandal and the communication dated 04/11/2016 from the State Govt. of Uttarakhand which Clearly brings out that the land holding of Dr. Jagat Narain Subharati Charitable Trust, Dehradun is disputed and is below the prescribed qualifying criteria of 20 acres of land as laid down in the "Establishment of Medical College Regulations, 1999".

The Council Office vide its letter dated 15/11/2016 forwarded the copies of the above Court Order and State Govt. letter to the Secretary, Oversight Committee as well as the Central Govt. with the request to provide the copies of the documents on the basis of which, the Oversight Committee had approved the Letter of Permission for establishment of new medical college at Dehradun, Uttarakhand by Dr. Jagat Narain Subharati Charitable Trust, Dehradun with an annual intake of 150 MBBS students for the academic year 2016-2017 which are not in the knowledge of the Council. Since, no reply was received, reminders were sent on 06/12/2016 and 14/12/2016.

The Council Office is in receipt of a communication dated 16/12/2016 from the Oversight Committee addressed to the Secretary, MHFW, New Delhi and copy to this Council, which reads as under:-

"I am directed to request you to refer to MHFW letter No. U.U-12012/702/2015-ME-I(FTS 3073174 dated 11 November 2016 (first attachment refers) on the above subject and to state that after consideration of the same, OC has directed as follows:-

"....the order dated 14 October 2016 of the Court of Commissioner, Uttarakhand cancelling the earlier order of Tehsildar appears to have been issued after the issue of notification by MHFW and admission of students by the Institution for 2016-17. OC desires that MHFW may, if necessary, examine the matter independently at their end and forward their specific recommendation, if any, for consideration of OC".

This issues with the approval of OC..."

In response to above, the Council Office vide its letter dated 19/12/2016 followed by the subsequent reminder dated 03.01.2017 requested the Secretary, Oversight Committee to send a copy of the Tehsildar Certificate on the basis of which the Oversight Committee had granted approval to the Central Govt. to issue notification for grant of Letter of Permission for Establishment of New Medical College at Dehradun namely Sridev Suman Subharati Medical College by Dr. Jagat Narain Subharti Charitable Trust, Dehradun for the academic year 2016-2017 which has been cancelled by the Order dated 14.10.2016 of the Court of Commissioner, Uttarakhand as stated in their letter.

In view of above as the applicant has failed to meet the qualifying criteria u/s 3(2)(2) of Establishment of Medical College Regulations, 1999 it is not entitled to establish a new medical college at Dehradun and also as the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per the directions passed by the Supreme Court mandated Oversight Committee and communicated vide Ministry of Health & F.W. letter dated 25/09/2016 [para 1 (i)]. The Executive Committee, after due deliberation and discussion, has decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee and communicated vide Ministry of Health & F.W. letter dated 25/09/2016 [in para 2(b)], the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Dehradun, Uttarakhand by Dr. Jagat Narain Subharti Charitable Trust, Dehradun, Uttarakhand under H.N.B. Uttarakhand Medical Education University, Dehradun, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 26/09/2016 is liable to be encashed.

The Executive Committee further noted that the grant of Letter of Permission by the Central Government on the directives of Oversight Committee has been without fulfilling the Qualifying Criteria of Establishment of Medical College Regulations, 1999 pertaining to owning and possessing undisputed land. Accordingly, the Executive Committee decided to recommend to the Central Govt. to revoke the Letter of Permission granted on 20.08.2016.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

65. Renewal of permission for MBBS course for 4th batch (150 seats) of P.K. Das Institute of Medical Sciences, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 4th batch (150 seats) of P.K. Das Institute of Medical Sciences, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that the compliance verification assessment report (22nd April, 2016 along with previous assessment reports (28th March, 2016 & 4th & 5th November, 2015) as well as the letter dated 22/04/2016 received from the college authorities and letter dated 23/04/2016 from the appointed team of Council Assessors with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of P.K. Das Institute of Medical Sciences, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was placed before the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (22nd April, 2016 along with previous assessment reports (29th March, 2016 & 4th & 5th November, 2015) as well as the letter dated 22/04/2016 received from the college authorities and letter dated 23/04/2016 from the appointed team of Council Assessors and noted the following:-

1. *Deficiency of faculty is 26 % as detailed in the report.*
2. *Shortage of Residents is 20 % as detailed in the report.*
3. *OPD attendance as observed by assessors was only 300-400 on day of assessment. When the assessors entered the OPD complex, there were few patients only.*
4. *Bed occupancy was 39.33 % on day of assessment. Many patients were shifted from Superspecialty hospital in the campus to inflate bed occupancy. There was NIL patient in male & Female Tb & Chest wards, Male & Female Skin & VD wards, Female Ophthalmology ward.*
5. *There was 1 Normal Delivery & NIL Caesarean Section on day of assessment.*
6. *Workload of Special investigations like Ba, IVP was NIL on day of assessment.*
7. *Workload of Histopathology & Cytopathology is not shown in the chart of clinical material provided by institute & signed by Dean.*
8. *ICUs: There was only 1 patient in ICCU & total 5 patients in PICU/NICU on day of assessment.*
9. *Data of OPD attendance, Major operations provided by institute are inflated.*
10. *Workload of CT Scan was only 06 on day of assessment. There was NIL workload from admitted IPD.*
11. *There is no Resident Hostel in the campus. No Resident is staying in the campus.*
12. *Residential Quarters: Non-teaching staff quarters are not available in the campus.*
13. *Autopsy block was not shown.*
14. *The following fake patients were detected:*
 - (a) *Patients have minor complaints which generally did not required hospitalization like E.G. Body ache, fever etc. admitted in the Medicine, Paediatric ward.*
 - (b) *Patients have minor complaints which generally did not required hospitalization like E.G. Body ache, Joints pain etc. admitted in the Orthopedics ward.*

- (c) *In Orthopaedic ward not a single patient with plaster POP or back slab on any patients, so it suggest that this ward was filled only for bed occupancy purpose.*
 - (d) *In many wards admitted patients were having insignificant (non-specific) problems that not required admission. They were not carrying any personal belongings items with them. The complaints like for which they were admitted were upper abdominal pain, cough, bodyache, etc. During the assessment, no one give any statement in written that the patients have only minute complaints.*
15. *Dr. Shahjehan, Asst. Prof. in department of Paediatrics has come for purpose of head counting during assessment only. He does not know any of the residents in the department.*
 16. *The following Residents are fake Residents as observed by assessors:*
 - (a) *Many of the SR/JR do not know each other and as well they do not know their own duty hours. Nobody given the written statement about this.*
 - (b) *There is no Mess facility for the student/nurses/residents.*
 17. *In OPD Registration counter, when asked orally, the person at the counter that total 08 patients were registered; but when he was asked to provide a printout, the printout given by him showed 348 patients. At that time about 10-20 patients were seen in the OPD.*
 18. *Other deficiencies as pointed out in the assessment report.*

The Executive Committee of the Council further noted the letter of the appointed team of Assessors dated 23.04.2016 which reads as under:-

"As per your directions, we, namely, Dr. Nina Das, Professor of Pharmacology, Nil Ratan Sircar Medical College, Kolkata (Coordinator), Dr. Dharmendra Gohil, Professor of Emergency Medicine, PDU Medical College, Rajkot and Dr. Asim Das, Dean, ESIC Medical College, Faridabad have conducted surprise compliance verification assessment of P.K. Das Institute of Medical Sciences, Palakkad, Kerala on 22nd April 2016.

We are constrained to bring to your attention that we were subjected to physical intimidation, aggressive and unruly behaviour during the course of inspection by the management of P.K.Das Institute of Medical Sciences, Palakkad, Kerala. Following specific instances are brought to your notice:

In the morning after our entry in the premises of the P.K. Das Institute of Medical Sciences there were barriers at three places where we were asked to introduce ourselves. We tried not to divulge our identity, however, to enter the academic block we were made to sign the register and state the purpose of our visit. Two of us had entered our names and signed the register. Finally, when we reached the Principal's office, certain people who claimed to be part of the Management of the Institute were also present in the Principal's office. It appears to us that they had reached there on coming to know of our presence for MCI Inspection purpose. We asked the Principal to sign documents stating the requirements that he has to furnish within the mentioned timeline. Those claiming to be from the Management interfered stating that we cannot hold inspection as it is within two days of national festival, i.e., Mahavir Jayanti on 20th of April. We requested them that we will speak to the Principal only which annoyed them. They said the Principal will have to seek their permission and directed him to produce the notification in regard to inspection before or after holiday. When we asked the Principal to give in writing that they do not want to hold inspection because of the aforesaid reason, he sought permission to leave the Chamber for sometime. He came back and agreed telling us that we had reached late, though we had reached the Institute at 9:45 AM. The persons from Management were continuously interfering with our work and indulging in acts to provoke us. However, we maintained our composure.

At around 3:00 PM while Dr. Dharmendra Gohil was verifying the signatures of Faculty in the Department of Obstetrics and Gynecology and scrutinizing the Declaration Form of one Dr. P. Thulsi holding the designation of Associate Professor in the Institute, he noticed that the professional experience including publications stated in the Declaration Form does not entitle her to be designated as Associate Professor. Therefore, she was accepted as Assistant Professor. This infuriated the management, and consequently, more than 40 persons violently barged in the Room where scrutiny of the Declaration Forms was being carried out by us. Some of them from their looks appeared to us to be musclemen brought by the management with the purpose to physically intimidate us. One of the key persons of the Management started banging and shouted foul language called the Press and the photographers directing them to record the proceedings. We were told by this aggressive person that this Dr. Thulsi was his sister and she had to be accepted by us as Associate Professor. He aggressively said that as she was his sister he had all the right to speak on her behalf. They all alleged that we were misbehaving with their senior faculty and not accepting them as Faculty on flimsy grounds. Seeing the situation turning ugly the Coordinator was forced to make an apology. At the same

time the persons from the Institute manhandled the Assessors and snatched away the mobile phone telling that the Assessors were recording the situation. We were forced to consider not only Dr. P. Thulsi as Associate Professor, but also many others, even though they had not reported for the assessment within the time limit to avoid any disrespectful, discourteous as well as physical aggression and intimidation. They also told that they know whom we were talking to over the Mobile phone. They were recording all the discussion amongst the Assessors. It seems to us that they were also continuously keeping a track on the calls made by our mobile. We were repeatedly reminded that as per MSR and guidelines to Assessors we should have reported at 9:00 AM. In spite of repeated requests to give us documents related to the inspection they did not come with complete set of documents at any point of time and would take back the document after showing in piecemeal.

At the end, at around 8:00 PM when scrutiny of the Declaration Form was complete we requested them to give three pen drives for downloading soft copies and papers for printing. They gave the pen drive but not the blank papers for printing. At last when they were sternly told that we would leave without printing the Management entered with Musclemen at around 9:00 PM and told that as per Assessor Guideline we should have completed the assessment by 6:00 PM and they would not allow us to print the documents until it was shown to them. When we insisted that it is the Principal only who should be going through the documents after printing, they insisted that "where is it written that the Management will not be shown the Report" and since their Institution is at stake they would not allow us to go without handing over all the soft copies and documents, including Declaration Form as these were the Institution's property. At this point the one of the Administrators removed the CPU from which the A-3 Report / documents was being prepared and took it to another room. We also have strong reasons to suspect that all the Computers were linked through network and whatever work we were doing on the computer was getting known to the Management. They then came and informed the Management about the contents of the report. The Management then asked us to handover the soft copies including all the other papers pertaining to the Institution that were with us. Having done that we were asked to sign the Memorandum which they wanted to submit and ultimately allowed us to leave only around 10:00 PM.

In sum and substance, the attitude of the Management towards us was abusive, threatening, intimidating and aggressive throughout the one-day assessment process. We call upon you to take stern action against the Management of this Institute so that such behavior is not repeated and the Assessors can discharge their responsibilities without any fear to their physical safety and well-being. "

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at P.K. Das Institute of Medical Sciences, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 and to issue show cause notice to the college authorities.

The Executive Committee of the Council also decided to refer the matter to the Ethics Committee to take action against the above mentioned residents of the college.

The Executive Committee of the Council also decided to issue show cause notice to the Dean and management of the college for the misbehaviour with assessors".

The above decision of the Executive Committee was communicated to the Central Govt. and to the Dean/Principal of the college vide this office letters dated 15/05/2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students for the academic year 2016-2017.

The Executive Committee further noted that the Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Committee further noted that the the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 3rd batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 31.08.2016 has forwarded the following the documents as submitted by the college to the Ministry on 29.08.2016:-

- i. An affidavit dated 25.08.2016 from the Chairman of the Trust/Society and the Dean/Principal of the college concerned.
- ii. A bank guarantee bearing No. 623BGFD162370001 dated 24.08.2016 Rs. 2 Cr issued by Syndicate Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 3rd batch of 150 MBBS students at P.K. Das Institute of Medical Sciences, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur has been carried out on 6th and 7th January, 2017 and noted the following:

1. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley is not equipped.
2. Radiodiagnosis department: 1 Mobile X-ray machine is available against requirement of 4. 1 Static X-ray machine is available against requirement of 3.
3. Details of beds occupied in ICCU & ICUs are not provided.
4. Anatomy department: There are only 7 cadavers.
5. Pathology department: There are only 44 specimens.
6. Microbiology department: There is only 1 Service Laboratory against requirement of 7.
7. MRD: It is partially computerized.
8. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 4th batch of 150 MBBS students at P.K. Das Institute of Medical Sciences, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

66. Renewal of permission for MBBS course for 4th batch (100 seats) of Mount Zion Medical College, Pathanamthitta, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 4th batch (100 seats) of Mount Zion Medical College, Pathanamthitta, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that the compliance verification assessment report (29th March, 2016) alongwith previous assessment report (4th & 5th November, 2015) as well as letter dated 29/03/2016 received from the appointed team of Council Assessors and letter dated 4.1.2016 from the Registrar, Kerala University of Health Sciences, Thrissur with regard to renewal of permission for MBBS course for 3rd batch (100 seats) of Mount Zion Medical College, Pathanamthitta, Kerala under Kerala University of Health & Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was placed before the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (29th March, 2016) alongwith previous assessment report (4th & 5th November, 2015) as well as letter dated 29/03/2016 received from the appointed team of Council Assessors and letter dated 4.1.2016 from the Registrar, Kerala University of Health Sciences, Thrissur and noted the following:-

1. *Deficiency of faculty is 39.3 % as detailed in the report.*
2. *Shortage of Residents is 58.3 % as detailed in the report.*
3. *On random verification it was observed that there are no Residents staying in the Residents' hostel. These rooms were occupied by patients' relatives, Nurses & trainee Dentists.*
4. *OPD: OPD area in the morning showed very few patients in the morning time; however OPD desk registration computer showed 547 patients at 11:30 a.m.*
5. *Bed occupancy as verified by assessors on taking round along with Dean was 42.33 % on day of assessment against requirement of 60 %.*
6. *NIL patient in General Surgery wards had IV fluids or injectable medicines being administered. General Surgery & Orthopaedics wards did not have any post-operative patients.*
7. *Many patients are admitted with minor complaints. In many cases, investigations are not mentioned in case sheets. There were many fake admissions as observed by assessors during verification.*
8. *No record of Minor operations is available.*
9. *Labour room record showed 4 deliveries on 28/03/2016. On verification of the records in O.G. wards, Paediatrics wards & NICU, there were no such patients available just 1 day after delivery. This implies that records of Labour Room & Birth Register are fictitious.*
10. *Registers of Histopathology & Cytopathology are fictitious as samples of appendix & tonsils shown as having been received on 28/03/2016 in the laboratory could not be shown to us.*
11. *Data of Casualty attendance provided by institute appear to be inflated as no case papers are kept in Casualty and hence cannot be matched with computer data.*
12. *ICUs: PICU was closed for fumigation. There was only 1 patient in NICU & 2 in SICU on day of assessment.*
13. *Wards: Psychiatry, Skin & VD and Tb & Chest wards are makeshift arrangement and not as per MSR Regulations. Pantries in all wards had only table & chair.*
14. *Central Research Laboratory: Facilities are not adequate. Deficiency remains as it is.*
15. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 100 MBBS students at Mount Zion Medical College, Pathanamthitta, Kerala under Kerala University of Health & Allied Sciences, Thrissur, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017".

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letters dated 14/05/2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students for the academic year 2016-2017.

The Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 3rd batch (100 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC) subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 05.10.2016 has forwarded the following the documents as submitted by the college to the Ministry on 01.09.2016:-

- i. An affidavit dated 31.08.2016 from the Chairman of the Trust concerned.
- ii. An affidavit dated 31.08.2016 from the Dean/Principal of the college concerned.
- iii. A bank guarantee bearing No. 166BG01162440001 dated 31.08.2016 Rs. 2 Cr issued by Dhanalaxmi Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 3rd batch of 100 MBBS students at Mount Zion Medical College, Pathanamthitta, Kerala under Kerala University of Health Sciences, Thrissur has been carried out on 4th and 5th January, 2017 and noted the following:

1. Deficiency of faculty is 9.28 % as detailed in the report.
2. Bed Occupancy on day of assessment is 71 %.
3. Resuscitation equipment is inadequate in O.T.s other than General Surgery O.T.s
4. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 4th batch of 100 MBBS students at Mount Zion Medical College, Pathanamthitta, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in

pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

67. **Renewal of permission for MBBS course for 4th batch (150 seats) of RKDF Medical College Hospital & Research Center, Jatkheddi, Bhopal, Madhya Pradesh under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 4th batch (150 seats) of RKDF Medical College Hospital & Research Center, Jatkheddi, Bhopal, Madhya Pradesh under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that it had recommended to the Central Govt. not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh earlier under Barkatullah University and now under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2015-2016 and had also decided to apply clauses 8(3)(1)(a) & 8(3)(1)(d) of Establishment of Medical College Regulations, 1999.

The above decision of the Executive Committee was communicated to the Central Government vide this office letter dated 05/03/2015.

The Central Govt. vide its letter dated 17/04/2015 forwarded the compliance dated 09/04/2015 submitted by the submitted by the Dean, RKDF Medical College Hospital & Research Centre, Bhopal alongwith the recommendations of the Committee constituted by the Ministry of Health, and Family Welfare, New Delhi for review by the MCI.

Accordingly, the matter was re-considered by the Executive Committee of the Council at its meeting held on 29/04/2015 and it was decided as under:-

“The Executive Committee of the Council observed that at its meeting dt. 02/03/2015, the Executive Committee had decided as under:-

“The Executive Committee considered the Council Assessor report (23rd & 24th February 2015) and noted the following:-

1. *Deficiency of teaching faculty is 19.81 % as detailed in the report.*
2. *Shortage of residents is 49 % as detailed in the report.*
3. *Bed occupancy is 48 % on day of assessment.*
4. *There were only 5 Major (which included 4 Cataract operations) & 4 Minor operations on day of assessment.*
5. *There was no normal delivery & 1 Caesarean section on day of assessment.*
6. *There was no patient in ICCU, SICU, PICU/NICU & only 1 patient in MICU on day of assessment.*
7. *With regard to clinical material, the following discrepancies were observed:*
 - (a) In Casualty OPD, two fake patients of corneal abrasion were shown. On enquiry, both of them said that on their left eye was given eye pads just one hour before. On examination, both of them had no such problem.*
 - (b) In Paediatrics ward, most of the patients had no significant illness to be treated as IPD patients. 5 patients from the same family were*

found in Paediatrics ward. Few other patients were also from the common family.

(c) In Obstetrics ward, 2 patients were aged more than 50 years – i.e. beyond reproductive age.

(d) In Tb & Chest ward, almost all the patients shown were not having any chest complaint at all. Rather, they had other vague complaints like body ache, etc. not requiring admission.

(e) Overall, IPD patients were not having significant illness to be treated as IPD patients.

(f) Most of IPD patients were not investigated at all. Most of the them were not given any medicine.

(g) More than 70 % patients were admitted on only 1 day – i.e. 22/02/2015.

8. With regard to faculty & Residents, the following discrepancies are observed:

(a) Most of the Residents are not actually staying in campus accommodation.

(b) One Junior Resident in O.G. confessed that he is actually staying in teaching staff quarters but only on paper he was allotted a room in the hostel.

(c) A few teachers are engaged only periodically as per their teaching schedule.

(d) Most of the faculty are not actually staying in the quarters allotted to them.

(e) Significant number of faculty & Residents were unaware of other faculty & Residents of their own departments.

9. Dr. Navneet Mishra, Asst. Prof. of General Surgery had attached wrong experience certificate.

10. The following faculty were observed not to have done any work in the department:

(a) Dr. Sameer Zutshi, Asst. Professor, Anaesthesia;

(b) Dr. Subrat Adhikary, Asst. Professor of General Medicine;

(c) Dr. Priya Singh, Asst. Prof. of General Surgery;

(d) Dr. Avinash Kaundinya, Professor of Ophthalmology.

11. In case of as many as 12 faculty, address does not match with Dean's quarters allocation certificate.

12. In case of 14 Residents as detailed in the report, there is no signature of HOD on D.F.

13. Dr. Milan Pumbhadiya, Junior Resident had D.F. filled on 09/01/2015 while he was appointed on 20/01/2015.

14. In case of Dr. Jayesh Dholakiya, Junior Resident in General Medicine, date of joining is contradictory.

15. Name of faculty was not mentioned in weekly teaching programmes.

16. In Residents' hostel, ground floor is used as Autopsy block.

17. Teaching staff quarters are not actually staff quarters but like big sized rooms hostel. They are located on 2nd & 3rd floor above the library and reading room, which means that library is on ground floor, reading room is on I floor of teaching quarters hostel.

18. MRD: It is partly manual & partly computerized.

19. Nursing staff: 155 Nurses are available against requirement of 175 as per Regulations.

20. Paramedical staff: Only 65 are available against requirement of 100 as per Regulations.

21. Anatomy department: Embryology models are inadequate.

22. Access of RKDF Hospital is through very narrow road passing through slum area which is a major problem for ambulance to reach.

23. No separate Nursing hostel is available. I floor of Girls' hostel is utilized as Nursing hostel.

24. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh earlier under Barkatullah University and now under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2015-2016. It was further decided to apply clauses 8(3)(1)(a) & 8(3)(1)(d) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

(d) Colleges which are found to have employed teachers with faked/forged documents:

If it is observed during any institute is found to have employed a teacher with faked/forged documents and have submitted the declaration form of such a teacher, such an institute will not be considered for renewal of permission/recognition for award of MBBS degree/processing the applications for postgraduate courses for two academic years i.e. that academic year and the next academic year also.

In view of above, it was decided not to consider the institute for renewal of permission for two academic years i.e. that academic year (i.e. 2015-16) and the next academic year (i.e. 2016-2017)

The Executive Committee further decided to refer the matter to the Ethics Committee.”

The Committee further observed that the Central Govt. vide its communication dt. 17.04.2015 has requested the Council to review/assess the scheme in the light of the documents submitted by the college/applicants in compliance and recommendations of the Committee with the request to take necessary action(s) for review and furnish its recommendations accordingly to the Ministry.

The Executive Committee of the Council perused the legal opinion of the Ld. Addl. Solicitor General of India and decided to accept it, which reads as under:-

Legal opinion dated 14/03/2015

“The querist MCI as sought my opinion on the interpretation of Regulation 8(3)(1)(a), 8(3)(1)(b) and 8(3)(1)(c) of the Establishment of Medical College Regulations, 1999 . My opinion has been sought on the following issues:-

“1. Whether the Council should process the applications of the medical college for renewal of permission for admitting fresh batch of MBBS students for the academic session 2015-16 wherein the Council has invoked Regulations 8(3)(1)(a), 8(3)(1)(b) and 8(3)(1)(c) of Establishment of Medical College Regulation, 1999.

2. Whether the Council while applying Regulation 8(3)(1)(b) of Establishment of Medical College Regulation, 1999 can deny recognition of the MBBS degree granted by medical colleges for the students who have already completed their MBBS course or whether the same will be applicable while considering the case of a medical college for grant of renewal of permission for 5th batch of MBBS students.”

I have gone through the Note for Opinion forwarded by the querist and have also discussed the matter for the querist.

The amendment notification dated 16.04.2010 inserting Clause 8(3)1 made it amply clear that the Central Govt. may at any stage convey the deficiencies found during the inspection of the applicant – medical college and provide them an opportunity to rectify the same. However, in case of renewal of permission at different stages, in case the deficiencies with regard to teaching faculty and bed occupancy are found in the medical college above the percentage provided in Regulation 8(3)1(a), 8(3)(1)(b) and 8(3)(1)(c) respectively of the Establishment of Medical College Regulation, 1999, the application of the medical colleges cannot be processed further since, considering the fundamental nature of the deficiencies in clause 8 the rectification is not statutorily contemplated. In such cases there is no provision to grant any time to the medical college for rectification of the deficiencies as the same cannot be rectified within a short span of time.

The relevant portion of the above Regulation are reproduced as under:-

“

(3)(1). The permission to establish a medical college and admit students may be granted initially for a period of one year and may be renewed on yearly basis subject to verification of the achievements of annual targets. It shall be the responsibility of the person to apply to the Medical Council of India for purpose of renewal six months prior to the expiry of the initial permission. This process of renewal of permission will continue till such time the establishment of the medical college and expansion of the hospital facilities are completed and a formal recognition of the medical college is granted. Further admissions shall not be made at any stage unless the requirements of the Council are fulfilled. The Central Government may at any stage convey the deficiencies to the applicant and provide him an opportunity and time to rectify the deficiencies.

PROVIDED that in respect of

Colleges in the stage upto II renewal (i.e. Admission of third batch):

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is < 60 %, such an institute will not be considered for renewal of permission in that Academic Year.

Colleges in the stage from III renewal (i.e. Admission of fourth batch) till recognition of the institute for award of M.B.B.S. degree:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 20% and/or bed occupancy is < 70 %, such an institute will not be considered for renewal of permission in that Academic Year.

Colleges which are already recognized for award of M.B.B.S. degree and/or running Postgraduate Courses:

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is < 80 %, such an institute will not be considered for processing applications for postgraduate courses in that Academic Year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for Undergraduate and Postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted Postgraduate courses.....”

I am informed that the assessment of MCI is carried out by the assessors who are Professors of eminence and high integrity belonging to various Govt. Medical Colleges of the Country and the assessment report is also acknowledged by the Dean/Principal of the concerned medical college. The truthfulness and veracity of the contents of the report which incorporates factual findings, therefore, cannot be doubted, since, it is done by independent persons in the presence of the Dean/Principal of the concerned medical college. The medical college is statutorily required to maintain minimum academic standards for the benefits of the medical education and the students so as to ensure that the MBBS students get best of teaching and training. The above Regulations are required to be and were notified with the prior approval of the Central Govt. to ensure that each medical college maintains atleast a minimum teaching faculty, infrastructure, clinical material and other physical facilities in their medical colleges.

The Regulations framed by the querist are statutory in nature and hence the Council as well as the Central Govt. is bound to follow the same in letter and spirit.

I am of the considered opinion that in cases of the medical colleges wherein the Council has invoked Regulation 8(3)(1)(a), 8(3)(1)(b) and 8(1)(c) of the Establishment of Medical College Regulation, 1999, after an inspection by the MCI assessors, there is no statutory provision either under the Acts or under the Regulations authorizing the querist to process the same further.

As far as the second question is concerned, I am of the opinion that the applicability of Regulation 8(3)(1)(b) of the Establishment of Medical College Regulation, 1999 while considering the case of a medical college for grant of recognition of MBBS degree will directly affect the MBBS students who have already completed their MBBS course/studies. The language in Regulation 8(3)(1)(b) of the Establishment of Medical College Regulations, 1999, clearly provides that in case the institute fails to provide minimum teaching faculty and bed occupancy, the institute shall not be considered for renewal of permission. The statutory scheme does not however bar an institute to be considered for the purpose of recognition of MBBS degree of the students who have successfully completed the course. Any such action on part of the querist will be too harsh on such students who have already completed their studies and had/have no control over either the college, the querist or the Central Govt.....”

Legal opinion dated 27/03/2015

“1. The querist – Medical Council of India has sought my opinion as to whether the querist is obliged to consider the case of a medical college for grant of renewal of permission, which has been barred under Regulation 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999, for two academic years on account of submitting false and fabricated documents / declaration forms of the faculty employed in the medical college. The opinion is sought based upon the facts of one particular case viz. case of Malla Reddy Medical College.

I have gone through the Note for Opinion forwarded by the querist and have also discussed the matter in detail for the querist. My opinion on the questions is as under :-

As can be seen from the Note for Opinion and the correspondence, Malla Reddy Medical College has been debarred for making admission of 150 MBBS students under Regulation 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999, initially for the academic year 2014-15 & 2015-16 and now for the academic session 2015-16 & 2016-17.

In order to give a specific opinion in the matter in light of facts of the case, it is appropriate to consider Regulation 8(3)(d) of the Establishment of Medical College Regulation, 1999 along with the facts of the case. The relevant portion of the aforesaid Regulation is reproduced as under :-

*“.....
8. GRANT OF PERMISSION:*

*.....
(3)(1) (d) colleges which are found to have employed teachers with faked/ forged documents:*

If it is observed that any institute is found to have employed a teacher with faked/ forged documents and have submitted the Declaration Form of such a teacher, such an institute will not be considered for renewal of permission/ processing the applications for postgraduate courses for two Academic Years – i.e. that Academic Year and the next Academic Year also.....”

Regulation 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999, for a salutary provision to achieve the object of the Act providing that in case any medical colleges is found to have employed teachers with fake and forged documents and declaration forms, such an institute will not be considered for renewal of permission / recognition for award of MBBS degree / processing of their application for postgraduate courses, for two academic years i.e. the current academic year and the next academic year. This provision is apparently made to ensure that no medical college takes chance by resorting to forgery or use of fake documents.

The Regulation 8(3)(1)(d) was incorporated in order to work as a deterrent for a medical college from including in any malpractice in relation to the appointment of teaching faculty in a medical college as the same will affect the quality of teaching and training in any such institution and would ultimately defeat the very object of the Act.

In the case of Malla Reddy Medical College, the querist on its regular inspection found that the teaching faculty employed by the medical college as well as the declaration form submitted to the querist was forged / fabricated in order to get a favourable recommendation for admitting a fresh batch of students for academic year 2014-15.

When the above malpractice came to the notice of the querist, the querist conducted a detailed enquiry and also verified the experience certificate as well as the declaration form furnished by the Malla Reddy Medical College. The querist also verified the experience cum relieving certificate of the faculty members from their earlier employer and found it to be false and fabricated.

The querist, after considering the entire material in this regard, vide its letter dated 03.09.2014 communicated its decision to refer to the matter of the Ethics Committee of the querist for appropriate action against the concerned doctors for submitting false and fabricated documents / declaration form as well as to debar Malla Reddy Medical College from admitting fresh batch of MBBS

students for two academic years i.e.2014-15 and 2015-16 in terms of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999.

Since the decision of the querist was not communicated to the medical college, the institution made admissions for the academic year 2014-15 in pursuance of the order dated 18.09.2014 and 25.09.2014 passed by the Hon'ble Supreme Court in the case of Hind Charitable Trust Vs. Union of India- W.P. (CO) No.269 of 2014.

Thereafter, in pursuance to the Central Govt. letter dated 05.01.2014, the querist reconsidered its decision on the ground that Malla Reddy Medical College has already made admission for the academic year 2014-15, the querist decided that in the case of Malla Reddy Medical College the current academic year shall mean to be 2015-2016 and the next academic year will be 2016-17. This was communicated to the Central Govt. vide letter dated 21.01.2015.

Indulging in malpractice of forgery and fabrication is a serious offence in law and the same cannot be taken lightly. Especially in the case of medical education, as the same will affect the quality of medical education provided by an institution. The institution which indulges in forgery and fabrication should be penalized as contemplated by statutory provisions as their actions affect the career of students pursuing MBBS education and may eventually affect the citizens.

In view of the clear reading of the Regulation 8(3)(1)(d) and the facts of the case, I am of the opinion that querist is not obliged to process the application of a medical college for renewal of permission which has been debarred from making admission for two academic years in conformity with Regulation 8(3)(1)(d) of aforesaid Regulation .”

In view of above and the opinions of the Ld. Additional Solicitor General of India application of Section 8(3)(1)(a) and 8(3)(1)(d), the Executive Committee of the Council decided to reiterate earlier decision to recommend to the Central Govt. not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh earlier under Barkatullah University and now under Sarvepalli Radhakrishnan University, Bhopal/s 10A of the IMC Act, 1956 for the academic year 2015-2016 and for 2016-17 also. ”

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 11/05/2015

The Central Govt. vide its letter dated 15/06/2015 also communicated its decision to the college authorities not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College, Hospital & Research Centre, Bhopal, Madhya Pradesh for the academic year 2015-2016.

Aggrieved by the recommendations of the Council and decision of the Central Govt. writ petition No. 7521 of 2015 had been filed by the RKDF Medical College Hospital & Research Centre Vs. Union of India and Anr. before the Hon'ble High Court of Madhya Pradesh, Bench at Jabalpur. The Hon'ble High Court vide its Order dated 01/07/2015 had disposed of the said writ petition with certain directions. The operative part of the order dated 01/07/2015 passed by the Hon'ble High Court of Madhya Pradesh reads as under:-

“..... 40. In view of the above, we set aside the impugned decision of MCI dated 29.4.2015 (Annexure P-12) as well as subsequent communication dated 11.5.2015 (Annexure P-14); and instead direct MCI to review/assess the scheme for yearly renewal

of permission submitted by the petitioner college, in the light of the directions given by the Central Government vide communication dated 17.4.2015 (Annexure P-11). The Respondent No.2 shall expeditiously forward its recommendation report to the Central Government and preferably within one week from today to enable the Central Government to process the same further and take a final decision before the process of admission to medical course for academic year 2015-16 commences after declaration of examination results of the entrance examination scheduled on 15.7.2015.

41. We also direct the MCI as well as the Central Government to consider the subject scheme submitted by the petitioner without being influenced by the communication dated 15.6.2015 issued under the signature of Under Secretary, Government of India, Ministry of Health and Family Welfare, which is produced alongwith the written submission of Respondent No.1, as we have construed that communication to be only a direction given that the petitioner college cannot enroll new students for the academic year 2015-16 without formal permission issued by the Central Government in that behalf.

42. Accordingly, the petition is allowed on the above terms, with no order as to costs. In view of the disposal of this writ petition, the interlocutory applications are also disposed of.”

Aggrieved by the above order of the Hon'ble High Court of Madhya Pradesh, the Council filed an SLP© No. 19513/2015 before the Hon'ble Supreme Court. The Hon'ble Supreme Court vide its Order dated 08/09/2015 has passed the following order:-

“In the facts and circumstances of the case, before we finally decide this petition, the petitioner-Medical Council of India (MCI) is directed to comply with the directions given in the impugned order by the High Court, by making an inspection of respondent no.1-medical College and to submit its report in a sealed cover on or before 21.09.2015 in this Court.

List the matter again on 22.09.2015...”

Thereafter, the said matter was listed before the Hon'ble Supreme Court on 22/09/2015 when the Hon'ble Supreme Court was pleased to pass the following order:

“...Mr. Vikas Singh, learned senior counsel appearing for the MCI, however, assured this Court that by tomorrow, the 23rd September, 2015, the inspection shall be completed and the report shall be sent to the Government by Special messenger, which must reach by 24th September, 2015. The Government shall give hearing to the respondents on 26th September, 2015 and take a final decision by 28th September, 2015...”

Accordingly, compliance verification assessment of the said college was carried out by the Council appointed assessors on 22nd Sept., 2015.

The compliance verification assessment report (22nd September 2015) alongwith previous assessment report (23rd & 24th Feb., 2015) with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh earlier under Barkatullah University and now under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2015-2016 was forwarded to the members of the Executive Committee through

circulation on 23/09/2015 and the decision of the members of the Executive Committee is as under:-

"The members of the Executive Committee of the Council considered the compliance verification assessment report (22nd Sept., 2015) alongwith previous assessment report (23rd & 24th Feb., 2015) and letter from the Dean dt. 22/09/2015 and noted the following :-

1. *Deficiency of faculty is 15.95 % as detailed in the report. The Dean in his letter has stated that 5 Asst. Prof. have passed in May/June 2015 from MCI recognized colleges who have provisional degree certificate issued by the respective Universities as their final degree certificate would be issued only after convocation. He has further stated that three faculty had gone to attend Hon'ble Courts; however in respect of one of them – i.e. Dr. Ashok Meghwal, Asso. Prof. of Surgery, although only 1 Asso. Prof. is available against requirement of 2, no deficiency has been shown in the chart implying he has been considered. The fourth person mentioned in his letter – i.e. Dr. Shailendra Pandey is actually a Senior resident in Skin & VD and not a member of faculty. Accepting all such faculty who have not been considered by assessors and considering them, net deficiency still remains at 7.44 %.*
2. *Psychiatry department is running without any faculty.*
3. *Deficiency of Residents is 83 % as detailed in the report. Most of the Residents are not staying in the campus. Only a few rooms seem to be occupied but basic needs & amenities are not available in Residents' hostel. Clothes, books, belongings, etc. were not seen in the rooms. Ration cards, which appear newly issued, have been provided as address proof for most of the residents, which is not acceptable.*
4. *Many patients who do not require admissions are admitted. In Orthopaedics ward, there were no patients with plaster cast or any operated patient. In Paediatric ward, many patients complained only of Bodyache. One patient was admitted only for investigation purpose. Most of the patients had no significant illness to be treated as IPD patients. In Gynaecology ward, one patient is admitted since 13/09/2015 for complaint of abdominal pain, etc. One patient was admitted for complaints of chest pain & cough. One patient has been admitted since 10/09/2015 (i.e. for 13 days) for Renal Colic. In Obstetric ward, many of the patients did not warrant admission. Basic investigations were not performed at all. Doctors in the Unit had no explanation for the same. Deficiency remains as it is.*
5. *In Casualty, there were only 2 patients out of 18 beds. Details of medical, paramedical staff are not provided.*
6. *In Tb & Chest ward, one of the patients admitted was of Koch's spine which is not as per norms.*
7. *MRD: It is partly computerized. Deficiency remains as it is.*
8. *Access of RKDF hospital is through very narrow road passing through slum area which is a major problem for ambulance to reach. Deficiency remains as it is.*
9. *Data of OPD attendance, IPD, Laboratory investigations, Contrast Radiology investigations & Casualty provided by the institute seem to be inflated. In DVL OPD, there was NIL registration on day of assessment. In Psychiatry OPD, Register is maintained poorly. Last date of entry was 15/09/2015.*
10. *There were NIL Major & NIL Minor operations on day of assessment. O.T. lists were not provided to assessors in spite of repeatedly asking for same.*
11. *There were NIL Normal deliveries & NIL Caesarean Sections on day of assessment as well as on 3 previous days.*

12. Number of Plain X-rays on day of assessment is only 49 which is inadequate.
13. Histopathology & Blood Bank records are not matching with O.T. record.
14. Most of the wards like Paediatrics, Tb & Chest Diseases, Obstetrics & Gynecology, Skin & VD, Psychiatry, Ophthalmology, ENT, Orthopaedics, General Surgery, General Medicine, are not as per Minimum Standard Requirement Regulations. ENT ward did not have Emergency tray and basic instruments.
15. Mess facility is not available in the hostels.
16. ICUs: There was only 1 patient each in MICU & SICU and NIL patient in ICCU, PICU/NICU on day of assessment.
17. Other deficiencies as pointed out in the assessment report.

In view of the above, the members of the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh earlier under Barkatullah University and now under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2015-2016."

The above decision of the members of the Executive Committee was communicated to the Central Govt. vide letter dated 24/09/2015.

The Central Govt. vide its order dated 28/09/2015 decided to not to renew the permission for admission of 2nd batch for MBBS course (150 seats) of RKDF Medical College, Hospital & Research Centre, Bhopal, Madhya Pradesh for the academic year 2015-16.

As, the Central Govt. had not given any decision with regard to clause 8(3)(1)(d) on the said institute, the Council sent a letter dated 06/07/2015 to the Central Govt.

In response, the Council Office had received a letter dated 21/09/2015 from the Central Govt. intimating therein that the Central Govt. considered the recommendation of the Council letter dated 06/07/2015 under the clause 8(3)(1)(d) and it has been decided "that MCI may be asked to give the institutions a fresh hearing before taking action for their debarment for 2 years."

The matter was considered by the Executive Committee at its meeting held on 28.10.2015 and decision was communicated to the Central Govt. vide its letter dated 05/11/2015.

The Council vide its letter dated 23/12/2015 again requested the Central Govt. to take appropriate action in this regard and to apply/implement the binding mandatory and unexceptional provision of Regulations 8(3)(1)(d) of the Establishment of Medical College Regulations, debarring the colleges for 2(two) years i.e. 2015-2016 & 2016-2017.

Thereafter, on receipt of the representation of Dean, Malla Reddy Institute of Medical Sciences, Hyderabad through the Central Govt. letter dated 22/02/2016, the Council vide its letter dated 11/03/2016 requested the Central Govt. to send their decision to consider the matter with regard to Malla Reddy Institute of Medical Sciences, Hyderabad as well as for similar other cases.

It is also submitted that as per information provided by the Ethics Section, the Ethics Committee at its meeting held on 22nd & 23rd December, 2015 considered the documents submitted by the Dean of the College and noted that Dr. Paresh Ruparel was working as a Surgeon at Seth V.S. General Hospital, Ahmedabad during the period of Jan. & Feb., 2016. Thus, it is not possible for him to simultaneously worked at RKDF Medical College, Bhopal. Dr. Paresh Ruparel has also admitted this fact in his affidavit. Dr. U.V. Shah,

Dean of the RKDF Medical College, Bhopal is also guilty of signing the false and misleading declaration forms and misguiding the MCI.

In view of above, the Ethics Committee has recommended to debar both Dr. Paresh Ruparel and Dr. U.V. Shah for a period of 5 years to hold any teaching and administrative post in any medical college. The proceedings of the Ethics Committee was considered by the Executive Committee at its meeting held on 27.02.2016 and the Executive Committee referred back the matter with the following observations:-

"In the minutes of the Ethics Committee no statement of Dr. Paresh Ruparel as well as Dr. U.B. Shah is found. The Executive Committee decided to refer back the matter with an advice to complete proceeding and re –submit the matter."

In this regard, it is further stated that the Council Advocate at Jabalpur vide his email dated 11/05/2016 had informed the Council as under:-

"The Writ Petition No. 21223/2015 filed by RKDF Medical College was listed for hearing today before the Hon. Division Bench of Chief Justice. On earlier occasion i.e. on 30.4.16 the Hon. Court has directed us to file reply to writ petition. We could not file the reply since it was a very short time and therefore prayed for more time to file reply. To this the counsel for the petitioner submitted that the impugned order dt.29.3.2016 is untenable on the face of record since the said communication issued by Union of India to MCI refers to earlier MCI communication dt.11.5.2015 which was set aside by the Hon' Division Bench in earlier round of litigation i.e. WP No. 7521/2015 which order has been affirmed by the Hon. Supreme Court in SLP (C) No. 19513/2015.

To this the Hon. Court took up the matter for disposal forthwith and after considering the material on record quashed impugned communication dt.29.3.16 issued by Central Government. The Hon. Court further clarified that MCI cannot invoke 8(3)(1)(A) for that the provision uses plural expression "Teachers". For that in the earlier inspection report only one Teacher namely Navneet Mishra was found to have wrong experience certificate. The Court however made it clear that it is open to MCI to invoke 8 (3) (1) if it is found that more than one teacher have wrong experience certificate. With this observation the Hon. Court has directed the MCI to conduct inspection of petitioner/college and to submit its recommendation to Central Government by 15th of May 2016 being the cut off date. The soft copy of judgement is likely to be uploaded on the website of High Court around 8 PM today."

The matter was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council perused the letter dated 29.03.2016 whereby the Ministry while accepting the recommendation of the Hearing Committee has referred the case of RKDF Medical College Hospital & Research Institute, Bhopal to the Council for review on imposition of penalty as provided under Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999.

The Executive Committee noted the letter dated 29.03.2016 clearly reveals that the Hearing Committee has not considered the matter in accordance with the clear mandate of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 as well as the recommendations of the Council alongwith the inspection reports. It is stated that the Hearing Committee, has recorded in its recommendation that the medical college has admitted to the fact that it had presented faculty members with fake / forged

Declaration Form & Experience Certificates and also that certain faculty members did not have requisite experience in their respective departments, however instead of rejecting their claim has requested the Council to review their case on the imposition of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999. The relevant portion of the observation of the Hearing Committee is reproduced as under:-

“.....The College has admitted that experience certificate issued by Sakshi Medical College in respect of Dr. Navneet Mishra was wrong to the extent that the said medical college is not yet recognised by MCI.

The records relating to work done by the four faculty in question was perused. It was noted that the clinical work done by them was actually inadequate. The college has informed the 3 faculty have already left the college except Dr. Subrat Adhikari.

The Committee notes that if the experience is not accepted on grounds that the college issuing it is not recognised, the faculty may not be considered if found wanting in having requisite experience. The observation regarding low workload in case of the four faculty is also upheld. However, it falls short of a clear finding that fake faculty/documents were employed by the college.

The matter may be referred to MCI for review.....”

The Executive Committee thought it relevant to mention that the Ministry as well as the Hearing Committee has apart from other deficiencies including other faculty appointed on the basis of fake / forged documents, has totally ignored that the Council while evaluating the Declaration Forms & Experience Certificates of the faculty members found that one Dr. Paresh Ruparel, who was presented as a faculty member of the medical college during the inspection, who was actually working in V.S Hospital, administered and managed by Ahmadabad Municipal Corporation, Ahmadabad and was simultaneously taking salary from both the medical college and the State Govt. Dr. Paresh Ruparel had submitted his affidavit dated 19.05.2015 before the Ethic Committee of the Council wherein he had admitted that he is working as a Surgeon at V.S Hospital, administered and managed by Ahmadabad Municipal Corporation, Ahmadabad and had also appeared before MCI inspection team as a faculty member of RKDF medical college only for the purposes of the MCI inspection to help the medical college procure permission for the academic year 2015-16. The Ministry and the Hearing Committee has also ignored that the Principal of the medical college has verified and counter signed his Declaration Form & Experience Certificate to show his as regular faculty of the medical college and had tried to mislead the Central Govt as well as MCI.

In order to consider the matter the Executive Committee deemed it appropriate to set out the following facts pertaining to the medical college:-

- 1) *An assessment for renewal of permission for MBBS course for 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Jathkhedi, Bhopal, Madhya Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2015-2016 was carried out by the Council Assessors on 23rd & 24th February, 2015. The assessment report (23rd & 24th Feb., 2015) was considered by the Executive Committee at its meeting held on 02/03/2015 and it was decided as under:-*
“The Executive Committee considered the Council Assessor report (23rd & 24th February 2015) and noted the following:-
 1. *Deficiency of teaching faculty is 19.81 % as detailed in the report.*
 2. *Shortage of residents is 49 % as detailed in the report.*
 3. *Bed occupancy is 48 % on day of assessment.*

4. *There were only 5 Major (which included 4 Cataract operations) & 4 Minor operations on day of assessment.*
5. *There was no normal delivery & 1 Caesarean section on day of assessment.*
6. *There was no patient in ICCU, SICU, PICU/NICU & only 1 patient in MICU on day of assessment.*
7. *With regard to clinical material, the following discrepancies were observed:*
 - (a) *In Casualty OPD, two fake patients of corneal abrasion were shown. On enquiry, both of them said that their left eye was given eye pads just one hour before. On examination, both of them had no such problem.*
 - (b) *In Paediatrics ward, most of the patients had no significant illness to be treated as IPD patients. 5 patients from the same family were found in Paediatrics ward. Few other patients were also from the common family.*
 - (c) *In Obstetrics ward, 2 patients were aged more than 50 years – i.e. beyond reproductive age.*
 - (d) *In Tb & Chest ward, almost all the patients shown were not having any chest complaint at all. Rather, they had other vague complaints like body ache, etc. not requiring admission.*
 - (e) *Overall, IPD patients were not having significant illness to be treated as IPD patients.*
 - (f) *Most of IPD patients were not investigated at all. Most of the them were not given any medicine.*
 - (g) *More than 70 % patients were admitted on only 1 day – i.e. 22/02/2015.*
8. *With regard to faculty & Residents, the following discrepancies are observed:*
 - (a) *Most of the Residents are not actually staying in campus accommodation.*
 - (b) *One Junior Resident in O.G. confessed that he is actually staying in teaching staff quarters but only on paper he was allotted a room in the hostel.*
 - (c) *A few teachers are engaged only periodically as per their teaching schedule.*
 - (d) *Most of the faculty are not actually staying in the quarters allotted to them.*
 - (e) *Significant number of faculty & Residents were unaware of other faculty & Residents of their own departments.*
9. *Dr. Navneet Mishra, Asst. Prof. of General Surgery had attached wrong experience certificate.*
10. *The following faculty were observed not to have done any work in the department:*
 - (a) *Dr. Sameer Zutshi, Asst. Professor, Anaesthesia;*
 - (b) *Dr. Subrat Adhikary, Asst. Professor of General Medicine;*
 - (c) *Dr. Priya Singh, Asst. Prof. of General Surgery;*
 - (d) *Dr. Avinash Kaundinya, Professor of Ophthalmology.*
11. *In case of as many as 12 faculty, address does not match with Dean's quarters allocation certificate.*
12. *In case of 14 Residents as detailed in the report, there is no signature of HOD on D.F.*
13. *Dr. Milan Pumbhadiya, Junior Resident had D.F. filled on 09/01/2015 while he was appointed on 20/01/2015.*
14. *In case of Dr. Jayesh Dholakiya, Junior Resident in General Medicine, date of joining is contradictory.*
15. *Name of faculty was not mentioned in weekly teaching programmes.*
16. *In Residents' hostel, ground floor is used as Autopsy block.*

17. Teaching staff quarters are not actually staff quarters but like big sized rooms hostel. They are located on 2nd & 3rd floor above the library and reading room, which means that library is on ground floor, reading room is on I floor of teaching quarters hostel.
18. MRD: It is partly manual & partly computerized.
19. Nursing staff: 155 Nurses are available against requirement of 175 as per Regulations.
20. Paramedical staff: Only 65 are available against requirement of 100 as per Regulations.
21. Anatomy department: Embryology models are inadequate.
22. Access of RKDF Hospital is through very narrow road passing through slum area which is a major problem for ambulance to reach.
23. No separate Nursing hostel is available. I floor of Girls' hostel is utilized as Nursing hostel.
24. Other deficiencies as pointed out in the inspection report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh earlier under Barkatullah University and now under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2015-2016. It was further decided to apply clauses 8(3)(1)(a) & 8(3)(1)(d) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

"8(3)(1).....

Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year."

(d) Colleges which are found to have employed teachers with faked/forged documents:

If it is observed during any institute is found to have employed a teacher with faked/forged documents and have submitted the declaration form of such a teacher, such an institute will not be considered for renewal of permission/recognition for award of MBBS degree/processing the applications for postgraduate courses for two academic years i.e. that academic year and the next academic year also.

In view of above, it was decided not to consider the institute for renewal of permission for two academic years i.e. that academic year (i.e. 2015-16) and the next academic year (i.e. 2016-2017

The Executive Committee further decided to refer the matter to the Ethics Committee."

- 2) The above decision of the Council was communicated to the Central Government vide MCI letter dated 05.03.2015. In view of above decision of the Executive Committee regarding fake faculty, the matter was referred to the Ethics Committee of the Council for further necessary action against the erring doctors and the medical college who had furnished fake experience certificates and had submitted forged declaration forms.
- 3) The Central Govt. had constituted a Committee for granting hearing under Section 10A(4) to the medical colleges who were not

recommended by the MCI for grant of renewal of permission on the grounds of persisting deficiencies. Accordingly the hearing was granted to the medical college whereafter the Central Govt. vide its letter dated 17.04.2015 forwarded the compliance dated 09.04.2015 submitted by the submitted by the Dean, RKDF Medical College Hospital & Research Centre, Bhopal alongwith the recommendations of the Committee constituted by the Ministry of Health, and Family Welfare, New Delhi for review by the MCI.

- 4) During that time, the Council had come across a number of medical colleges which were at the various stages of renewal of permissions and were found grossly deficient in providing minimum infrastructure, teaching faculty, clinical material and other physical facilities in their medical colleges thus the Council had to invoke Regulation 8(3)(1)(a), 8(3)(1)(b), 8(3)(1)(c) and also 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999. Accordingly, it was decided by the Council to seek a Legal Opinion from the Ld. Additional Solicitor General regarding whether the applications of such medical colleges could be processed any further in view of the invocation of Regulation 8(3)(1)(a), 8(3)(1)(b), 8(3)(1)(c) and also 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999.
- 5) The Ld. Additional Solicitor General vide his Legal Opinion dated 14.03.2015 in respect of the applicability of Regulation 8(3)(1)(a), 8(3)(1)(b), 8(3)(1)(c) had opined that wherein the Council has invoked Regulation 8(3)(1)(a), 8(3)(1)(b) and 8(3)(1)(c) of the Establishment of Medical College Regulation, 1999, after an inspection by the MCI assessors, there was no Statutory provision either under the Act or under the Regulations authorizing the MCI to process further the applications of such medical colleges. As the said Regulation clearly barred the consideration of any compliance from such medical colleges.
- 6) Similarly in respect of the applicability of Regulation 8(3)(1)(d), the Ld. Additional Solicitor General vide his Legal Opinion dated 27.03.2015 had opined that the MCI was not obliged to process the application of a medical college for renewal of permission which has been debarred from making admission for two academic years in conformity with Regulation 8(3)(1)(d) of aforesaid Regulation.
- 7) The case of the medical college was re-considered by the Executive Committee of the MCI in its meeting held on 29.04.2015 along with the Central Govt. letter dated 17.04.2015 and the Legal Opinions dated 14.03.2015 & 27.03.2015 rendered by the Ld. Additional Solicitor General. The Executive Committee of the MCI, in view of the fact that it had after considering the assessment report dated 23rd & 24th February 2015 in its meeting held on 02.03.2015, had, invoked Regulation 8(3)(1)(a) and also 8(3)(1)(d) of the Establishment of Medical College Regulation, 1999, it was decided by the Council to reiterate its earlier decision to recommend to the Central Govt. not to renew the permission to the medical college for admission of 2nd batch of 150 MBBS students for the academic year 2015-16 and also to debar the medical college for two academic years i.e. 2015-16 and 2016-17 in view of the fact that Regulation 8(3)(1)(d) had been invoked in the case of the medical college; whereafter the case of the medical college could not be processed any further. Accordingly, abovementioned recommendation of the Council was communicated to the Central Govt. vide MCI letter dated 11.05.2015.
- 8) The Central Govt. vide its letter dated 15.06.2015 had communicated its decision to the college authorities not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College, Hospital & Research Centre, Bhopal, Madhya Pradesh for the academic year 2015-2016.
- 9) Since the aforesaid decision of the Central Govt. was pertaining to the academic year 2015-2016, the Council has vide its letter dated

- 06.07.2015, informed the Central Govt. about the fact that the Council had in terms of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 recommended to the Central Govt. for debarring the medical college from admitting students for the academic years 2015-16 & 2016-17 but due to an omission / oversight the Central Govt. by way of its order dated 15.06.2015 had conveyed its decision to the medical college not to grant renewal of permission for admitting 3rd batch of 150 MBBS students for the academic year 2015-16 only.
- 10) The medical college being aggrieved by the recommendations of the MCI and the decision of the Central Government, had filed Writ Petition No. 7521 of 2015 titled RKDF Medical College Hospital & Research Centre vs. Union of India & Anr. before the Hon'ble High Court of Madhya Pradesh, Bench at Jabalpur. The Hon'ble High Court of Madhya Pradesh, Bench at Jabalpur vide its order dated 21.05.2015 had directed the Council to comply with the direction issued by the Central Govt. in terms of its letter dated 17.04.2015.
 - 11) The MCI being aggrieved by the interim order dated 21.05.2015 passed by the Hon'ble High Court of Madhya Pradesh in W.P. No.7521/2015 had approached the Hon'ble Supreme Court by way of SLP (C) No.16454/2015. The Hon'ble Supreme Court vide its order dated 04.06.2015, while disposing of the Special Leave Petition, had set aside the order dated 21.05.2015 and had allowed the MCI to raise all the pleas before the Hon'ble High Court of Madhya Pradesh as had been raised before the Hon'ble Supreme Court.
 - 12) The matter was thereafter heard by the Hon'ble High Court of Madhya Pradesh. The Hon'ble High Court of Madhya Pradesh, vide its judgment dated 01.07.2015, while allowing the writ petition being W.P. No.7521/2015 filed by the medical college, had set-aside the MCI recommendations dated 29.04.2015 & 11.05.2015 and had directed the MCI to review / assess the scheme for yearly renewal as submitted by the medical college in light of the Central Govt. communication dated 17.04.2015.
 - 13) It is relevant to mention here that during that time the Council received a complaint dated 25.03.2015 from Dr. A.K Bannergy, Ex. Associate Professor of the medical college alleging that more than 50% faculty members of the medical college who have been presented as full time faculty members at the medical college during the MCI assessment are private practitioners and in this regard the complainant had also forwarded documents of one Dr. Paresh Ruparel who had claimed to be employed as the Professor of Surgery at the medical college. It was alleged by the complainant that Dr. Ruparel owns a private clinic since last 15 year in Gujarat and also works as Surgeon at V.S Hospital affiliated to NHL Medical College, Ahmadabad. In support of his claim Dr. Bannergy had also forwarded the photographs of the clinic owned by Dr. Ruparel.
 - 14) Upon receiving the complaint by Dr. Bannergy, the matter was referred to the Ethics Committee of the Council whereafter after initial scrutiny of the Declaration Form & Experience Certificates of Dr. Paresh Ruparel, notices were issued to Principal of the RKDF medical college as well as Dr. Paresh Ruparel as well as Medical Superintendent of V.S Hospital, Ahmadabad. It is important mention that Dr. Paresh Ruparel had submitted his affidavit dated 19.05.2015 wherein he had admitted that he is working as a Surgeon at V.S Hospital, administered and managed by Ahmadabad Municipal Corporation, Ahmadabad and had also appeared before MCI inspection team as a faculty member of RKDF medical college only for the purposes of the MCI inspection to help the medical college procure permission for the academic year 2015-16.
 - 15) The MCI being aggrieved by the judgment dated 01.07.2015 passed by the Hon'ble High Court of Madhya Pradesh in W.P. No.7521/2015 had approached the Hon'ble Supreme Court by way of SLP (C)

No.19513/2015. The Hon'ble Supreme Court vide its order dated 08.09.2015 passed in SLP (C) No.19513/2015, in the facts and circumstances of the case, before deciding the petition, had directed the Council to comply with the directions issued by the Hon'ble High Court of Madhya Pradesh in its judgment dated 01.07.2015 passed in W.P. No.7521/2015 by conducting an inspection of the medical college and to submit its report before the Hon'ble Supreme Court in a sealed cover on or before 21.09.2015. The Hon'ble Supreme Court had also issued notice to Dr. Paresh Ruparel.

- 16) Accordingly compliance verification inspection of the medical college was carried out by the Council Assessors on 22nd September, 2015 when the aforesaid Special Leave Petition being SLP (C) No.19513/2015 was also listed for hearing before the Hon'ble Supreme Court on 22.09.2015. The Hon'ble Supreme Court after hearing the parties vide its order dated 22.09.2015, while leaving the question of law open had dismissed the aforesaid petition had directed that the inspection report be submitted to the Central Govt. by 24.09.2015, who shall provide a hearing to the medical college on 26.09.2015 and take a decision in the matter by 28.09.2015.

- 17) The compliance verification assessment report (22nd September 2015) alongwith previous assessment report (23rd & 24th Feb., 2015) with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2015-2016 was forwarded to the members of the Executive Committee through circulation on 23.09.2015 whereby it was decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch (150 seats) of RKDF Medical College Hospital & Research Centre, Bhopal, Madhya Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2015-2016 in view of the following deficiencies:-

1. Deficiency of faculty is 15.95 % as detailed in the report. The Dean in his letter has stated that 5 Asst. Prof. have passed in May/June 2015 from MCI recognized colleges who have provisional degree certificate issued by the respective Universities as their final degree certificate would be issued only after convocation. He has further stated that three faculty had gone to attend Hon'ble Courts; however in respect of one of them – i.e. Dr. Ashok Meghwal, Asso. Prof. of Surgery, although only 1 Asso. Prof. is available against requirement of 2, no deficiency has been shown in the chart implying he has been considered. The fourth person mentioned in his letter – i.e. Dr. Shailendra Pandey is actually a Senior resident in Skin & VD and not a member of faculty. Accepting all such faculty who have not been considered by assessors and considering them, net deficiency still remains at 7.44 %.
2. Psychiatry department is running without any faculty.
3. Deficiency of Residents is 83 % as detailed in the report. Most of the Residents are not staying in the campus. Only a few rooms seem to be occupied but basic needs & amenities are not available in Residents' hostel. Clothes, books, belongings, etc. were not seen in the rooms. Ration cards, which appear newly issued, have been provided as address proof for most of the residents, which is not acceptable.
4. Many patients who do not require admissions are admitted. In Orthopaedics ward, there were no patients with plaster cast or any operated patient. In Paediatric ward, many patients complained only of Bodyache. One patient was admitted only for investigation

purpose. Most of the patients had no significant illness to be treated as IPD patients. In Gynaecology ward, one patient is admitted since 13/09/2015 for complaint of abdominal pain, etc. One patient was admitted for complaints of chest pain & cough. One patient has been admitted since 10/09/2015 (i.e. for 13 days) for Renal Colic. In Obstetric ward, many of the patients did not warrant admission. Basic investigations were not performed at all. Doctors in the Unit had no explanation for the same. Deficiency remains as it is.

5. In Casualty, there were only 2 patients out of 18 beds. Details of medical, paramedical staff are not provided.
 6. In Tb & Chest ward, one of the patients admitted was of Koch's spine which is not as per norms.
 7. MRD: It is partly computerized. Deficiency remains as it is.
 8. Access of RKDF hospital is through very narrow road passing through slum area which is a major problem for ambulance to reach. Deficiency remains as it is.
 9. Data of OPD attendance, IPD, Laboratory investigations, Contrast Radiology investigations & Casualty provided by the institute seem to be inflated. In DVL OPD, there was NIL registration on day of assessment. In Psychiatry OPD, Register is maintained poorly. Last date of entry was 15/09/2015.
 10. There were NIL Major & NIL Minor operations on day of assessment. O.T. lists were not provided to assessors in spite of repeatedly asking for same.
 11. There were NIL Normal deliveries & NIL Caesarean Sections on day of assessment as well as on 3 previous days.
 12. Number of Plain X-rays on day of assessment is only 49 which is inadequate.
 13. Histopathology & Blood Bank records are not matching with O.T. record.
 14. Most of the wards like Paediatrics, Tb & Chest Diseases, Obstetrics & Gynecology, Skin & VD, Psychiatry, Ophthalmology, ENT, Orthopaedics, General Surgery, General Medicine, are not as per Minimum Standard Requirement Regulations. ENT ward did not have Emergency tray and basic instruments.
 15. Mess facility is not available in the hostels.
 16. ICUs: There was only 1 patient each in MICU & SICU and NIL patient in ICCU, PICU/NICU on day of assessment.
 17. Other deficiencies as pointed out in the assessment report.
- 18) It is pertinent to mention here that, apart from the above, the medical college in any event has already been debarred for two academic years i.e. 2015-16 and 2016-17 in view of the fact that Regulation 8(3)(1)(d) had already been invoked in the case of the medical college. The above decision of the Council was communicated to the Central Govt. vide letter dated 24.09.2015.
- 19) The Central Govt. upon receiving the recommendation from the MCI, had provided a hearing to the medical college on 26.09.2015 in terms of the order dated 22.09.2015 passed by the Hon'ble Supreme Court in SLP (C) No. 19513/2015. Thereafter Central Govt. vide its order dated

28.09.2015 decided to not to renew the permission for admission of 2nd batch for MBBS course (150 seats) of RKDF Medical College, Hospital & Research Centre, Bhopal, Madhya Pradesh for the academic year 2015-16.

- 20) The medical college being aggrieved by the Central Govt. decision dated 28.09.2015 had approached the Hon'ble Supreme Court by filing an application bearing I.A. No.3/2015 in SLP (C) No.19513/2015 on 29.09.2015. It is pertinent to mention that the aforesaid application being I.A. No. 3/2015 in SLP (C) No. 19513/2015 was listed before the Hon'ble Supreme Court on 01.10.2015, when the Hon'ble Supreme Court vide order dated 01.10.2015, directed the same to be listed on 06.10.2015. The Hon'ble Supreme Court vide its order dated 06.10.2015, recorded that the Senior Advocate appearing on behalf of the medical college was not ready to argue the matter on that day thus the case was adjourned to 08.10.2015. The arguments were heard by the Hon'ble Supreme Court on the aforesaid application filed by the medical college on 08.10.2015 and when it became evident to the medical college that the Hon'ble Supreme Court was not inclined to grant any indulgence to the medical college thus permission was sought to withdraw the application bearing I.A. No.3/2015 filed in SLP (C) No.19513/2015.
- 21) The Hon'ble Supreme Court vide its order dated 08.10.2015, without expressing any opinion in this regard permitted the medical college to withdraw the application. The said application was dismissed as withdrawn.
- 22) The medical college thereafter approached the Hon'ble Delhi High Court by way of W. P. (C) No. 9663/2015. Hon'ble Delhi Court, after hearing the medical college in W. P. (C) No. 9663/2015 vide order dated 09.10.2016, while issuing notice in the matter, had permitted the medical college to provisionally admit students for academic year 2015-2016.
- 23) The MCI being aggrieved by the interim directions passed by the Hon'ble Delhi High Court in W. P. (C) No. 9663/2015 had approached the Hon'ble Supreme Court by way of SLP (C) No. 29443 of 2015. The Hon'ble Supreme Court after hearing the parties vide its order dated 15.10.2015 while allowing the SLP filed by the MCI had quashed the interim relief granted by the Hon'ble Delhi High Court, vide its order dated 09.10.2015 passed in W. P. (C) No. 9663/2015 and had cancelled the admissions.
- 24) Whereafter, the Hon'ble Delhi Court vide its judgement dated 29.12.2015 had disposed off the aforesaid writ petition being W. P. (C) No. 9663/2015 with a directed the Central Govt. to pass a fresh decision for grant renewal of permission to the medical college for admitting 2nd batch of 150 MBBS students for the academic year 2015-16. The MCI being aggrieved by the aforesaid judgement dated 29.12.2015 passed in W.P. (C) No. 9663/2015 has challenged the same before the Hon'ble Division Bench of the Hon'ble Delhi High Court by way of LPA No.14/2016 and the same is pending adjudication.
- 25) In the meanwhile, the Central Government in compliance of the directions issued by the Hon'ble Delhi High Court vide its judgement dated 29.12.2015 passed in W. P. (C) No. 9663/2015, the Central Govt. vide its detailed letter dated 01.01.2016 had once again conveyed its decision to the medical college not to grant renewal of permission to admit 2nd batch of 150 MBBS students for the academic session 2015-16. The medical college has now challenged the said decision of the Central Govt. by way of W.P. (C) No. 66/2015 which is also pending adjudication before the Hon'ble Delhi High Court.

In view of the above facts and circumstances, the Exective Committee thought it pertinent to mention that Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 deals with a situation where a medical college has tried to play fraud with the Council and the Central Govt. by

submitting fake / forged documents including Declaration Forms and Experience Certificates in relation to teaching faculty employed by it. The conduct of a medical college plays a vital role while evaluating the application of the medical college for grant of permission. Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 categorically provides that, if during an inspection, a medical college is found to have employed teaching faculty on the basis of fake or forged documents, the Council must take a serious view of the conduct of the medical college and medical college will not be considered for permission for the current and the ensuing academic sessions.

The Executive Committee thought it relevant to state that a medical college while submitting the Declaration Forms of the faculty certifies that they have verified the credentials as well as the experience certificates of the faculty members and are satisfied with the credentials. There is an endorsement to the effect that the Principal / Dean and the Head of the Department of the medical college had satisfied themselves with the correctness & veracity of the contents of the Declaration Form including the fact that the medical teachers were working as full time faculty members in the medical college. The faculty member provides the aforesaid declaration, the Head of the Department and the Dean / Principal of the medical college provide an endorsement certifying that they have satisfied themselves about the correctness / veracity of the contents of the declaration including the certificates / documents submitted by the faculty member. The Head of the Department and the Dean / Principal of the medical college further declare that in the event any information / document is found incorrect or false then in such an event they shall be equally responsible besides the faculty member for such mis-declaration or misleading the MCI.

The Hon'ble Supreme Court in its judgement dated 06.09.2013 in the case of Rohilkhand Medical College & Hospital, Bareilly Versus Medical Council of India & Another – (2013) 15 SCC 516, has categorically held that MCI can take action under Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 if prima facie it is established that fake teachers were shown by the College to seek permission from MCI.

The Committee considered it relevant to point out that the Board of Governors nominated by the Central Govt., in the case of National Institute of Medical Sciences, Jaipur during an inspection observed that the college had misled the Board of Governors regarding the teaching faculty as there was a variation in the number of faculty members found during the inspection of postgraduate and undergraduate courses of the medical college. The Board of Governors nominated by the Central Govt. after considering the case of the medical college issued show cause notice and after considering their reply found that the college had employed faculty with fake / forged documents and decided to debar the college from making admissions for increased admission capacity from 100 to 150 in MBBS course for the academic session 2012-13 & 2013-14 under Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999.

The National Institute of Medical Sciences, Jaipur being aggrieved by the decision of the Board of Governors nominated by the Central Govt. dated 30.06.2012 had challenged the said decision before the Hon'ble Supreme Court by way of W.P (C) No.272/2012. The Hon'ble Supreme Court after hearing detailed submission on behalf of the college had declined to entertain the said petition therefore the medical college withdrew the same and the writ petition was dismissed as withdrawn vide order dated 10.07.2012 without granting any liberty to college.

Thereafter National Institute of Medical Sciences, Jaipur had filed W.P (C) No.4509/2012 before the Hon'ble Delhi High Court challenging the same decision of the Board of Governors nominated by the Central Govt. dated 30.06.2012, when the Hon'ble Delhi High Court also declined to entertain the said petition which was disposed of vide order dated 30.07.2012 with certain directions.

In the present matter, the RKDF Medical College Hospital & Research Institute, Bhopal, during the hearing granted to it on 17.03.2016(wrongly mentioned as 17.03.2015) by the Hearing Committee constituted by the Ministry, has clearly admitted to the fact that it had presented faculty members with fake / forged Declaration Forms & Experience Certificates and also that certain faculty members did not have requisite teaching experience in their respective departments. The hearing Committee failed to consider the recommendations of the Council as well as the inspections reports which are very vital to come to any conclusion in this regard.

The Ministry as well as the Hearing Committee has also totally ignored that the Council while evaluating the Declaration Forms & Experience Certificates of the faculty members found that one Dr. Paresh Ruparel, who was presented as a faculty member of the medical college during the inspection. Dr. Paresh Ruparel had submitted his affidavit dated 19.05.2015 before the Ethics Committee of the Council wherein he had admitted that he is working as a Surgeon at V.S Hospital, administered and managed by Ahmadabad Municipal Corporation, Ahmadabad and had also appeared before MCI inspection team as a faculty member of RKDF medical college only for the purposes of the MCI inspection in order to help the medical college procure permission for the academic year 2015-16. Thus the Ministry and the Hearing Committee had clearly also ignored that the Principal of the medical college has verified and counter signed his Declaration Form & Experience Certificate to show his as regular faculty of the medical college.

In the meanwhile the Council has received the order dated 11.05.2016 passed by the Hon'ble High Court of Madhya Pradesh at Jabalpur passed in W.P No. 21223/2015 – RKDF Medical College Hospital & Research Centre Vs. UOI & Anr., wherein the Hon'ble High Court has quashed the letter dated 29.03.2016 issued by the Central Govt. and has further directed the Council to conduct an inspection of the medical college and to submit its recommendations to the Central Govt. before 15.05.2016. It was also informed that since the order dated 11.05.2016 passed by the Hon'ble High Court of Madhya Pradesh is contrary to law as laid down by the Hon'ble Supreme Court since there was an absence of surprise element to the inspection of the MCI as well as various other grounds, thus the Council has approached the Hon'ble Supreme Court by way of a SLP which is likely to be listed shortly.

In view of the above, the Executive Committee of the Council after due discussion and deliberation and after considering the entire record pertaining to the medical college decided to defer the consideration of the matter to await the outcome of the SLP filed by the Council against the order dated 11.05.2016 passed by the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P No. 21223/2015 – RKDF Medical College Hospital & Research Centre Vs. UOI & Anr.”

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15/05/2016.

Thereafter, the SLP © No. 14729/2016 filed by the Medical Council of India –Vs.- RKDF Medical College Hospital & Research Centre & Anr. was listed before the Hon'ble Supreme Court on 15.07.2016 when the Hon'ble Supreme Court was pleased to pass the following order:-

“Without prejudice to the rights and contentions of the Medical Council of India to the effect that a fresh inspection is not required once an order is passed under Regulation 8(3)(1)(d) of the Estt. Of Medical College Regulations, 1999, the Medical Council of India should conduct a fresh inspection of respondent no.1 within a period of 6 weeks from today and submit a report/recommendations in a sealed envelope to this Court.”

In compliance of the above order of the Hon'ble Supreme Court, an Assessment of RKDF Medical College was carried out by the Council Assessors on 20th & 21st July, 2016. The Assessment Report was considered by the Executive Committee of the Council at its meeting held on 23.08.2016 and it was decided as under:-

“The Executive Committee of the Council considered the assessment report (20th & 21st July, 2016) carried out in pursuance of the Hon'ble Supreme Court Order dated 15.07.2016 passed in SLP(C) No. 14729/2016 as well as letter dated 01/08/2016 received from the college authorities. The Committee also perused the letter from assessors dt. 20/07/2016 which reads as under:

“10.00 a.m. - We reached college at 10 a.m. Dean was not available in Dean's Chamber. No staff was present in Administrative office. Co-coordinator waited in Dean's office and the person from the management was informed to call all the teaching staff and residents for attendance, except the staff who were washed up in OT, labour ward and casualty.

10.25 a.m. – Dean arrived after about 15 minutes and was informed regarding attendance of the faculty and residents once again. She was also informed to make arrangements for computer with internet and printer facility and to keep ready Form-A, Form-B of all the Departments, Annexure as per requirements Form-A of Birth and Death records. Dean was shown MCI order for assessment on cell phone while printer arrangement was awaited.

10.10 a.m. – One of the Assessor visited the facilities on the ground floor and found that the OPD registration counter, waiting area, OPD consultation rooms had no patients, only in OBG OPD three doctor's were present who stated they had not seen any patient since morning. Then in OT complex no surgery was on, OT list was not available of any day in July, 2016. In casualty no doctors were present, there were only 16 beds, 3 patients were there. There was no separate OBG casualty. Staff in OT and wards were said that they were instructed by management not sign any evidence sheets (photos and videos enclosed.)

In the pharmacy no records of any day were available (either manual or computerized). No documents was available regarding distribution of drugs to OP/IP patients.

10.10 a.m. – At the same time, other Assessor went to first floor to visit wards. In OBGY, there were no patient and no delivery in the month of July, 2016. In ENT ward (female) only one patient has ENT complaint, rest were having back ache/pain abdomen. There was no separate female surgical ward, none of the patients genuine verification they had no surgical complaints, not even one patient had any dressing or operative sign. Two patients in surgery were in bed without any case sheets. ICU, ICCU & SICU were not separate and there was only one patient of diarrhea in ICU. There were no patients in NICU/PICU and ventilators not available.

10.25 a.m. – Attendance of faculty and residents was started and all those who came till 11.00 a.m. and signed their attendance, then left for their departments.

11.00 a.m. – All faculty and residents who came after 11 a.m. were asked to sign and put the time in their own hand writing. This continued till 11.50 a.m.

11.50 a.m. – All three Assessors left for visit to various deptts. There was no attendance register of faculty or Biometric attendance. There was no duty roaster. Blood Bank - No blood was issued since 8th July, 2016. There were

five units of whole blood and there was no facility for component separation. During visits to the Deptt. of Anatomy, Physiology, Biochemistry, Pharmacology, Pathology, Microbiology and Forensic Medicine, faculty rooms were small and congested.

MRD – There was only one computer operator available and three computers. All patients in surgery ward were stated to be on IV medication as per case sheet but not even one patient had received either oral or IV medication since admission, case sheets did not have date of admission/name of doctor or deptt. Needle and syringe disposal facility was not available in any wards. In casualty no entry was made between 6th July and 17th July, 2016. Patients when asked told the Assessor that they were all brought in three buses from their homes predominantly from Indrapura around 11.30 a.m.

12.50 noon – After repeated requests printer was made available, only then we were able to give the hard copy of MCI order for assessment and UG check list. Labs investigations were less (evidence sheet enclosed).

2.00 p.m. – Verification of declaration forms was started. Owing verification to check the residence proof of a senior Resident of ENT Deptt. , the Assessor was accompanied by the SR and 20 people from management side, not even one person from college, Assessor (Dr.Pallavi Saple) was constantly verbally abused and noticed along the way. There was no mess facility in the resident hostel. Residents accommodation list provide and their actual occupance did not mark. The library had no records after December, 2015. Books available in the Deptt. Library are less. There was no internet facility available. There were only sin demo rooms in the hospital. No patient was admitted for more than one day.

3.00 p.m. – Management people, particularly the Chairman's son and CEO had been interfering in the process of assessment of all three Assessors since morning. They were pressing staff to state things as per their orders and were putting word in their mouth. Despite repeated requests to the Dean, they were not moving away from the assessment. Realizing that the assessment report may not be favourable to them, the management people now took on abusive and obsessive stand. Chairman's son started threatening the Assessors. He yelled that he will get the permission through Court and higher powers. Threats and abusive in continued and Dean did nothing to stop this wrong doing. Fearing our safety we picked up our assessment material and started moving towards our vehicle. We were unable to enter the vehicle as mob of around 150 surrounded us, most of them did not appeared to faculty/residents/students when we could manage to enter the vehicle, the mob surrounded the vehicle and continued abusing. We called for the Dean to come down, we asked her if she would help us in carrying out the assessment but she also appeared to be under the instructions of the management and she gave us no guarantee of our safety and the further assessment. So, we were forced to abandon the assessment for our safety. While returning to the hotel we noted one red Santro car followed us and when we stopped for tea, one of the Assessors sighted management people including Chairman's son in the car.

Additional information

- There were 280 beds available in the hospital against the required 300 beds.
- Bed occupancy at the time of assessment in 30.33% i.e. 91 out of 300 or 32.50% i.e. 91 out of 280 beds.
- Faculty deficiency was 59% i.e. 59 out of 100.
- Resident deficiency was 93.87% i.e. 46 out of 49.
- Even if all those who signed after 11 a.m. and assuming all residents stay in campus were included, even then.
- Faculty deficiency would have been 45% i.e. 45 out of 100.
- Resident deficiency would have been 46.1% i.e. 23 out of 49.

9.30 a.m. – Receiving no further intimation regarding guarantee of our safety and further assessment from the Dean, we choose to leave Bhopal and proceeded to MCI office to brief the untoward happenings.

11.13 a.m. – Received remarks from the Dean through SMS which appears to have been sent after confirming that we have left Bhopal.”

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch (150 seats) of MBBS students at RKDF Medical College Hospital & Research Centre, Jatkhedhi, Bhopal, M.P. under earlier Barkatullah University and now Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Further the Committee decided to place these observations in a sealed envelope before the Hon'ble Supreme Court.”

As per order of the Hon'ble Supreme Court, the above decision of the Executive Committee was placed before the Hon'ble Supreme Court in a sealed envelope.

The matter was listed before the Hon'ble Supreme Court on 09.09.2016 when the Hon'ble Supreme Court was pleased to pass the following order:-

“...On a reading of the document dated 12th August, 2016 and the order dated 6th September, 2016 particularly paragraph 4.7 of the document dated 12th August, 2016, we are of the view that it would be more appropriate if the matter is considered by the Oversight Committee and a decision is taken on the issue whether the respondent- RKDF Medical College Hospital & Research Centre should be allowed to admit students for the year 2016-17.

In taking a decision in this regard, the Oversight Committee is entitled to look at the two DVDs that have been filed before us and also to give a very brief hearing to the Medical Council of India and the respondent – RKDF Medical College Hospital & Research Centre. The Oversight Committee will take an independent view in the matter.

The petition stands disposed of in view of the above....”

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 28.09.2016 had granted approval to the said college for renewal of permission for admission of **2nd batch (150 seats)** u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC) subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 28.09.2016 as quoted above, the Central Govt. vide its letter dated 28.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 28.09.2016:-

- i. An affidavit dated 26.09.2016 from the President/Principal of the Society concerned.
- ii. A bank guarantee bearing No. 57380IGL0000116 dated 26.09.2016 Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 28.09.2016 for renewal of permission for MBBS course for 2nd batch of 150 MBBS students at RKDF

Medical College Hospital & Research Center, Jatkhedhi, Bhopal, Madhya Pradesh under Sarvepalli Radhakrishnan University, Bhopal has been carried out on 5th and 7th January, 2017 and noted the following:

1. Deficiency of faculty is 5.26 % as detailed in the report.
2. Shortage of Residents is 10.00 % as detailed in the report.
3. OPD attendance was 647 against 900 required as per Regulations.
4. Bed Occupancy was 60.48 % against 75 % required as per Regulations.
5. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
6. There were only 04 Major Operations on day of assessment.
7. In Skin & VD ward, patients of Crack feet & Itching are admitted who can be treated on outdoor basis. In Paediatrics many children looking normal not meriting admission were admitted. In General Surgery & Orthopaedics wards, a few patients did not merit admission.
8. Wards: Distance between 2 beds is < 1.5 m in Paediatrics ward.
9. Data of Laboratory investigations as provided by Institute are highly inflated.
10. Casualty: Ventilator is not available. There was only 1 patient in the Casualty at the time of taking round.
11. ICUs: All patients operated on 05/2017 were placed in SICU/ICCU/MICU. There were only 2 patients in PICU/NICU. There is no Ventilator in PICU/NICU.
12. Old CT Scan is not functional. New CT Scan is yet to be installed.
13. In respect of Dr. Rajiv Dalela, Asst. Prof., Orthopaedics, details given in letter pad do not match D.F.
14. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 4th batch of 150 MBBS students at RKDF Medical College Hospital & Research Center, Jatkhedhi, Bhopal, Madhya Pradesh under Sarvepalli Radhakrishnan University, Bhopal u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 28/09/2016 is liable to be encashed.

The Executive Committee of the Council further decided to place the matter before the Ethics Committee of the Council.

The minutes of this item were read out, approved and confirmed in the meeting itself.

68. Establishment of new medical college at Patancheru, Medak Dist., Telangana by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Patancheru, Medak Dist., Telangana by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (16th March, 2016) alongwith previous assessment report (29th& 30th December, 2015) as well as letter dated 17.03.2016 received from the college authorities with regard to grant of Letter of Permission for Establishment of new medical college at Patancheru, Medak Dist., Telangana by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee meeting at its held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (16th March, 2016) along with previous assessment report (29th& 30th December, 2015) as well as letter dated 17.03.2016 received from the college authorities and noted the following:

1. Shortage of Residents is 100 % as detailed in the report.
1. All the assessors visited the Residents' hostel & found that not a single resident was staying in the rooms.
2. Deficiency of faculty is 6.15 % as detailed in the report.
3. Bed occupancy was 43,33 % on day of assessment against requirement of 60 %.
4. OPD attendance on day of assessment was 584 against requirement of 600. There were not many patients at OPD counters around 10:25 a.m.
5. Wards: Wards of Tb & Chest, Skin & VD, Ophthalmology are not as per MSR Regulations as ancillary facilities are not available. Deficiency remains as it is.
6. There was only 1 Major & NIL Minor operation on day of assessment till 11:00 a.m. on day of assessment.
7. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
8. Radiological & Laboratory investigation workload is inadequate. Deficiency remains as it is.
9. Histopathology & Cytopathology workload is NIL on day of assessment.
10. Casualty: Patients in Casualty were having minor complaints like giddiness, bodyache, weakness which did not require admission in Casualty.
11. ICUs: There were only 1 patient in NICU & 2 in ICCU on day of assessment.
12. Students' Hostels: rooms are not furnished.
13. Residential Quarters: They are not furnished.
14. Data of clinical material provided by institute are inflated.
15. In Orthopaedics ward, not a single patient with POP or Back slab was found. Many patients with minor complaints like fever, Bodyache were admitted in General Medicine, Paediatrics, Orthopaedics.
16. In Male General Surgery ward, patient name B. Raju, M/28, OPD # 1601314019, IPD # 16020809, admitted in Unit I was given fake diagnosis of Lipoma of Abdominal wall; on examination it was observed it was not a Lipoma at all.
17. Medical Superintendent does not have relieving order from previous institute.
18. Many wards are manned by Student Nurses.
19. Dean refused to sign SAF after reading the same.
20. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Patancheru, Medak Dist., Andhra Pradesh by Alleti Shrunitha Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.”

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 14/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 01.09.2016:-

- i. An affidavit dated 21.08.2016 from the Principal& Chairman of the Institute concerned.
- ii. A bank guarantee bearing No. 00391IG160000014 dated 31.08.2016 of Rs. 2 Cr issued by Indian Bank in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 00391IG160000012 dated 24.08.2016 of Rs. 7.5 Cr issued by Indian Bank in favour of MCI, with a validity of 5 years.
- iv. A bank guarantee bearing No. 00391IG160000013 dated 24.08.2016 of Rs. 2 Cr issued by Indian Bank in favour of MCI, with a validity of 5 years.

The Executive Committee further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Patancheru, Medak Dist., Telangana by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was carried out by the Council Assessors on 2nd& 3rd December, 2016 and 6th& 7th January, 2017 and decided to recommend to the Central Govt. to confirm the conditional Letter of Permission for establishment of new medical college at Patancheru, Medak Dist., Telangana by Alleti Shrunitha Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

69. Establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (11th March, 2016) alongwith previous assessment report (29th & 30th December, 2015) as well as letter dated 12/03/2016 received from the college authorities with regard to grant of Letter of Permission for establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (11th March, 2016) alongwith previous assessment report (29th & 30th December, 2015) as well as letter dated 12/03/2016 received from the college authorities and noted the following:

1. Shortage of Residents is 28.26 % as detailed in the report.
2. Some Senior Residents are not staying in the campus except on emergency day.
3. Bed Occupancy is 56.49 % on day of assessment.
4. Wards: Male Medicine ward, Skin & VD, Tb & Chest, Psychiatry, Paediatrics, O.G., Male & female General Surgery, Orthopaedics, Ophthalmology, ENT wards are not as per MSR Regulations, like, there is no Examination cum Treatment room, Pantry, Store Room, Demonstration, Duty room.
5. Most of the patients admitted in General Medicine wards did not require admission. They had minor vague complaints like Bodyache, weakness, etc.
6. Casualty: Central O₂ and Central Suction are not available. Pipeline was shown to assessors but it was not functional. Emergency Drug Tray is not available. Portable X-ray machine is not available. Patients admitted in Casualty had minor non-specific complaints like headache, weakness, etc.
7. ICUs: NICU is practically non-functional. There was only 1 patient in PICU.
8. O.T.: Septic O.T. is not functional.
9. Speech Therapy room is too small.
10. Nursing Staff: GNM Nursing students doing their internship are shown as Staff Nurses. Resultantly, deficiency of inadequate number of Staff Nurse remains.
11. Nursing Hostel: In 1 room, 5-7 Nurses are staying which is not as per Regulations.
12. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
13. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri Vidya Parishad Society, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.”

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016.

The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further observed that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 26/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 26.08.2016:-

- i. An affidavit dated 23.08.2016 from the President of the Society concerned and from the Dean of the college concerned.
- ii. A bank guarantee bearing No. 010616IGFIN0007 dated 23.08.2016 of Rs. 2 Cr Issued by Andhra Bank in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 010616IGFIN0007 dated 23.09.2013 of Rs. 7.5 Cr issued by Andhra Bank in favour of MCI, with a validity of 5 years Lr. No. 0106/16/BG Renewal/357 dated 19.08.2016 extending the validity of BG upto 22.09.2020.
- iv. A bank guarantee bearing No. 010616IGFIN0006 dated 23.09.2013 of Rs. 2 Cr issued by Andhra Bank in favour of MCI, with a validity of 5 years and Lr. No. 0106/16/BG Renewal/ 358 dated 19.08.2014 and Lr. No. 0106/16/BG Renewal/111 dated 23.08.2016 extending validity of BG upto 22.09.2021.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri VidyaParishad Society, Andhra Pradesh with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 28th & 29th December, 2016. The Executive Committee considered the assessment report(28th & 29th December, 2016) alongwith a letter/representation dated 29.12.2016 received from the Dean of the college and noted the following deficiencies:-

1. ICUs: There was only 1 patient in NICU/PICU on day of assessment. NICU/PICU does not have Central O₂ and Central Suction.
2. Casualty: Separate Casualty for O.G. is not available. Minor not available.
3. ABG Analyzer is not available.
4. Anatomy department: Only 1 articulated set is available. Only 4 cadavers are available.
5. Physiology department: Clinical Physiology laboratory is not adequate.
6. In Demonstration room, Audiovisual aids cannot be placed for proper focus and no roof mounted equipment is available.
7. Central Photography Section is not functional.
8. Other deficiencies as pointed out in the report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due

deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Marikavalasa, Vishakhapatnam, Andhra Pradesh by Gayatri VidyaParishad Society, Andhra Pradesh under Dr. NTR University of Health Sciences, Vijayawada, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

70. Establishment of new medical college at Mirzapurpole, Saharanpur by Abdul Waheed Educational and Charitable Trust, Mirzapur, Saharanpur with an annual intake of 150 MBBS students under Glocal University, Saharanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Mirzapurpole, Saharanpur by Abdul Waheed Educational and Charitable Trust, Mirzapur, Saharanpur with an annual intake of 150 MBBS students under Glocal University, Saharanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that that an assessment of the physical and other teaching facilities available for grant of Letter of Intent/Letter of Permission for establishment of new medical college at Mirzapurpole, Saharanpur by Abdul Waheed Educational and Charitable Trust, Mirzapur, Saharanpur with an annual intake of 150 MBBS students under the Glocal University, Saharanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was carried out by the Council Assessors on 11th & 12th December, 2015. The assessment report (11th & 12th December, 2015) was considered by the Executive Committee of the Council at its meeting held on 28/12/2015 and it was decided as under:-

"The Executive Committee of the Council considered the Council Assessors report (11th & 12th December, 2015) and noted the following:

1. *Deficiency of teaching faculty is 36.92 % as detailed in the report.*
2. *Shortage of Residents is 36.95 % as detailed in report.*
3. *Teaching beds are inadequate as under:*

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	72	36	36
2	Paediatrics	24	10	14
3	Tb & Chest	8	0	8
4	General Surgery	90	13	77
5	Orthopaedics	30	17	13
6	Ophthalmology	10	4	6
7	O.G.	40	0	40
	TOTAL			194

4. *Wards: Female patients' ward of General Medicine, General Surgery & O.G. are combined in 1 ward. Nursing station, Examination cum treatment room,*

Demonstration room, pantry are not available. Male & Female patients are kept in the same ward in Ophthalmology, ENT and Skin & VD.

5. *OPD attendance is 325 against 600 required. It was only 55 at 11 a.m.*
6. *Bed occupancy was 27.66 % at 10:30 a.m. All patients in all wards were admitted on day of assessment without definite symptoms. Indoor tickets are blank. In Ophthalmology, 3 patients were admitted with general complaints without any Ophthalmic problem. In Skin & VD ward, all patients were admitted without any Skin problem.*
7. *OPD: Separate Registration counters for OPD/IPD are not available. Waiting area is inadequate. Teaching areas are not available. Enquiry desk is not available. Examination rooms are inadequate. Injection room is common for males/females & is non-functional. ECG room is not available. Dressing room is not available. Minor O.T. is not available. Plaster room & Plaster cutting room are not available. In Ophthalmology OPD, Dark room, Refraction room & Dressing room are not available. Specialty clinics are not available in Paediatrics & OG OPD. ENT OPD is not in functional state.*
8. *Audiometry & Speech therapy are not available.*
9. *In Radiodiagnosis department, there were fake entries of patients. Total 91 X-rays are shown but there is no X-ray plate, dark room & no reports.*
10. *In Laboratory, there is no functional equipment. There is only sample collection center with fake entries. Registers for testing & reports are not available.*
11. *MRD: ICD X classification of diseases is not followed for indexing.*
12. *Casualty: Separate Casualty for O.G. is not available. Central O₂ & Central Suction are not available. Resuscitation equipment is inadequate.*
13. *Central Clinical laboratory runs only as Pathology laboratory. There is no functional equipment.*
14. *O.T.s: Only 2 Major O.T.s are available against 4 required. Out of these, 2nd O.T. is non-functional. Minor O.T.s are not available. They are not air-conditioned. Central O₂ & Central Suction are not available. Resuscitation equipment is inadequate. Preoperative beds are not available.*
15. *ICUs: MICU & SICU are not available. There was NIL patient in NICU/PICU. Beds in NICU were adult beds. In ICCU, all 5 patients were general patients without any IV channel for any patient.*
16. *Radiodiagnosis department: Only static X-ray machine is available against 2 required. Only 1 mobile X-ray patient is available against 2 required. AERB approval is not available. Only 1 USG is available against 2 required; even this is not functional. Valid PNDT approval is not available.*
17. *Blood Bank is not available.*
18. *CSSD is not available.*
19. *College Council is not constituted.*
20. *Lecture Theaters: Capacity of 1 lecture theater is 160 & of another is 90 which is less than 180 required. They are not of gallery type. E class facility is not available.*
21. *Central Library: Students' Reading room (Outside) is not available. Staff reading room is not available. Only 2,255 books are available against 3,000 required.*
22. *Common Rooms for Boys & Girls are not available.*
23. *Students' Hostels: There are no separate hostels for medical students. Engineering students stay in 1 wing of Boys' hostel.*
24. *Residents' Hostel: It is in 1 wing of Engineering hostel.*
25. *Nurses' Hostel: It is under construction.*
26. *Intercom is not available.*
27. *Anatomy department: Laboratory seats are inadequate. NIL specimens are available. MRI/CT films are not available. Cold storage for dead bodies is not available. Embalming room is not available. No wash basins are available in Dissection Hall, Histology laboratory.*
28. *Physiology department: Clinical Physiology & Haematology laboratories are under construction. Mammalian laboratory is not available.*
29. *Biochemistry department: Practical Laboratory is under construction.*
30. *Other deficiencies as pointed out in the assessment report.*

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3 (2) (5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Mirzapur, Poll, Saharanpur by Abdul

Waheed Educational and Charitable Trust, Mirzapur, Saharanpur with an annual intake of 150 MBBS students under Glocal University, Saharanpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to write a letter to the Secretary (ME) of State Govt. of U.P. requesting to intimate as to how they have issued the Essentiality Certificate certifying that the applicant owned and managed a functional hospital of 300 beds having adequate clinical material when on inspection it has been found that the teaching beds are only 106 against the requirement of 300 beds."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 31/12/2015. The Central Government vide its letter dated 05.02.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further observed that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 08/09/2016 has forwarded the following the documents as submitted by the college to the Ministry on 29.08.2016:-

- i An affidavit dated 30.08.2016 from the Chairman of the Institute concerned.
- ii An affidavit dated 30.09.2016 from the Principal of the Institute concerned.
- iii A bank guarantee bearing No.3885ILG003916 dated 01.02.2016 of Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 1 year.
- iv A bank guarantee bearing No.3885ILG003816 dated 01.02.2016 of 7.5Cr issued by Punjab National Bank in favour of MCI, with a validity of 5 years.
- v A bank guarantee bearing No. 3885ILG003716 dated 01.02.2016 of Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Mirzapurpole, Saharanpur by Abdul Waheed Educational and Charitable Trust, Mirzapur, Saharanpur with an annual intake of 150 MBBS students under the Glocal University, Saharanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 21st & 22nd December, 2016. The Executive Committee considered the assessment report dated 21st & 22nd December, 2016 alongwith a letter/representation dated 22/12/2016 from the Principal & Dean of the college and noted the following:-

- 1. Deficiency of faculty is 27.69 % as detailed in the report.
- 2. Shortage of Residents is 34.78 % as detailed in the report.
- 3. Bed Occupancy is 21.66 % at 10 a.m. on day of assessment.
- 4. There was NIL Major Operation on day of assessment.

5. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
6. Workload of Histopathology & Cytopathology is NIL on day of assessment.
7. O.T.: 4 Major O.T.s in O.T. complex are yet to be made functional.
8. ICUs: There was NIL patient in ICCU, MICU, POICU/NICU & only 1 patient in SICU on day of assessment.
9. Labour room: Septic Labour room & Eclampsia room are just labeled. They are not functional.
10. OPD: Dressing room / Minor procedure room is not equipped & furnished.
11. Blood Bank: NIL unit was dispensed on day of assessment. Storage was only 4 units.
12. Pharmaco Vigilance Committee: No meeting is held till date.
13. Anatomy department: NIL specimens are available in Museum.
14. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Mirzapurpole, Saharanpur by Abdul Waheed Educational and Charitable Trust, Mirzapur, Saharanpur with an annual intake of 150 MBBS students under the Glocal University, Saharanpur, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

71. **Establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the letter dated 18.03.2016 received from the team of the Council assessors appointed for compliance verification assessment alongwith previous assessment report (20th & 21st January 2016) with regard to grant of Letter of Permission for establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh with an annual intake of

150 MBBS students under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13/05/2016 and it was decided as under:-

"The Executive Committee of the Council considered the assessment report (20th & 21st January 2016) alongwith letter dated 18.03.2016 received from the appointed team of the Council assessors and noted the following:

"We reached principal's office at 9:30 AM. Principal Dr. Mathur was not in the office. Medical Superintendent Dr H S Nagar accepted the instructions given to principal at 9 30 AM. Accordingly we started the process. Dr Karabi Baral visited block B of Hospital building with MS. Dr Nimesh Verma visited block A with a Head Nurse and PRO of the hospital. Dr Nina Das waited in the principal's room for attendance of the faculty and resident doctors.

Principal came to the office at 10 AM and informed Dr Nina Das that they would not allow the inspection process as the college has declared holidays in view of Holi & Good Friday from 18-03-2016 to 27-03-2016. So, we are submitting the brief report of this institution, what we have seen till 10:30 AM.

1) Bed Occupancy

Department	Available Beds	Patients
Medicine	72	05
Paediatrics	24	00
TB Chest	08	00
Skin& VD	08	00
Psychitry	08	00
General Surgery	90	10
Orthopedics	30	06
Ophthal	10	01
ENT	10	00
ObGyn	40	15
Total	300	37
<u>Bed Occupancy 12.33%</u>		

2) Labor Room one patient was in the LR, they claimed she has just delivered, but the baby was found not to be the newborn and case history sheet incomplete, no para/gravida mentioned in the case sheet. Photograph taken.

3) OT : . There are Five OTs and one septic OT on the first floor of A Block. No surgery was going on at 10 AM. Two patients were waiting to be operated to be hernia.

4) OPD :

A) Pharmacy: List of only 46 drugs available was given. In B block, Till 10 AM, only three patients reported there. In A Block Pharmacy, till 10 AM no patient reported.

B) Registration: Could not provide the printout of registrations done. Claiming two hundred registrations till 10 AM ,but at 9 :30 AM, when we entered in the hospital campus, few patients were found near the OPD block.

5) Casualty: Two patients were there in casualty ward, as The ICU was closed for fumigation, as per the staff working there. Surgery Minor OT was closed, as they claimed it is being fumigated.

6) *Intensive Care: ICCU, SICU, MICU & PICU were locked. Two bedded NICU adjacent to Labor Room had one healthy baby.*

7) *Central Kitchen : At 10:30 AM, 3 staff were there. No kitchen register. Only one requisition for patient diet given to the assessor, where date overwriting was there.*

Only 15 patients from OBGYN Ward were there in the list.

No faculty and resident doctors came for signature on attendance sheet, hence they are not verified.

As Principal refused the inspection, his signature could not be taken on the report."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 08/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 30.08.2016:-

- i. An affidavit dated 29.08.2016 from the President of the Society concerned.
- ii. An affidavit dated 29.08.2016 from the Principal of the College concerned.
- iii. A bank guarantee bearing No. 53360IGL0001916 dated 29.08.2016 of Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 1 year.
- iv. A bank guarantee bearing No. 53360IGL0001816 dated 29.08.2016 of Rs. 7.5 Cr issued by Union Bank of India in favour of MCI, with a validity of 5 years.
- v. A bank guarantee bearing No. 53360IGL0002016 dated 29.08.2016 of Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the

academic year 2016-2017 was carried out by the Council Assessors on 18th & 19th November, 2016. The Executive Committee considered the assessment report dated 18th & 19th November, 2016 alongwith another assessment of the said college which was carried out by the appointed team of the Council Assessors on 21st & 22nd December, 2016.

The Executive Committee of the Council also perused the letter dated 21/12/2016 from the appointed team of Council Assessors stating therein as under:-

"With reference to email letter no. MCI-34(41)/2016-Med./dated 21.12.2016 for the above cited subject, we went to the college and reached there at 10 am and met the Principal, Dr. B.P. Mathur who informed us that they did not want the assessment to be done and gave a letter stating the same. The letter from the Principal is attached alongwith the filled SAI form."

The Committee further perused the letter dated 21/12/2016 from the Principal, Saraswati Medical College, Unnao stating as under:-

"In reference to MCI Letter no. MCI-34(41)(UG)/2017-18-Med./dt. 21/12/2016 regarding Surprise Assessment of Saraswati Medical College, Unnao on 21st December, 2016. I have to submit the following,

1. *Compliance Assessment & Verification of physical and other facilities of Saraswathi Medical College, Unnao, as per the direction of the OC, has already been conducted by MCI on 18th & 19th November, 2016 vide letter no. MCI-34(41)/2016-Med./dt. 18/11/2016.*
2. *MCI vide letter no. MCI-34(41)(R-107)/2016-Med./142566 dt. 08/11/2016 has informed the College that Assessment Inspection will be held upto 15th December 2016 only.*
3. *LOP has already been granted to the College by the Ministry of Health and Family Welfare and per direction of OC and Inspection verifying our compliance has already been undertaken by the MCI on 18th & 19th Nov, 2016.*

Since the OC has given no further direction for re-inspection of the Compliance Inspection held by MCI on 18th & 19th Nov, 2016 and since the MCI has catergorically communicated to the College that inspection will be carried out only upto 15th December, 2016, the College does not see any merit to undergo any further Compliance inspection for the session 2016-17, hence denied the inspection on 21st December, 2016 by the MCI team."

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Unnao, Uttar Pradesh by Saraswati Educational Charitable Trust, Lucknow, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

72. Establishment of new medical college at Palakkad, Kerala by Royal Medical Trust, Palakkad, Kerala with an annual intake of 150 students under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Palakkad, Kerala by Royal Medical Trust, Palakkad, Kerala with an annual intake of 150 students under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (10th February 2016) alongwith previous assessment report (16th& 17th December, 2015) as well as a letter dated 10/02/2016 received from the Dean, Kerala Medical College Hospital, Palakkad with regard to grant of Letter of Intent/Letter of Permission for Establishment of new medical college at Palakkad, Kerala by Royal Medical Trust, Palakkad, Kerala with an annual intake of 150 students under Kerala University of Health Sciences, Thrissuru/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 at it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (10th February 2016) along with previous assessment report (16th& 17th December, 2015) as well as a letter dated 10/02/2016 received from the Dean of the college and noted the following:-

1. OPD attendance was only 350 at 2 p.m. against requirement of 600.
2. Bed occupancy was 55.33 % against requirement of 60 % on day of assessment.
3. There were only 5 Major operations for the whole hospital on day of assessment.
4. Makeshift arrangements have been done in Orthopaedics OPD for Plaster cutting room & Dressing room. Deficiency is not fully rectified.
5. Audiometry & Speech Therapy rooms are not actually rooms but only partitions. Deficiency is not fully rectified.
6. Casualty: In Casualty, there were only 3 patients admitted upto 2:30 p.m.; these patients were such who did not really require admission in Casualty as they had minor complaints like abdominal pain, headache, Psychiatric observation, etc.
7. ICUs: 3 patients with insignificant complaints were admitted in ICU. 2 patients with insignificant complaints were admitted in MICU. 3 patients with insignificant complaints like Postoperative cataract surgery, old fracture implant removal, postoperative Haemorrhoidectomy were admitted in SICU. 3 recently delivered normal babies were kept in NICU. Only 1 patient in PICU was of Down's syndrome with no other complaint.
8. Wards: Most of the wards are not as per MSR Regulations. Ancillary facilities are not available inside the wards.
9. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
10. Cytopathology workload was NIL on day of assessment.
11. In female ENT ward, female Psychiatry patients were admitted.
12. In Ophthalmology ward, patient with unrelated minor complaint like Headache was admitted.
13. In ENT male ward, one female patient by name of Shifa (IP # 44436/16, Hospital # 476/16) was admitted since 08/02/2016.
14. In Orthopaedics ward, admitted patients had minor complaints like backache, nonspecific limb pain.
15. In female General Medicine ward, patient named Thangamma, age 80 y, (IP # 44355/16, Hospital # 11315/16) was admitted on 05/02/2016 with complaint of

- Right Lower Limb pain evaluation with Diabetes & Hypertension. On examination, it was found that she can move both limbs.*
16. *In male General Surgery ward, patient named Abu Bacr Siddiqui was shown as having Head injury but on examination, she was found to have no complaint at all.*
 17. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Palakkad, Kerala by Royal Medical Trust, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 14/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 02.09.2016:-

- i. An affidavit dated 24.08.2016 from the Principal of the Institute concerned.
- ii. An affidavit dated 01.09.2016 from the Chairman of the Institute concerned.
- iii. A bank guarantee bearing No. 6/2016 dated 01.09.2016 of Rs. 2 Cr issued by Canara Bank in favour of MCI, with a validity of 1 year.
- iv. A bank guarantee bearing No. 4/2016 dated 01.09.2016 of Rs. 2 Cr issued by Canara Bank in favour of MCI, with a validity of 5 years
- v. A bank guarantee bearing No. 5/2016 dated 01.09.2016 of Rs.7.5 Cr issued by Canara Bank in favour of MCI, with a validity of 5 years

In reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for Establishment of new medical college at Palakkad, Kerala by Royal Medical Trust, Palakkad, Kerala with an annual intake of 150 students under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 28th& 29th December, 2016. The Executive Committee considered the assessment report dated 28th and 29th December, 2016 alongwith letter dated 29/12/2016 of the Principal, Kerala Medical College, Palakkad regarding promotion of Dr. Munir U.A. from Assistant Professor to Associate Professor in the department of Paediatrics and letter dated 29/12/2106 regarding clinical material and leave of faculty and resident during MCI assessment and noted the following:-

1. Deficiency of faculty is 13.84 % as detailed in the report.
2. Shortage of Residents is 8.69 % as detailed in the report.
3. No Anti Sera are available in Microbiology laboratory.
4. Bed Occupancy is 50 % at 10 a.m. on day of assessment as under:

#	Department	Beds	
		Available	Occupied
1	General Medicine	72	29
2	Paediatrics	24	20
3	Tb & Chest	08	07
4	Psychiatry	08	06
5	Skin & VD	08	07
6	General Surgery	90	31
7	Orthopaedics	30	25
8	Ophthalmology	10	02
9	ENT	10	02
10	O.G.	40	21
	TOTAL	300	150

5. Casualty: Separate Casualty for O.G. is not available. Crash Cart is not available.
6. O.T.: Preoperative beds are not available.
7. ICUs: There was only 1 patient in ICCU, SICU on day of assessment.
8. Only 1 out of 2 Static X-ray machines has AERB approval.
9. Blood Bank: Only 2 units were dispensed on day of assessment.
10. ETO Sterilizer is not available.
11. OPD: Separate Registration counters for OPD/IPD are not available.
12. Audiometry (Soundproof & Air-conditioned) is not available. There was no Audiometer.
13. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Palakkad, Kerala by Royal Medical Trust, Palakkad, Kerala under Kerala University of Health Sciences, Thrissur, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

73. **Establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to Establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (11th March, 2016) along with previous assessment report (29th & 30th December, 2015) as well as complaint dated 21/03/2016 received from Sh. P. Srinivasa Murthy, Hyderabad against the said college with regard to grant of Letter of Permission for establishment of New Medical College at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 at it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (11th March, 2016) along with previous assessment report (29th & 30th December, 2015) as well as complaint dated 21/03/2016 received from Sh. P. Srinivasa Murthy, Hyderabad against the said college and noted the following:-

1. *On verification of admitted patients, some patients in General Surgery ward were admitted for very minor complaints like Gastritis, Urinary Tract infections, etc. Some patients were admitted for minor Surgical procedures. 8 patients were kept in the wards even after removal of sutures. In Orthopaedics ward, majority of patients were admitted for Implant removal, backache & Osteoarthritis. There were NIL patients in Psychiatry & Ophthalmology wards.*
2. *ICUs: There was only 1 patient in ICCU. Out of 4 patients in MICU, 3 did not require intensive care.*
3. *No patient was seen in Labour room during the round.*
4. *Data of clinical material provided by the institute appear to be inflated.*
5. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 14/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 01.09.2016:-

- i. An affidavit dated 29.08.2016 from the Chariman & Dean of the Institute concerned.
- ii. A bank guarantee bearing No. 20/2016-17 dated 31.08.2016 of Rs. 2 Cr Issued by State Bank of Hyderabad in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 18/2016-17 dated 30.08.2016 of Rs. 7.5 Cr issued by State Bank of Hyderabad in favour of MCI, with a validity of 5 years.

- iv. A bank guarantee bearing No. 19/2016-17 dated 30.08.2016 of Rs. 2 Cr issued by State Bank of Hyderabad in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 16th & 17th December, 2016. The Executive Committee considered the assessment report (16th & 17th December, 2016) and noted the following:-

1. Signed attendance registers of clinical departments were not produced before the assessors in the office of the Dean on the first day of assessment.
2. Appointment letters given to staff do not mention salary structure & time limit upto which they can join.
3. Average OPD attendance as observed by assessors & informed by HODs & faculty during interaction with assessors is 430/day which is inadequate against requirement of 600. OPD attendance claimed by institute of 683 seems to be exaggerated.
4. Bed Occupancy of genuine patients as observed by assessors is 143/300 – i.e. 48 % which is inadequate.
5. Many patients had problems with simple routine OPD problems like cough & cold, mild Anaemia, pain abdomen, weakness, Urinary tract infections, vaginal discharge, normal pregnant females, Orthopaedic patients with only back pain or knee pain, etc. patients who are fit enough to be discharged but being unnecessarily hospitalized.
6. There was NIL Normal Delivery on day of assessment. Prior to assessment in the whole previous week there were only 2 Deliveries.
7. There was NIL death in the wards for the last 2 years.
8. ICUs: There was NIL patient in NICU/PICU & only 1 patient each in ICCU, MICU & SICU on day of assessment.
9. Pharmaco Vigilance Committee: NIL meeting is held till date.
10. Other deficiencies as pointed out in the assesment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

- 74. Establishment of new medical college at Kolar Gold Field (KGF), Kolar District, Karnataka (Sambharam Institute of Medical Sciences & Research) by Sambharam Charitable Trust, Bangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-17.**

Read: the matter with regard to establishment of new medical college at Kolar Gold Field (KGF), Kolar District, Karnataka (Sambharam Institute of Medical Sciences & Research) by Sambharam Charitable Trust, Bangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-17.

The Executive Committee of the Council noted that the legal opinion of Law Officer with regard to establishment of new medical college at Kolar Gold Field (KGF), Kolar District, Karnataka (Sambharam Institute of Medical Sciences & Research) by Sambharam Charitable Trust, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-17 was considered by the Executive Committee of the Council at its meeting held on 13/05/2016 and it was decided as under:-

"The Executive Committee of the Council perused the opinion of Law Officer which reads as under:

"The file of Undergraduate Section for establishment of new Medical College at Kolar, Karnataka by Sambharam Charitable Trust, Bangalore for establishment of new Medical College has been referred for my opinion in context of letter dated 11.05.16 of the Central Government. The Central Government has vide this letter which is quoted on pre-page note has informed that the applicant has been issued re-validated consent of affiliation for the year 2016-17 by the RGUHS and therefore the case has been recommended for review by MCI.

2. *In this regard, the Hon'ble Supreme Court in its judgment dated 20.08.15 in Royal Medical Trust & Anr. vs. Union of India & Anr. reported in (2015) 10 SCC 19 has in paragraph 27 of the judgment laid down the mode and manner in which the application for establishment of new Medical College, renewal of permission of existing and increase in intake capacity has to be processed, at all stages. It reads as under:-*

27. *The MCI and the Central Government have been vested with monitoring powers under Section 10A and the Regulations. It is expected of these authorities to discharge their functions well within the statutory confines as well as in conformity with the Schedule to the Regulations. If there is inaction on their part or non-observance of the time Schedule, it is bound to have adverse effect on all concerned. The affidavit filed on behalf of the Union of India shows that though the number of seats had risen, obviously because of permissions granted for establishment of new colleges, because of disapproval of renewal cases the resultant effect was net loss in terms of number of seats available for the academic year. It thus not only caused loss of opportunity to the students' community but at the same time caused loss to the society in terms of less number of doctors being available. The MCI and the Central Government must therefore show due diligence right from the day when the applications are received. The Schedule giving various stages and time limits must accommodate every possible eventuality and at the same time must comply with the requirements of observance of natural justice at various levels. In our view the Schedule must ideally take care of:*

(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.

5. Further, the Hon'ble Supreme Court in its recent judgment in the case of *Medical Council of India vs. V.N. Public Health & Educational Trust & Anr.* in Civil Appeal No. 3964 of 2016 (arising out of SLP (C) No. 5326 of 2016) dated 18.04.16 has held as under:

14. In this context, we may profitably refer to the decision in **D.Y. Patil Medical College v. Medical Council of India & Anr 2015 (10) SCC 51** wherein the controversy had arisen due to rejection of the application of the institution on the ground that Essentiality Certificate was not filed along with the application form. The Court dwelled upon the principles stated in **Educare Charitable Trust v. Union of India & Anr AIR 2014 SC 902: (2013) 16 SCC 474**, **Royal Medical Trust** (supra) and various other decisions and, after analyzing the scheme of the Act, has held:-

"It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process."

15. The impugned order passed by the High Court is to be tested and adjudged on the anvil of the aforesaid authorities. The application for grant of approval was filed with the Essentiality Certificate which was a conditional one and, therefore, a defective one. It was not an Essentiality Certificate in law. In such a situation, the High Court could not have directed for consideration of the application for the purpose of the inspection. Such a direction, we are disposed to think, runs counter to the law laid down in **Educare Charitable Trust** (supra) and **Royal Medical Trust** (supra). We may further proceed to state that on the date of the application, the Essentiality Certificate was not in order. The Schedule prescribed by the MCI, which had been approved by this Court, is binding on all concerned. MCI cannot transgress it. The High Court could not have gone beyond the same and issued any direction for conducting an inspection for the academic year 2016-17. Therefore, the directions issued by the learned single Judge and the affirmation thereof by the Division Bench are wholly unsustainable.

16. Consequently, the appeal is allowed and the judgments and orders passed by the High Court are set aside. It will be open to the Trust to submit a fresh application for the next academic year in consonance with the provisions of the Regulations of the MCI and as per the time Schedule; and in that event, it will be considered appropriately. In the facts and circumstances of the case, there shall be no order as to costs.

6. It is to be noted that in accordance with the time-schedule for establishment of new Medical College, an applicant is required to submit a complete application to the Central Government. An application without a valid consent of affiliation at the time of making an application is incomplete. Therefore, the submission of revalidated consent of affiliation by RGUHS issued on 02.05.2016, by the applicant at this juncture is of no consequence and cannot form the basis for any review. The law laid down by the Hon'ble Supreme Court as referred above is loud and clear to the effect that incomplete applications are liable to be rejected. Therefore, it would be appropriate to recommend to the Central Government to disapprove the application of Sambharam Charitable Trust, Bangalore for establishment of new Medical College as the

consent of affiliation issued by the RGUHS on 02.05.16 cannot be considered for processing the application for academic year 2016-17."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Kolar Gold Field (KGF), Kolar District, Karnataka (Sambharam Institute of Medical Sciences & Research) by Sambharam Charitable Trust, Bangalore to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15/05/2016. The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 26.09.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 26.09.2016, the Central Govt. vide its letter dated 28/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 27.09.2016:-

- i. An affidavit dated 27.09.2016 from the Chairman of the Trust/Society and the Dean/Principal of the College concerned.
- ii. A bank guarantee bearing No. 15410100007578 dated 27.09.2016 of Rs. 2 Cr issued by Axis Bank Ltd. in favour of MCI, with a validity of 5 years.
- iii. A bank guarantee bearing No. 15410100007577 dated 27.09.2016 of Rs. 2 Cr issued by Axis Bank Ltd. in favour of MCI, with a validity of 1 year.
- iv. A Bank guarantee bearing No. 15410100007582 dated 27.09.2016 of Rs. 7.5 Cr issued by Axis Bank Ltd. in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 26.09.2016 for establishment of new medical college at Kolar Gold Field (KGF), Kolar District, Karnataka (Sambharam Institute of Medical Sciences & Research) by Sambharam Charitable Trust, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-17 has been carried out by the Council Assessors on 16th & 17th December, 2016. The Executive Committee considered the assessment report alongwith letter/representation dated 19/12/2016 of the Dean & Principal, Sambharam Institute of Medical Sciences & Research, Kolar Dist. Karnataka and noted the following:-

1. Deficiency of faculty is 64.62 % as detailed in the report.
2. Shortage of Residents is 100 % as detailed in the report.
3. No Biometric attendance / Attendance registers were available with Dean at 10 a.m. as directed by the Oversight Committee. No registers were available for Anatomy, Physiology, Biochemistry, Pharmacology, Skin & VD, Psychiatry, Ophthalmology, Radiodiagnosis & Dentistry departments.

4. OPD attendance as verified by assessors was 240 on day of assessment upto 2 p.m. against requirement of 600. In the morning around 11 a.m. hardly any patients were seen. Later on Institute brought healthy people to increase attendance. Pharmacy data indicated that 104 patients (OPD + IPD) were provided medicines from Pharmacy. Institute data showed OPD attendance of 626 which is highly exaggerated.
5. Bed Occupancy as verified by assessors was 17 % at 10 a.m. on day of assessment. Figure provided by Institute is 62 % which is highly exaggerated.
6. All 17 patients admitted in Paediatrics ward were from Orphanage with very minor complaints which did not merit admission. Patients admitted in other wards also were with minor complaints.
7. There was NIL Major Operation & NIL Minor Operation on day of assessment. Several entries were made in OT register including Hemi Thyroidectomy, Herniorrhaphy, Appendicectomy, etc. But these patients could not be traced either in the wards or post-operative ward or recovery room. In Post-operative ward there were 5 patients out of whom 2 patients were examined who were reported to have right heel abscess drainage on 09/12/2016 & Total Abdominal Hysterectomy on 06/12/2016 but no recent incision mark was observed on either of the patients. One had very old completely healed scar probably of some years back. Data in OT registers were manipulated without any actual operations.
8. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
9. ICUs: There was NIL patient in NICU/PICU & only 1 patient each in ICCU, MICU, SICU on day of assessment.
10. Radiological investigations were grossly inadequate.
11. Speech Therapy is not available.
12. OPD: NIL Specialty clinics are available in Paediatrics & O.G. OPDs. Specialty clinic registers were not provided. In a few rooms, there were no chairs & tables. Last entry in Immunization register is of June 2016.
13. There is 1 Mobile X-ray machine against requirement of 2.
14. Pharmacy: In November 2016, total 2,829 patients (OPD + IPD) were given medicines implying daily average of only 108.80. In December 2016, for 16 days total 1,507 patients (OPD + IPD) were given medicines implying daily average of only 107.64.
15. Services of Dietician are not available.
16. Seating capacity in Demonstration rooms of the departments of Anatomy, Physiology, Biochemistry is only 30 - 50 each against requirement of 75 each.
17. Residents' Hostel: Available accommodation is for 30 Residents against requirement of 46 as per Regulations. Visitors' room, A.C. Study room with Internet & Computer, Recreation room are not available.
18. Nurses' Hostel: Available accommodation is for 32 Nurses against requirement of 35 as per Regulations.
19. Students' Hostels: Visitors' room, A.C. Study room with Internet & Computer, Recreation room are not available.
20. Residential Quarters: 8 quarters are available for Non-teaching staff against requirement of 20 as per Regulations.
21. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 25/09/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 25/09/2016 the college should be debarred from admitting students in the above course for a

period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Kolar Gold Field (KGF), Kolar District, Karnataka (Sambharam Institute of Medical Sciences & Research) by Sambharam Charitable Trust, Bangalore under Rajiv Gandhi University of Health Sciences, Bangalore, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 26/09/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

75. Establishment of new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh with an annual intake of 150 MBBS students under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh with an annual intake of 150 MBBS students under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (17th March, 2016) alongwith previous assessment report (15th & 16th January, 2016) as well as letter dated 20/04/2016 received from the college authorities with regard to grant of Letter of Permission for establishment of new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh with an annual intake of 150 MBBS students under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic session 2016-2017 was considered by the Executive Committee meeting at its held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (17th March, 2016) along with previous assessment report (15th & 16th January, 2016) as well as letter dated 20/04/2016 received from the college authorities and noted the following:-

1. *Deficiency of faculty is 6.35 % as detailed in the report.*
2. *It appeared that teaching faculty were just called for assessment. They are allotted staff quarters situated at their technical campus.*
3. *No doctor was available in Paediatrics ward, female General Medicine ward.*
4. *No Senior or Junior Resident was staying in the hostel. All the rooms were empty with a single bed, mattress & pillow. There was no other furniture.*
5. *Not a single Resident is staying in Residents' Hostel.*
6. *OPD attendance was 340 till 12 noon on day of assessment. Most of OPD were empty till 09:30 a.m. after which patients were seen to be brought, most of whom were females. Genuineness of these patients is doubtful.*
7. *Bed occupancy is 37 % on day of assessment.*
8. *Patients of other specialties were found to be admitted in General Medicine & General Surgery wards. There were patients of low backache & knee joint problems in General Surgery. Patients of low backache were found in Gynaecology ward also. Many were such who did not require admission.*
9. *Data of Radiological & Laboratory investigations provided by institute appears to be exaggerated.*
10. *OPD: Optometrist is not available in Ophthalmology OPD. Dark room is not functional. IN ENT OPD, instruments & examination system is not proper.*

11. *There was only 1 Major operation planned on day of assessment but that was postponed; resultantly there was NIL Major operation on day of assessment. There was NIL Minor operation on day of assessment.*
12. *There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.*
13. *Radiological & Laboratory investigation workload is grossly inadequate.*
14. *O.T.: There was no activity in O.T. I, III & IV on day of assessment. O.T. list was not in proper format.*
15. *ICUs: There were 3 patients in ICCU who were non-Cardiac patients. There was no referral for 2 of them. In PICU/NICU, 2 patients were admitted out of whom 1 did not merit admission. In MICU, out of 3 patients, 2 did not merit admission. There was NIL patient in SICU.*
16. *Casualty: There were 6 patients out of whom 4 were non-genuine.*
17. *MRD: It is partly computerized.*
18. *Speech Therapist is not available.*
19. *Residential Quarters: In the quarters for Non-teaching staff, there is no facility for cooking in quarters. Except in 5 quarters, there are common bath rooms.*
20. *Anatomy Department: NIL Specimens are available.*
21. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh under Chhattisgarh Ayush and Health Sciences, University, Raipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 14/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 01.09.2016:-

- i An affidavit dated 26.08.2016 from the President & Dean of the Institute concerned.
- ii A bank guarantee bearing No. 60258264644 dated 29.08.2016 of Rs. 2 Cr issued by Bank of Maharashtra in favour of MCI, with a validity of 1 year.
- iii A bank guarantee bearing No. 60258542545 dated 31.08.2016 of Rs. 4.05 Cr issued by Bank of Maharashtra in favour of MCI, with a validity of 5 years.
- iv A bank guarantee bearing No.0762161GPER0003 dated 31.08.2016 of Rs. 2.95 Cr issued by Bank of Maharashtra in favour of MCI, with a validity of 5 years.
- v A bank guarantee bearing No. 0762161GPER0002 dated 31.08.2016 of Rs. 0.5 Cr issued by Bank of Maharashtra in favour of MCI, with a validity of 5 years.
- vi A bank guarantee bearing No. 60258389710 dated 30.08.2016 of Rs. 2 Cr issued by Bank of Maharashtra in favour of MCI, with a validity of 5 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh with an annual intake of 150 MBBS students under Chhattisgarh Ayush and Health Sciences, University, Raipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 16th & 17th December, 2016. The Executive Committee considered the assessment report dated 16th and 17th Dec.2016 alongwith letter/representation dated 19/12/2016 from the Dean, Shri Shankaracharya Institute of Medical Sciences, Bhilai and noted the following:-

1. Deficiency of faculty is 10.60 % as detailed in the report.
2. Shortage of Residents is 15.21 % as detailed in the report.
3. In General Medicine ward, some patients did not require hospitalization; E.g. Bodyache, Dyspepsia, Giddiness, etc. In General Surgery ward, some patients are such who do not require hospitalization; E.g. Simple wound dressing, etc. One patient who required Dental intervention was admitted in General Surgery ward.
4. OPD attendance was 540 at 2 p.m. on day of assessment against requirement of 600 as per Regulations.
5. There was NIL Minor Operation on day of assessment.
6. Radiological investigations workload is grossly inadequate. USG workload was NIL on day of assessment.
7. Laboratory investigations workload is inadequate. There was NIL Microbiological & Serological investigations on day of assessment.
8. Histopathology & Cytopathology workload was NIL on day of assessment.
9. Wards: Space between 2 beds is < 1.5 m in Orthopaedics ward. Nursing station is unsatisfactory in several wards.
10. Casualty: Separate Casualty for O.G. is not available. Casualty attendance & admissions are sub-optimal.
11. There are only 2 Pre-operative beds.
12. ICUs: There was NIL patient in SICU & only 1 patient each in NICU/PICU on day of assessment. Out of 2 patients in ICCU, 1 was of Glomerulonephritis & another was of Hemiparesis.
13. Labour room: Septic Labour room is located away from Labour room.
14. MRD: It is partially computerized.
15. Central Photography Section: Equipment is inadequate. There is no staff.
16. Students' Hostels: There is no hostel for medical students as such. Engineering college hostel is used for accommodating medical students by creating partitions.
17. Nurses' Hostel: No hostel for Nurses is available as such. They are accommodated on ground floor of Engineering students' hostel.
18. Pharmacovigilance Committee: No meeting is held.
19. MEU: It is not available.
20. College Council: NIL meeting is held.
21. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of

new medical college at Bhilai, Chhattisgarh by Shri Gangajali Education Society, Bhilai, Chhattisgarh under Chhattisgarh Ayush and Health Sciences, University, Raipur, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

76. Establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the matter with regard to establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 28/04/2016 and it was decided as under:-

"The Executive Committee of the Council considered the letter dated 21.04.2016 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding the representation/compliance dated 13.04.2016 submitted by the Chairman, G.C.R.G Memorial Trust, Lucknow.

The Executive Committee also noted the observations/recommendations of the Committee constituted by the Ministry which is as under:-

"The college has contended that they were given only 30 minutes to assemble the faculty & residents. Declaration forms have been submitted.

The college pointed out that in the inspection conducted by MCI on 24.04.2015 many facilities were confirmed available by the assessors but the same have been noted as deficient in the last inspection. Their contention was that facilities once made available are not likely to disappear in one year. Infrastructure has only improved over time. The deficiency of faculty was 20% in the last inspection. The deficiency of residents is attributable to their not staying in the campus which is claimed now to be rectified. The deficiency of clinical material was acknowledged by the representative.

The deficiencies regarding faculty, residents and clinical material is of high order but the compliance submitted by the college may be reviewed by MCI."

The Executive Committee of the Council further noted the following deficiencies:-

- 1. Deficiency of 15 teaching beds in the teaching hospital is as per the report of assessors in the present assessment which is a fact as the report has also been signed by the Principal without raising any objection at that time. Hence the previous history of the college having 300 beds in previous assessments is of no relevance for the present assessment. Even the college has acknowledged that the Principal has signed the assessment*

report in its compliance. Subsequent act of the Principal to own up his moral responsibility for signing the report and resigning from the post of Principal have no relevance.

In this view of the matter, as the institute did not have teaching beds required as per Establishment of Medical College Regulations, Qualifying Criteria as per Section 3(2)(5) of these Regulations are not fulfilled.

2. *With regard to OPD attendance, contention of the institute that the OPD runs upto 4 p.m. is not acceptable as the OPD attendance has to be considered upto 2 p.m. This was communicated to all colleges by way of circular well in advance before the assessments commenced.*
3. *Bed occupancy was 36 % on day of assessment. Explanation of the institute that it was because of the coldest day in Lucknow is not convincing as the patients who are really sick would not like to be discharged due to cold weather. In fact only those patients who were not sick but admitted just to fill in the beds would like to be discharged in such circumstances.*
4. *With regard to deficiency of faculty & Residents, in most of the cases the college in its compliance has acknowledged that the concerned faculty / Resident could not sign before 11:00 a.m. The Council has issued a circular well in advance that only those faculty / Residents who sign the attendance sheet before 11:00 a.m. will be considered for subsequent verification. Hence the explanation is not tenable. Further this practice is in vogue for last many years.*

In view of above, the Executive Committee of the Council decided to reiterate its earlier decision to return the application recommending disapproval of the scheme as the qualifying criteria 3(2)(5) of Establishment of Medical college Regulations is not fulfilled."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 30/04/2016. Thereafter, Council had not received any compliance from the college stating the corrections of deficiencies either directly or through Central Government. The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 08/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 30.08.2016:-

- i. An affidavit dated 26.08.2016 from the Chairman of Society and Principal/Dean of the Institute concerned (Two sets one addressed to Secretary, MoHFW and the other addressed to Secretary MCI.
- ii. A bank guarantee bearing No. 43720IGL0001216 dated 29.08.2016 of Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 43720IGL0001016 dated 29.08.2016 of Rs. 7.5 Cr issued by Union Bank of India in favour of MCI, with a validity of 5 year.
- iv. A Bank guarantee bearing No. 43720IGL0001116 dated 29.08.2016 of Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 5 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for

establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh with an annual intake of 150 MBBS students under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 6th & 7th January, 2017. The Executive Committee considered the assessment report (6th & 7th January, 2017) and noted the following:-

1. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
2. Casualty: There were patients in Casualty who did not warrant admission in Casualty.
3. ICUs: There was NIL patient in SICU. Out of 3 patients in ICCU, none had any Cardiac history.
4. Blood Bank: NIL unit was dispensed on day of assessment. Only 04 units were stored on day of assessment.
5. OPD: Dressing rooms & Minor O.T. did not have colour coded boxes for waste disposal. Waste disposal boxes were only at one end of OPD block. Teaching areas are common between OPDs of 2 departments.
6. Audiometry room was empty at time of round but later on an instrument was produced.
7. Anatomy department: There is only 1 cadaver.
8. Wards: Pantry is having minimum utensils.
9. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Lucknow, Uttar Pradesh by G.C.R.G Memorial Trust, Lucknow, Uttar Pradesh under Dr. Ram Manohar Lohiya Awadh University, Faizabad, Uttar Pradesh, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

77. **Establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.**

Read: the matter with regard to establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that an assessment of the physical and other teaching facilities available for grant of Letter of Intent/Letter of Permission for establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was carried out by the Council Assessors on 6th & 7th January, 2016. The assessment report (6th & 7th January, 2016) was considered by the Executive Committee of the Council at its meeting held on 30/01/2016 and it was decided as under:-

"The Executive Committee of the Council considered the Council Assessors report (6th and 7th January, 2016) and noted the following:

1. *Deficiency of faculty is 96.90 % as detailed in the report.*
2. *Shortage of residents is 97.80 % as detailed in the report.*
3. *Teaching beds are deficient as under:*

#	Department	Beds		
		Required	Available	Shortage
1	General Medicine	72	48	24
2	Paediatrics	24	16	08
3	Tb & Chest	08	05	03
4	Skin & VD	08	05	03
5	Psychiatry	08	05	03
6	General Surgery	90	60	30
7	Orthopaedics	30	20	10
8	Ophthalmology	10	05	05
9	O.G.	40	20	20
	TOTAL			106

4. *OPD attendance was only 35 on day of assessment which is grossly inadequate.*
5. *Bed Occupancy is 02 % on day of assessment.*
6. *Radiological & Investigative workload is grossly inadequate.*
7. *Casualty: Separate Casualty for O.G. is not available.*
8. *Central Clinical laboratory: Separate sections are not available.*
9. *ICUs: ICCU & ICUs are yet to be made functional.*
10. *Labour Room is under construction.*
11. *OPD: Minor O.T. is yet to be furnished. Special clinics in Paediatrics & OG OPD are not available.*
12. *Audiometry & Speech therapy are not equipped.*
13. *Blood Bank is not available.*
14. *ETO Sterilizer is not available.*
15. *MRD: ICD X classification of diseases is not followed for indexing.*
16. *Nursing staff: Only 89 Nurses are available against requirement of 175.*
17. *Paramedical & Non-teaching staff: 94 Paramedical & Non-teaching staff are available against requirement of 100.*
18. *College building is under construction.*
19. *College Council, Pharmaco vigilance Committee are not constituted.*
20. *Lecture Theaters: They are under construction.*
21. *Central Library is under construction.*
22. *Students', Residents' & Nurses' Hostels are under construction.*
23. *Residential Quarters are under construction.*
24. *Gender Harassment Committee as required by order of Hon'ble Supreme Court is not constituted.*
25. *Website: it is not available.*
26. *Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.*
27. *Other deficiencies as pointed out in the assessment report.*

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for

establishment of a new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. under Dr. NTR University of Health Sciences, Vijayawada to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to seek an explanation from the Secretary (ME) of Andhra Pradesh as to how the Essentiality Certificate had been issued when the hospital does not have the requisite number of beds as per Establishment of Medical College Regulations, 1999."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 31/01/2016.

The Council vide its another letter dated 31/01/2016 also communicated the decision of the Executive Committee to the Principal Secretary, Department of Health & Family Welfare, Govt. of Andhra Pradesh with the request to intimate as to how they have issued the Essentiality Certificate dated 30.09.2013 when the hospital does not have the requisite number of beds as per Establishment of Medical College Regulations, 1999.

Thereafter, Council had not received any compliance from the college stating the corrections of deficiencies either directly or through Central Government. The Central Government vide its letter dated 26.05.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 14/09/2016 had forwarded the following documents as submitted by the college to the Ministry on 02.09.2016:-

- i. An affidavit dated 01.09.2016 from the Dean of the Institute concerned.
- ii. An affidavit dated 01.09.2016 from the Chairman of the Institute concerned.
- iii. A bank guarantee bearing No.1384ILG000516 dated 01.09.2016 of Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 1 year.
- iv. A bank guarantee bearing No.1384ILG000716 dated 01.09.2016 of Rs. 7.5 Cr issued by Punjab National Bank in favour of MCI, with a validity of 5 years.
- v. A bank guarantee bearing No.1384ILG000616 dated 01.09.2016 of Rs. 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. with an annual intake of 150 MBBS students under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of

the IMC Act, 1956 for the academic year 2016-2017 has been carried out by the Council Assessors on 6th & 7th January, 2017. The Executive Committee considered the assessment report dated 6th & 7th January, 2017 alongwith letter dated 07/01/2017 received from the Dean RVS Institute of Medical Sciences, Chittoor, A.P. and noted the following:-

1. Deficiency of faculty is 56.92 % as detailed in the report.
2. Medical Superintendent reached college at 5 p.m. on the first day of assessment.
3. Most faculty & Residents although working for 2-3 months could not produce tangible evidence like Bank passbook, credit into account, etc.
4. Shortage of Residents is 56.52 % as detailed in the report.
5. OPD attendance was only 35 on day of assessment against requirement of 600. There was not even one patient in any OPD at 10 a.m. No staff was present in OPD/Reception area/Registration area.
6. Bed Occupancy is 16 % at 10 a.m. on day of assessment as under:

#	Department	Beds	
		Available	Occupied
1	General Medicine	72	25
2	Paediatrics	24	00
3	Tb & Chest	08	00
4	Psychiatry	08	00
5	Skin & VD	08	00
6	General Surgery	90	04
7	Orthopaedics	30	16
8	Ophthalmology	10	02
9	ENT	10	00
10	O.G.	40	01
	TOTAL	300	48

7. There was NIL Major & NIL Minor Operation on day of assessment. O.T. list is not available.
8. Radiological workload was only 2 X-rays. There was no Sonography.
9. Laboratory investigation workload is grossly inadequate.
10. Histopathology & Cytopathology workload is NIL.
11. There is no record of any Birth or Death. MRD could not produce any data of such record being submitted to Govt. authorities.
12. O.T.: NIL Minor O.T. is available.
13. ICUs: There was NIL patient in ICCU or any ICU.
14. Labour Room: Septic Labour room and Eclampsia room are not available.
15. Only 1 USG machine is available against requirement of 2.
16. Blood Bank: It is not available.
17. Pharmacy data are inflated.
18. CSSD was locked at the time of taking round.
19. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
20. OPD: Injection room is common for males/females. Minor O.T. is not available. Dressing room is common for males/females. Minor Procedure room is not available in Ophthalmology OPD.
21. Audiometry room is not equipped. Speech Therapy is not available.
22. Lecture Theaters: Audiovisual aids are not available. E class facility is not available.
23. Central Library: It is not air-conditioned. Students' Reading room (Outside), Students' Reading room (Inside), Staff Reading room are not available.
24. Central Photography Section is not available.
25. Students'; Residents' & Nurses' Hostel are not available.
26. Residential Quarters are not available.

27. Common Rooms for Boys & Girls are not available.
28. Other deficiencies as pointed out in the assesement report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Chittoor, Andhra Pradesh by Srinivasa Educational Academy, Chittoor, A.P. under Dr. NTR University of Health Sciences, Vijayawada, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and Central Govt.

The minutes of this item were read out, approved and confirmed in the meeting itself.

78. **Renewal of permission for MBBS course for 5th batch (150 seats) of Malla Reddy Medical College for Women, Hyderabad u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to renewal of permission for MBBS course for 5th batch (150 seats) of Malla Reddy Medical College for Women, Hyderabad u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that an assessment was carried out for verifying the infrastructure, teaching faculty, clinical material and other physical facilities available with the medical college on 16th and 17th December, 2014 towards grant of renewal of permission for admitting 3rd batch of 150 MBBS students for academic year 2015-16.

The assessment report dated 16th and 17th December, 2014, was placed before the Executive Committee of the MCI in its meeting held on 13.01.2015 wherein gross deficiencies were found in the medical college and in view of the same, it was decided to recommend to the Ministry of Health & Family Welfare not to renew the permission for admission of 3rd batch of MBBS students with intake of 150 admissions for the academic year 2015-16. It was also decided to invoke Regulation 8(3)(1)(a) of the Establishment of New Medical College Regulation, 1999 since the deficiency teaching faculty / residents was found to be more than 30% and Regulation 8(3)(1)(d) of the Establishment of New Medical College Regulation, 1999 since the medical college was found to have employed teachers with fake / forged documents. The Executive Committee had decided not to consider the medical college for renewal of permission for two academic years i.e. 2015-16 and 2016-17 since Regulation 8(3)(1)(d) of the Establishment of New Medical College Regulation, 1999 had been invoked against the medical college.

The decision of the Executive Committee of the Council was communicated to the Ministry of Health & Family Welfare vide MCI letter dated 21.01.2015. The Ministry of Health & Family Welfare vide its letter dated

08.05.2015, had requested the Council to conduct fresh inspection of the medical college.

The case of the medical college was re-considered by the Executive Committee of the Council in its meeting held on 13.05.2015, wherein, in view of the fact that it had after considering the assessment report dated 16th and 17th December 2014, in its meeting held on 13.01.2015 decided to recommend to the Central Government, not to grant renewal of permission to the medical college for admitting 3rd batch of 150 MBBS students for the academic year 2015-16 and also to invoke Regulation 8(3)(1)(a) & Regulation 8(3)(1)(d) of the Establishment of New Medical College Regulation, 1999; whereafter the case of the medical college for renewal of permission for admitting fresh batch of MBBS students could not be processed any further. The Executive Committee, thus decided to reiterate its earlier decision to recommend to the Central Government, not to grant renewal of permission to the medical college for admitting 3rd batch of 150 MBBS students for the academic year 2015-16 and also not to consider the medical college for renewal of permission for two academic years i.e. 2015-16 and 2016-17 since Regulation 8(3)(1)(d) of the Establishment of New Medical College Regulation, 1999 had been invoked against the medical college.

The abovementioned decision of the Council was communicated to the Central Govt. vide MCI letter dated 14.05.2015.

In the meanwhile the Hon'ble Division Bench of the Hon'ble Delhi High Court in WP (C) No. 5041/2015 titled as Shree Chhatrapati Shivaji Education Society & Anr. Vs. Union of India & Anr., vide its judgment dated 28.05.2015, had upheld the validity of Regulation 8(3)(1) of the Establishment of Medical College Regulations, 1999.

The Central Government, however even after accepting the recommendations of the MCI vide its communication dated 15.06.2015 had conveyed its decision to the medical college not to grant renewal of permission for admitting 3rd batch of 150 MBBS students for the academic year 2015-16 only, whereas the Council had recommend to the Central Govt. for debarring the medical college from admitting students for the academic years 2015-16 & 2016-17 in terms of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999.

The Council has vide its letter dated 06.07.2015 had informed the Central Govt. about the fact that the Council had in terms of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 recommended to the Central Govt. for debarring the medical college from admitting students in MBBS course for the academic years 2015-16 & 2016-17 but due to an omission / oversight the Central Govt. by way of its order dated 15.06.2015 has even after accepting the recommendations of the Council conveyed its decision to the medical college not to grant renewal of permission for admitting 3rd batch of 150 MBBS students for the academic year 2015-16 only.

The medical college being aggrieved by the Central Govt. letter dated 15.06.2015 whereby it had conveyed its decision to the medical college not to grant renewal of permission for admitting 3rd batch of 150 MBBS students for the academic year 2015-16, had approached the Hon'ble High Court of Delhi by way of W. P. (C) No. 7107/2015 – Malla Reddy Medical College for Women & Anr. Vs. Union of India & Anr. thereby seeking directions to declare notification dated 16.04.2010 amending the Establishment of Medical College Regulations, 1999 to be ultra vires the IMC Act, 1956 and for quashing of Central Govt. decision dated 15.06.2015.

The Central Govt. vide its letter dated 21.09.2015 had directed the Council to give a fresh hearing to the medical college before taking any action for its debarment from admitting students in MBBS course for two academic years i.e. 2015-16 & 2016-17.

In the meanwhile the Hon'ble Larger Bench of the Hon'ble Delhi High Court in WP (C) No. 7106/2015 titled as Malla Reddy Institute of Medical Science & Anr. Vs. Union of India & Anr. and WP (C) No. 8541/2015 titled as Lord Buddha Siksha Pratisthan & Anr. Vs. Union of India & Anr., vide its judgment dated 29.09.2015 had even though upheld the validity of Regulation 8(3)(1)(a), 8(3)(1)(b), 8(3)(1)(c) & 8(3)(1)(d) as had been added vide notification dated 16.04.2010 to the Establishment of Medical College Regulations, 1999 however had observed that an opportunity should be given to the concerned medical colleges to rectify the deficiencies.

The Hon'ble Delhi High Court in the writ petition filed by the medical college i.e. W. P. (C) No. 7107/2015 – Malla Reddy Medical College for Women & Anr. Vs. Union of India & Anr., while placing reliance upon the judgement dated 29.09.2015 passed by the Hon'ble Larger Bench of the Hon'ble Delhi High Court in WP (C) No. 7106/2015 titled as Malla Reddy Institute of Medical Science & Anr. Vs. Union of India & Anr. and WP (C) No. 8541/2015 titled as Lord Buddha Siksha Pratisthan & Anr. Vs. Union of India & Anr., had vide judgement dated 30.09.2015 set aside the communication dated 15.06.2015 issued by the Central Govt. and had directed that the application submitted by the medical college for the academic year 2015-16 be considered for the next academic year subject to compliance of all the deficiencies as had been specified by the Council.

The matter alongwith the Central Govt. letter dated 21.09.2015 was considered by the Executive Committee of the Council in its meeting held on 28.10.2015 whereafter the decision was communicated to the Central Govt. vide MCI letter dated 05.11.2015.

As no response was received from the Central Govt. in respect of the debarment of the medical college from admitting students in MBBS course for two academic years i.e. 2015-16 & 2016-17, the Council sent a reminder to the Central Govt. vide MCI letter dated 23.12.2015 requesting the Central Govt. to take a final decision in the matter.

The Council had yet again sent a reminder to the Central Govt. in this regard vide MCI letter dated 30.01.2016, but the Central Govt. vide its letter dated 04.02.2016 had informed the Council that the matter was under consideration in consultation with the Ministry of Law & Justice and the decision will be communicated to the Council in due course of time.

The Central Govt. vide its letter dated 18.03.2016 had informed the Council that it had been decided that the issue of debarment of the medical college as well as the renewal of permission for the academic year 2016-17 should be clubbed, the medical college be given a due hearing / opportunity to show compliance whereafter a decision may be taken. The Central Govt. vide its letter dated 21.03.2016, in continuation to its earlier letter dated 18.03.2016 had informed the Council to consider the case of the medical college and Malla Reddy Institute of Medical Sciences, Hyderabad separately. However the Central Govt. had not taken any decision regarding the invocation of Regulation 8(3)(1)(d) of the Establishment of Medical College Regulations, 1999 in the case of the medical college.

The Council had approached the Hon'ble Supreme Court by way of SLP (C) No.31535/2015-Medical Council of India Vs. Malla Reddy Institute of Medical Science & Anr. And SLP (C) No.30742/2015- Medical Council of India

Vs. Lord Buddha Siksha Pratisthan & Anr. against the judgment dated 29.09.2015 passed by the Hon'ble Larger Bench of the Hon'ble Delhi High Court. The Hon'ble Supreme Court vide its judgment dated 27.04.2016 in the aforementioned matters has set-aside the judgment dated 29.09.2015 passed by the Hon'ble Larger Bench of the Hon'ble Delhi High Court and has allowed the appeals filed by the Council.

Thus, the judgment dated 28.05.2015 passed by the Hon'ble Division Bench of the Hon'ble Delhi High Court in WP (C) No. 5041/2015 titled as Shree Chhatrapati Shivaji Education Society & Anr. Vs. Union of India & Anr., stands revived and is the authoritative pronouncement on the validity of Regulation 8(3)(1) of the Establishment of Medical College Regulations, 1999.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 26.09.2016 had granted approval to the said college for renewal of permission for admission of 4th batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 26.09.2016 as quoted above, the Central Govt. vide its letter dated 28.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 27.09.2016:-

- i. An affidavit dated 26.09.2016 from the Chairman of the Society concerned.
- ii. An affidavit dated 26.09.2016 from the Principal of the college concerned.
- iii. A bank guarantee bearing No. 327401GL0000816 dated 23.09.2016 Rs. 2 Cr issued by Union Bank of India in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 26.09.2016 for renewal of permission for MBBS course for 4th batch of 150 MBBS students at Malla Reddy Medical College for Women, Hyderabad has been carried out on 21st & 22nd December, 2016 and 2nd & 3rd December, 2016. The Executive Committee considered the assessment report alongwith the complaints dated 18/12/2016 from Dr. Sudhakar Reddy, Hyderabad and two other complaints dated 01/01/2017 received through email from Kumari Mallika, Hyderabad and noted the following:-

1. Dean has refused to sign the report after reading the full report. After sometime when we were leaving, the Dean agreed to sign the report with comments and signed on 1st and last page (Page No.1 and 39 of the report) with comments. Again she went out and came after few minutes and said that she has changed the mind. We tried to tell her about the directions of the Oversight Committee of Hon'ble Supreme Court and wanted to handover the copy of report and take receipt. But she said she had instructions from the Management for not to sign the report. We tried to seek the guidance from the Council, but couldn't get as we couldn't connect. Due to this we didn't hand over the copy to the Dean and sending the report on which Dean had signed on few pages.
2. There are 2 blocks of the hospital – Block I & Block II. Block I is leased out to Narayana Hridayalaya since 2010. Management had stated that lease agreement was terminated in 2013. Dean was asked to provide copy of the agreement & other relevant papers. College has not provided

the agreements. They provided other documents which do not bring out clarity regarding present use of the hospital. On verification, it was observed that patients in wards of Block I are of Superspecialities. The name "Narayana" still exists on this hospital's name. On the first day the flex board bearing the hospital name was there. When questioned they removed the flex which showed the name of the Medical College underneath. It seems that this is a Super Specialty hospital which is shown as a teaching hospital only for MCI assessments. This needs to be investigated & clarified further.

3. Block II of the hospital which houses General medicine: 90 beds; (b) Skin & VD: 15 beds; (c) Tb & Chest: 20 beds; (d) Orthopaedics: 30 beds; (e) ENT: 15 beds, (f) Ophthalmology: 15 beds, (g) Paediatrics: 90 beds & (h) Psychiatry: 15 beds – i.e. total 290 beds appears non-functional.
4. Deficiency of faculty is 42.42 % as detailed in the report.
5. Biometric attendance or Attendance registers were not available with the Dean at 10 a.m.
6. Shortage of Residents is 100 % as detailed in the report.
7. Bed Occupancy was 16.15 % at 10 a.m. on day of assessment as verified by assessors. Even as per data provided by the institute, it was 44 % which is grossly inadequate.
8. Many healthy persons were admitted for inflating the statistics.
9. OPD attendance as observed by assessors was not more than 350. The claim of 940 by the institute is highly exaggerated.
10. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
11. Data of Laboratory investigations as provided by the institute are grossly inflated and did not match with OPD & IPD patients.
12. ICUs: There was NIL patient in PICU/NICU on day of assessment.
13. Casualty: Separate Casualty for O.G. is not available.
14. Blood Bank: Only 2 units were dispensed on day of assessment.
15. OPD: Most of the departments in OPD have deficiency of ½ Examination rooms.
16. Wards: There is no demarcation of Unitwise distribution of beds & faculty. Tb & Chest, Skin & VD, Psychiatry, Orthopaedics wards are not as per MSR. Facilities are not functional.
17. Central Library: 43 Journals are available against requirement of 60.
18. Central Photographic Section: Staff & Equipment are not available.
19. Residents' Hostel: No Residents are staying in Residents' hostel. Some rooms are occupied by other staff like Laboratory attendants.
20. Residential Quarters: 31 quarters are available for Non-teaching staff against 36 required.
21. Anatomy department: Adequate exhaust & drainage facilities are not available.
22. Department offices are located in Block II which are not being used by the faculty at all.
23. Other deficiencies as pointed out in the assessment report

The Executive Committee of the Council also noted that the college inspite of repeated requests has not provided the copy of MoU neither during assessment nor thereafter. Accordingly, a request was sent for the same to Narayana Hrudayalaya Ltd., Bangalore and in response a letter/reply dated 07/01/2017 from the Vice-Chairman, Narayana Hrudayalaya Ltd., Bangalore has been received which is as under:-

"We are in receipt of your hereinafore mentioned Letter. The Letter has informed us that an Assessment Report dated 21-22.12.2016 has been prepared by the Medical Council of India ('Council') on Malla Reddy Medical College for Women, Hyderabad ('Institute')."

We understand that the Assessors have made certain observations with respect of the Institute and in this regard, the Council has requested us to provide the following clarifications/documents.

- (a) Whether Malla Reddy Narayana Multi Specialty Hospital was leased to Narayana Hrudayalaya, Bangalore in 2010.*
- (b) Whether this agreement was terminated in 2013. If yes, copy of the documentary proof may please be provide as the name 'Naryana' word still exists on this hospital's name.*

We state that:

- (a) Narayana Hrudayalaya Limited ('NH') entered into a Lease Deed with Chandramma Educational Society on 3rd September, 2010. As per the Lease Deed. NH acquired leasehold rights on a building on the property bearing Survey No. 130, 114, 115 and 116 at Suraram Village, Suraram Cross Roads, Quthbullapur Municipality, Hyderabad-500 055.*
- (b) The term of the Lease was for a period of 20 years, commencing from 1st January, 2010. And the building was to be used for the purpose of operating and managing a super specialty hospital on other related healthcare activities.*
- (c) It was also agreed between the parties to the Lease Deed that the name of the hospital to be operated out of the building shall be 'Narayana Hrudayalaya – Malla Reddy Hrudayalaya-Malla Reddy Hospital.' Further, upon termination of the Lease Deed, the name 'Narayana Hrudayalaya – Malla Reddy Hospital' ceased to be used.*
- (d) On 5th of April, 2016, the Parties to the Lease Deed terminated the Lease Deed by mutual consent with effect from 1st April, 2016 and consequently, NH ceased to operate a healthcare facility from the Building from the 1st April, 2016. Please find enclosed the Letter of Termination by Mutual Consent of the Lease Deed dated 3rd September, 2010 for your perusal.*

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 25/09/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 25/09/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 5th batch of 150 MBBS students at Malla Reddy Medical College for Women, Hyderabad u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 26/09/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

- 79. Assessment for Renewal of permission for MBBS course for 6th batch (150 seats) of Malla Reddy Institute of Medical Sciences, Hyderabad u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.**

Read: the matter with regard to Assessment for Renewal of permission for MBBS course for 6th batch (150 seats) of Malla Reddy Institute of Medical Sciences, Hyderabad u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report dated 21st & 22nd December, 2016 and noted the following:-

1. Deficiency of faculty is 37.12 % as detailed in the report.
2. Shortage of Residents is 42.35 % as detailed in the report.
3. On random verification it was observed that many Residents are not staying in the campus.
4. Teaching Beds: There are 2 blocks of hospitals affiliated with the institute. Block 2 was completely closed on the day of assessment. Out of 650 beds, 330 were functional on day of assessment.
5. There are two medical college separate campuses adjacent to each other having their own separate required acres of land. Each medical college is attached to Dental College which has their own separate campuses with required acres of land. No separate boundary/demarcation among all college buildings. There is no hostel and staff quarters for Dental College in campus. Dental students are staying in Medical Hostels and Dental Staff are also staying in Medical Staff Quarters.
6. Bed Occupancy was 29 % - i.e. 189 out of 650 beds - at 10 a.m. on day of assessment. Even out of these patients, some patients are not having any medicines, no relatives, no personal belongings. Some patients were admitted with insignificant complaints.
7. In Male Surgical ward, medicine male & female patients are kept together.
8. OPD attendance as observed by assessors at the time of taking first round at 10 a.m. was only 25. At 2 p.m. it was 500 as assessed by assessors against requirement of 1,200.
9. There were only 5 Major Operations on day of assessment.
10. Workload of Microbiology, Serology, Histopathology investigations was NIL on & that of Cytopathology was only 1 on day of assessment.
11. Casualty: 19 beds are available against 25 required.
12. There were only 2 patients in PICU/NICU on day of assessment.
13. Blood Bank: NIL unit was dispensed on day of assessment.
14. ETO Sterilizer is not available.
15. Nurses' Hostel: Nursing facilities are not adequate.
16. Website: It is not updated after 29/09/2016.
17. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 6th batch of 150 MBBS students at Malla Reddy Institute of Medical Sciences, Hyderabad u/s 10A of the IMC Act, 1956 for the academic year 2017-2018 and further decided to apply clause 8(3)(1)(b) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which reads as under:-

8(3)(1).....

(b) Colleges in the stage from III renewal (i.e. Admission of fourth batch) till recognition of the institute for award of MBBS degree

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 20% and/or bed occupancy is <70%, such an institute will not be considered for renewal of permission in that Academic year.

80. Renewal of permission for MBBS course for 3rd batch (150 seats) of Heritage Institute of Medical Sciences, Bhadwar, Varanasi, Uttar Pradesh under Mahatma Gandhi Kashi Vidyapith University, Varanasi u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of Heritage Institute of Medical Sciences, Bhadwar, Varanasi, Uttar Pradesh under Mahatma Gandhi Kashi Vidyapith University, Varanasi u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report **(6th and 7th January, 2017)** and noted the following:-

1. Deficiency of faculty is 7 % as detailed in the report.
2. Laboratory Investigation workload as provided by Institute are highly inflated. There were only 28 samples by 12 p.m.
3. Microbiology laboratory is not functioning in the hospital.
4. There were only 2 patients each in SICU, PICU/NICU on day of assessment.
5. Nurses' Hostel: It is not furnished. Toilet facilities are inadequate.
6. OPD: Registration counters for OPD/IPD are not separate.
7. RHTC: Cold chain equipment is not available.
8. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at Heritage Institute of Medical Sciences, Bhadwar, Varanasi, Uttar Pradesh under Mahatma Gandhi Kashi Vidyapith University, Varanasi u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

81. Renewal of permission for MBBS course for 3rd batch (150 seats) of Hind Institute of Medical Sciences, Ataria, Sitapur, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of Hind Institute of Medical Sciences, Ataria, Sitapur, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report **(6th and 7th January, 2017) alongwith** letter dated 09/01/2017 from Dr.Pradeep Garg, Rohtak, Haryana (Co-ordinator) and noted the following:-

1. Deficiency of faculty is 15.00 % as detailed in the report.
2. Shortage of Residents is 14.28 % as detailed in the report.
3. Professor & HOD of Biochemistry is non-medical. Prior permission of MCI is not taken for appointment as HOD.
4. OPD attendance as claimed by Institute @ 716 on day of assessment appears inflated; even this is inadequate against requirement of 750 as per Regulations.
5. In O.G. wards, case sheets with advanced date of discharge (DOD) of the following patients were found as under:
 - (a) Suman, DOD: 10/01/2017;
 - (b) Anita, DOD: 11/01/2017;
 - (c) Zulekha, DOD: 07/01/2017;
 - (d) Sarita, DOD: 10/01/2017.

6. In Pediatric ward, following patients has no clinical/investigative evidence of diagnosis mentioned in their case files and their hospitalization was not required:-
- Pragya Shukla – Complicated UTI.
 - Rajnush - do –
 - Gaurav Gupta – Chronic Gastroenteritis
 - Mohit – Congenital venous malformation
 - Amrish – Complicated UTI
 - Subham – severe headache
 - Misthi - gastritis
7. Casualty: Disaster Trolley is not available. CMO is not available.
8. Mismatch between casualty attendance register and casualty minor OT is listed below:-

Name of the patient	Diagnosis as in Casualty register	Procedure in Casualty minor OT register
Asha Devi	UTI	Ear repair (ENT)
Rishubu	No Entry	Stitching & dressing
Mohini	Constipation	Stitching
Sant Ram	Fever	Left Humerus Fracture
Ran Singh	No entry	R hand Injury

- ICUs: There was only 1 patient in MICU & NICU on day of assessment.
- OPD: Separate Registration counters for OPD/IPD are not available. Waiting areas are not adequate.
- Central Library: Available area is 1,600 sq.m. against requirement of 1,800 sq.m.
- Students' Hostels: Study room facilities are inadequate.
- Residential Quarters: There are no quarters for non-teaching staff as such. They are staying in Paramedical hostels which is not a substitute for quarters.
- Pathology department: There are only 20 specimens. Microscopes are inadequate in laboratories.
- Some rooms in Nursing hostel are 4 seaters which is not permissible.
- Other deficiencies as pointed out in the assessment report

The Executive Committee further considered the letter from the Assessors regarding interference & harassment from management which reads as under:

“Most humbly this is to bring to your kind notice the hardship that the assessment team for assessment (2nd renewal) of Hind Instt. of Medical Sciences, Ataria, Sitapur had to face in carrying out assessment. On multiple occasions if things did not go as per wish of the management, heated arguments would take place. Despite all odds, the assessment could be completed and report prepared in SAF-II.

But the management asked the Dean/Principal not to sign the report unless the management reads the report. In fact the management wanted the team to delete manipulations amounting to take entries of the department of OBG and casualty entered in Summary at point 6. The Dean/Principal was given the option to disagree in writing with any points she may deem fit in the report in front of the management. But the management insisted on her not to sign the report.

As a result, the covering letter was prepared and signed by all the assessors. Before packing the report, the Dean/Principal was requested to read this covering letter. The Dean came back after sometime (possibly after discussing

the contents of the above letter with the management) and said that she will sign the report.”

Accordingly, another letter of the assessor states that –

“..... The management of the college had too much interference in discharge of duties by the assessors and several times heated arguments did take place. At one point of time the management wanted the team to delete the manipulations regarding OBG ward as listed at point No.6 (b) and 6 (d) whose photographic Evidence is given in the CD. Ultimately the Dean was made to read entire report after which the print out was taken out for signing by the Dean. But the management wanted to read the report before signatures of the Dean, which was declined by the assessors on the ground that neither assessors nor MCI has nothing to do with the management. As a result of which the management asked the Dean Not to sign the report. The Dean was given the option to differ or disagree on any point(s) that she may deem fit in writing on the report. But the management insisted upon her Not to sign. Because of this the duplicate copy could not be handed over to the Dean.

By facing undue interference of the management, it is humbly prayed that the management of various colleges be apprised that they have no role in the assessment process. It is an academic assessment and Dean, Medical Superintendent and Professors if any may assist the assessment team”.

The Executive Committee of the Council also observed that in the assessment report (30th July 2016) on the standard of examination and other teaching facilities for recognition of MD (Community Medicine) qualification, the Assessor has stated that “.....this was the worst every experience as “Assessor”, as present rule say that you have to prepare two sets of Assessor Report and one has to submit to the college authorities and if they disagree they can put their dissent note on that. Before I could start preparing report I was pressurized to prepare favourable report by Mrs. Richa Mishra, introduced as Trustee of the medical college. Since afternoon, she was sitting in HOD Community Medicine Room and was interfering in document verification for Declaration Form and even for all work. My request to HOD as well as Principal, who was also sitting in HOD's room, to send her back so that I can do work freely could not get positive result. Before I could start typing the report she asked finding of report verbally and she insisted of favourable report otherwise she asked Principal to stand up and ordered him not to sign the assessment report. She blamed me that I am influenced with initial PG assessment report of Dr. D.K. Raut but as I told that situation is same even today at RHTC and HUC, she got annoyed and left room with Principal with threat that nobody will sign assessment report. Once I contact telephonically at MCI officials and appraised the situation, I started preparing report but even then I was dictated some of the figures and statements. I did not write “Remarks of Assessor” at that point of time. Once report was prepared then it was seen by Mrs. Richa Mishra, then she asked Principal to sign the report.”.....

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 150 MBBS students at Hind Institute of Medical Sciences, Ataria, Sitapur, Uttar Pradesh under Chhatrapati Shahuji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

82. Renewal of permission for MBBS course for 2nd batch (100 seats) of Believers Church Medical College Hospital, Kuttapuzha, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (100 seats) of Believers Church Medical College Hospital, Kuttapuzha, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report **(6th and 7th January, 2017)** and decided to recommend to the Central Govt. to renew the permission for admission of 2nd batch of 100 MBBS students at Believers Church Medical College Hospital, Kuttapuzha, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

83. Renewal of permission for MBBS course for 3rd batch (100 seats) of Andaman & Nicobar Islands Institute of Medical Sciences, Port Blair under Pondicherry University u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 3rd batch (100 seats) of Andaman & Nicobar Islands Institute of Medical Sciences, Port Blair under Pondicherry University u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (4th and 5th January, 2017) and noted the following:-

1. Deficiency of faculty is 15.7 % as detailed in the report.
2. Teaching beds are inadequate by 8 beds as 82 beds are available in General Surgery against requirement of 90 beds.
3. Central O₂ and Central Suction are not available.
4. 1 Static X-ray machine is available against requirement of 2.
5. Examination Hall: It is under construction.
6. Lecture Theaters: 2 Lecture Theaters are available against requirement of 3.
7. Students' Hostels: Accommodation is available for 130 against requirement of 225. Computer & Internet facility is not available.
8. Residents' Hostel is not in the campus.
9. MRD: It is manual.
10. RHTC & UHC are not under control of Dean.
11. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch of 100 MBBS students at Andaman & Nicobar Islands Institute of Medical Sciences, Port Blair under Pondicherry University u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

84. Renewal of permission for MBBS course for 4th batch (150 seats) of Al-Azhar Medical College and Super Speciality Hospital, Thodupuzha, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 4th batch (150 seats) of Al-Azhar Medical College and Super Speciality Hospital, Thodupuzha, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council noted that the compliance verification assessment report (21st April, 2016) alongwith previous assessment report (4th & 5th November, 2015) as well as the letter dated 15/01/2016 received from the Kerala University of Health Sciences, Thrissur with regard to renewal of permission for MBBS course for 3rd batch (150 seats) of Al-Azhar Medical College and Super Specialty Hospital, Thodupuzha, Kerala under Kerala University of Health & Allied Sciences, Kerala u/s 10A of the IMC Act, 1956 for

the academic year 2016-2017 was placed before the Executive Committee of the Council at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (21st April, 2016) alongwith previous assessment report (4th & 5th November, 2015) as well as the letter dated 15/01/2016 received from the Kerala University of Health Sciences, Thrissur and noted the following:-

1. *Deficiency of faculty is 79 % as detailed in the report.*
2. *Shortage of Residents is 79.55 % as detailed in the report.*
3. *Most of the Residents are not staying in the hostels.*
4. *OPD: Very few patients were seen in OPD. No Consultants or Residents were present in most of the departments.*
5. *Bed occupancy was 06.67 % (i.e. 020 out of 300 beds) on day of assessment which is grossly inadequate. Institute has provided data of Bed occupancy @ 61 % which is false & highly inflated. There were healthy persons lying on beds without any case papers.*
6. *Although equipment has been procured, Histopathology & Cytopathology workload has not yet started.*
7. *There was NIL Major & Minor operation on 21/04/2016. All O.T.s were closed. Out of 3 patients operated on 20/04/2016, only 2 of them were available.*
8. *There was NIL Normal Delivery & NIL Caesarean Section from 17/04/2016 to 19/04/2016. There was only 1 Normal Delivery on 20/04/2016.*
9. *ICUs: There was NIL patient in ICCU, SICU. Only 1 child was kept in PICU for observation without any documentary evidence. In MICU, 1 patient was admitted for Hypertension for 2 days, without any anti-hypertensive drug being given !*
10. *Only 2 Static X-ray machines are available against requirement of 3. Deficiency remains as it is.*
11. *Central research laboratory: It is not adequately equipped & not functional.*
12. *OPD attendance was 125 as observed & verified by assessors. Institute data are grossly inflated.*
13. *Data of Clinical Material, Major & Minor operations, Radiological & Laboratory investigations as provided by institute are grossly inflated. Hospital is practically non-functional.*
14. *Very few Nursing & Paramedical staff are available in the wards.*
15. *Blood Bank: Since 16/04/2016, no stock of usable blood was available. Five expired blood units were found which contrary to Regulations.*
16. *Examination hall: capacity of 2nd Examination hall is 200 against requirement of 250. Deficiency remains as it is.*
17. *Lecture Theaters: Hospital lecture Theater is not of gallery type. Deficiency remains as it is.*
18. *Common Rooms for Boys & Girls are smaller than required.*
19. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd batch (150 seats) of Al-Azhar Medical College and Super Specialty Hospital, Thodupuzha, Kerala under Kerala University of Health & Allied Sciences, Kerala u/s 10A of the IMC Act, 1956 for the academic year 2016-2017".

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letters dated 14/05/2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students for the academic year 2016-2017.

The Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Executive Committee of the Council noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 3rd batch (150 seats) u/s 10A of the IMC Act, 1956 for the academic year 2016-2017, in light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC) subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 05.10.2016 has forwarded the following the documents as submitted by the college to the Ministry on 01.09.2016:-

- i. An affidavit dated 26.08.2016 from the Chairman of the Trust concerned.
- ii. An affidavit dated 26.08.2016 from the Dean/Principal of the college concerned.
- iii. A bank guarantee bearing No. 131BG00162440001 dated 31.08.2016 Rs. 2 Cr issued by Dhanalaxmi Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 3rd batch of 150 MBBS students at Al-Azhar Medical College and Super Speciality Hospital, Thodupuzha, Kerala under Kerala University of Health Sciences, Thrissur has been carried out on 4th and 5th January, 2017 and noted the following:

1. Deficiency of faculty is 10.53 % as detailed in the report.
2. Shortage of Residents is 14.29 % as detailed in the report.
3. OPD attendance is 711 on day of assessment against 900 required.
4. There were only 4 Major Operations for the whole hospital on day of assessment.
5. Casualty: Separate Casualty for O.G. is not available.
6. There were only 2 patients each in NICU/PICU on day of assessment.
7. Wards: Pantry is non-functional in all the wards.
8. Nurses' Hostel: It is very congested with 5 persons in 1 room which is not permissible.
9. Residential Quarters: Only 2 quarters are available for non-teaching staff against requirement of 36.
10. UHC: Specialists' visits are not organized.
11. Other deficiencies as pointed out in the assessment report

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 12/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 12/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 4th batch of 150 MBBS students at Al-Azhar Medical College and Super Speciality Hospital, Thodupuzha, Kerala under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

85. Establishment of new medical college at Barmer, Rajasthan (Government Medical College, Barmer) by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Barmer, Rajasthan (Government Medical College, Barmer) by Govt. of Rajasthan with an annual intake of 100 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (4th and 5th January, 2017) and noted the following:

1. Dean is not yet appointed.
2. Medical Superintendent is not yet appointed.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. Teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	General Medicine	72	54	18
2	Psychiatry	08	00	08
3	Skin & VD	08	00	08
4	General Surgery	90	72	18
5	Orthopaedics	30	00	30
6	Ophthalmology	10	00	10
7	ENT	10	00	10
	TOTAL			102

6. College building is under construction. Preclinical departments of Anatomy, Physiology, Biochemistry are not available.
7. Nursing staff: 85 Nursing staff are available against requirement of 175.
8. Wards: There are no ward numbers. Ancillary facilities are inadequate in the wards as detailed in the report.
9. Histopathology & Cytopathology workload is NIL.
10. OPD: Teaching areas are not available. Injection room is common for males/females. Dressing room is common for males/females. Plaster Cutting room is not separate. Dark room & Minor Procedures room are not available in Ophthalmology OPD. Child Welfare clinic & Child Rehabilitation clinic are not available in Paediatrics OPD. Sterility clinic & Family Welfare clinic are not available in OG OPD.
11. Audiometry & Speech Therapy are not available.
12. MRD: It is manual. ICD X classification is not followed for indexing of diseases.
13. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley, Crash Cart is not available. Minor O.T. is not available. Resuscitation equipment is inadequate.
14. Central Clinical Laboratory is not available.
15. O.T.: 3 Major O.T.s are available against requirement of 4. 1 Minor O.T. is available against requirement of 2. Preoperative & Postoperative beds are not available. (P. 16)
16. ICUs: SICU is not available.
17. Central O₂ and Central Suction are not available in MICU, NICU/PICU.
18. Radiodiagnosis department: 1 USG is available against requirement of 2. AERB approval is not available for X-ray machines.
19. CSSD: ETO Sterilizer is not available. Receiving & Distribution points are not separate.

20. Intercom is not available.
21. Arrangement for Biomedical Waste Disposal are not available.
22. Website is not available.
23. Lecture Theaters; Central Library; Students', Residents' & Nurses' Hostels, Residential Quarters for faculty & non-teaching staff are under construction.
24. Central Photography Section is not available.
25. College Council, Pharmaco Vigilance Committee, Gender Harassment Committee are not yet constituted.
26. RHTC is not yet identified.
27. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Barmer, Rajasthan (Government Medical College, Barmer) by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

86. Establishment of new medical college at Mangalwara, Bhopal (Mahaveer Institute of Medical Sciences & Research, Bhopal) by Jain Sarvodaya Vidhya Gyanpith Samiti, Bhopal, Madhya Pradesh with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur (M.P.) u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Mangalwara, Bhopal (Mahaveer Institute of Medical Sciences & Research, Bhopal) by Jain Sarvodaya Vidhya Gyanpith Samiti, Bhopal, Madhya Pradesh with an annual intake of 150 MBBS students under Madhya Pradesh Medical Science University, Jabalpur (M.P.) u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (3rd and 4th January, 2017) and noted the following:

1. Deficiency of faculty is 23.07 % as detailed in the report.
2. Shortage of Residents is 39.13 % as detailed in the report.
3. Bed Occupancy is 4.33 % at 10 a.m. on day of assessment as under:

#	Department	Beds	
		Available	Occupied
1	General Medicine	72	08
2	Paediatrics	24	02
3	Tb & Chest	08	00
4	Psychiatry	08	00
5	Skin & VD	08	00
6	General Surgery	90	00
7	Orthopaedics	30	01
8	Ophthalmology	10	00
9	ENT	10	00
10	O.G.	40	02
	TOTAL	300	13

4. In Paediatrics, there were only 2 patients initially. Later as many as 20 patients were admitted within 1 hour and they all were normal children.

5. In male Medicine ward, patient Munna was admitted with headache with blank prescription slip and no file. another patient Ramkishan was admitted with complaints of cough and low backache with blank prescription slip and no file. similarly Raju was admitted with complaints of cough and pain leg without any prescription slip at all. similarly patient Ajay, MannSingh and Suresh had no file although they were reported to be admitted in the ward by the Jr. Dr. Rohit Modi in male medicine ward.
6. OPD attendance was 506 on day of assessment against requirement of 600.
7. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
8. There was only 1 Major Operation on day of assessment. Although 07 Minor Operations were claimed to have been performed by the Institute, during the round not a single operation was performed.
9. On checking the OT register, entries of procedures like PCNL and lap Cholecystectomy were found. On asking to show the PCNL and laproscopic instruments, it was told that it is done by visiting lap surgeon (Dr. John)
10. Only 2 cases (Harshit, 19/M for Ortho procedure and Manghibai, 53/F having Fibroid) were posted for surgery in the OT as per OT lists shown to the assessor. But no patient was seen in the pre-operative beds.
11. Histopathology & Cytopathology workload was NIL.
12. Data of Laboratory Investigations appear to be inflated.
13. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley is not available. Defibrillator is shared with ICCU. Separate roster for duty staff is not available.
14. ICUs: There was NIL patient in ICCU, SICU, NICU/PICU on day of assessment.
15. 1 Mobile X-ray machine is available against requirement of 2,
16. Paramedical and Non-teaching staff: 93 Paramedical & Non-teaching staff are available against requirement of 100.
17. OPD: There is no record in Injection room. Most of OPD rooms were without patients. Most of waiting chairs were empty. Demonstration rooms in Eye & ENT were without chairs.
18. Wards: Nursing staff was scanty on Nursing stations. Most of the patients had only blank prescription slip and no file made.
19. Central Library: 29 Internet Nodes are available against requirement of 40.
20. Students' Hostels: They are partly furnished. A.C. Study room does not have Internet.
21. Residents' Hostel: A.C. Study room does not have Internet.
22. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Mangalwara, Bhopal (Mahaveer Institute of Medical Sciences & Research, Bhopal) by Jain Sarvodaya Vidhya Gyanpith Samiti, Bhopal, Madhya Pradesh under Madhya Pradesh Medical Science University, Jabalpur (M.P.) u/s 10A of the IMC Act, 1956 for the academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30%

and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

87. Establishment of new medical college at Meerut (Radha Govind Institute of Medical Sciences, Meerut, Uttar Pradesh) by Shri Krishna Shiksha Prasar Samiti, Meerut with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Meerut (Radha Govind Institute of Medical Sciences, Meerut, Uttar Pradesh) by Shri Krishna Shiksha Prasar Samiti, Meerut with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (3rd and 4th January, 2017) and noted the following:

1. Shortage of Residents is 6.52 % as detailed in the report; Out of these, only 4 Residents are staying in the hostel. If this were to be taken into account, Shortage of Residents would come to 84.66 %.
2. OPD attendance is 387 on day of assessment against requirement of 600 as per Regulations.
3. Bed Occupancy is 32.66 % on day of assessment at 10 a.m. Many admissions were unnecessary for vague complaints like URI, Backache, UTI, Bodyache, etc.
4. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment. There was NIL antenatal pregnant woman admitted in Obstetrics ward.
5. On verification of O.T. registers, it was found that all surgeries were performed by Dr. Deepmala, Senior Resident & Dr. Poonam, Junior Resident. No surgery is performed by any of the faculty. It raises doubt about their actually working in this hospital.
6. Histopathology & Cytopathology workload is inadequate. In Histopathology, only 2-3 samples are received daily; there was no sample of Cytopathology from 28/02/2016 to 02/01/2017.
7. Central O₂ and Central Suction are not available.
8. Casualty: Disaster Trolley is not available.
9. ICUs: There was NIL patient in ICCU, NICU/PICU. In SICU, both patients admitted were post-operative patients requiring SICU admission.
10. Labour Room: There is no segregation into clean, septic & Eclampsia Labour room. 1 room with 2 tables on the floor with O.G. ward is labelled as Labour room. There is no scrub area, no I stage room, no postnatal area.
11. Radiodiagnosis department: 1 X-ray machine of 600 mA does not have AERB approval. Out of 2 USG machines, only 1 has PNDT approval.
12. Blood Bank: NIL unit was dispensed on day of assessment.
13. OPD: Waiting areas are inadequate. Examination rooms are small cabins and they are not adequate in some departments – Orthopaedics has only 2 Examination Tables; Ophthalmology only 1; Paediatrics only 3; O.G. only 2. Teaching areas are not available. Minor Procedure room is not available in Ophthalmology OPD. Child Welfare clinic, Immunization clinic, Child Rehabilitation clinic are not available in Paediatrics OPD. Sterility clinic, Family Welfare clinic, Cancer Detection clinic are not available in OG OPD. There is no light/bulb facility for examination of Gynaecology patients. There is no Speculum for examination of Gynaecology departments. Injection rooms are not used for giving injections. No Betadine/Spirit/Syringes/Injections are available in this room. Dressing room is common for males/females. There is no Wash Basin in Minor O.T.

14. Audiometry & Speech Therapy are not available.
15. Wards: Demonstration room, Store room, Side laboratories are not available in any ward. 90 beds of General Surgery are distributed in 9 rooms of varying capacity from 6 to 20. 72 beds of General Medicine are distributed in 8 rooms of varying capacity from 7 to 13. 40 beds of O.G. are distributed in 4 rooms of varying capacity from 7 to 15.
16. Canteen is not available.
17. Central Library: Students' Reading room (Outside) is not available. NIL Journals are available.
18. Residents' Hostel: Accommodation available is for only 32 against 46 required. Even out of these, only 4 Residents are staying in the hostel.
19. MEU: It is not functional.
20. Pharmaco Vigilance Committee is not constituted.
21. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Government not to issue Letter of permission for establishment of a new medical college at Meerut (Radha Govind Institute of Medical Sciences, Meerut, Uttar Pradesh) by Shri Krishna Shiksha Prasara Samiti, Meerut with an annual intake of 150 MBBS students under Ch. Charan Singh University, Meerut u/s 10A of the IMC Act, 1956 for the academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year."

88. **Establishment of new medical college at Palghar, Maharashtra (Vedantaa Institute of Medical Sciences, Palghar, Maharashtra) by Vedantaa Institutes of Academic Excellence Private Limited., Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Palghar, Maharashtra (Vedantaa Institute of Medical Sciences, Palghar, Maharashtra) by Vedantaa Institutes of Academic Excellence Private Limited., Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (5th and 6th January, 2017) and noted the following:

1. Deficiency of faculty is 23.07 % as detailed in the report.
2. OPD attendance on day of assessment was 429 against requirement of 600.
3. OPD data from the departments are not coinciding with Registration Counters.
4. Casualty attendance was NIL on day of assessment. Crash Cart is not available.
5. 80 % of patients in General Surgery ward were present with complaints of UTI, Gastroenteritis and Renal Stones without having clinical records

- of USG, X-rays & other investigations. There was NIL post-operative patient. There was no patient in the ward with IV line.
6. In Orthopaedics ward, patients with complaints of Lumbar Lordosis, Disc Prolapse without having clinical records of X-rays and other investigations. There was NIL patient with fracture. There was NIL post-operative patient. There was no patient in the ward with IV line.
 7. In Ophthalmology ward, patients admitted had no reason for getting admitted as they were on oral medicines.
 8. In O.G. ward, patients of Severe Anaemia were without IV line.
 9. There was NIL Major Operation & only 1 Minor Operation for the whole hospital.
 10. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
 11. Radiological & Laboratory investigations workload is NIL.
 12. Histopathology & Cytopathology workload is NIL.
 13. Paramedical & Non-teaching staff: 77 Paramedical & Non-teaching staff are available against requirement of 100.
 14. There was NIL Major Operation & only 1 Minor Operation for the whole hospital.
 15. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
 16. Radiological & Laboratory investigations workload is NIL.
 17. Histopathology & Cytopathology workload is NIL.
 18. Central Clinical Laboratory is non-functional.
 19. 1 Static X-ray machine is available against requirement of 2. 1 USG machine is available against requirement of 2.
 20. Blood Bank: It is not functional.
 21. CSSD: Receiving & Distribution points are not separate. ETO Sterilizer is not available.
 22. Central O₂ and Central Suction are not available.
 23. ICUs: There was NIL patient in ICCU or in any other ICU.
 24. Anatomy department: There are NIL Dissection Microscopes. Cold storage for dead bodies is not available. Lockers are not available. Storage tanks are not available. Cadavers are not available.
 25. Biochemistry department: Practical laboratory is under construction. AV aids are not available.
 26. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
 27. Lecture Theaters: They are under construction.
 28. Central Library: It is not air-conditioned. Capacity of Students' Seating room (Outside) & of Students' Seating room (Inside) is 40 each against requirement of 75 each. Only 1,200 books are available against requirement of 3,000. NIL Journals are available.
 29. Common Rooms for Boys & Girls are yet to be furnished.
 30. Central Photography Section: Staff & Equipment are not available.
 31. Students' Hostels: They are under construction.
 32. Residential Quarters for faculty & Non-teaching staff are under construction; even so, only 16 quarters are under construction for non-teaching staff against requirement of 20.
 33. RHTC & UHC are not identified.
 34. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Palghar, Maharashtra (Vedantaa Institute of Medical Sciences, Palghar, Maharashtra) by Vedantaa Institutes of Academic Excellence Private Limited., Maharashtra under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

89. Establishment of new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar with an annual intake of 100 MBBS students under B.N. Mandal University, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar with an annual intake of 100 MBBS students under B.N. Mandal University, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (4th and 5th January, 2017) and noted the following:

1. Deficiency of faculty is 63.79 % as detailed in the report.
2. Shortage of Residents is 42.22 % as detailed in the report.
3. College building is under construction. Preclinical departments of Anatomy, Physiology & Biochemistry are not functional.
4. There was NIL Normal Delivery & 1 Caesarean Section on day of assessment.
5. Radiological & Laboratory investigations workload is less.
6. Histopathology & Cytopathology workload is NIL.
7. Casualty: Crash Cart is not available.
8. ICUs: There was NIL patient in SICU, NICU/PICU, only 1 patient in ICCU & only 2 patients in MICU on day of assessment.
9. Blood Bank: It is not functional.
10. Paramedical & Non-teaching Staff: 80 Paramedical & Non-teaching staff are available against requirement of 101.
11. Lecture Theaters: As yet they are not ready and are non-functional.
12. Central Library: As yet it is not ready and functional. Available books are 1,600 against requirement of 3,000. Other staff is not available.
13. Residents' Hostel: It is not available.
14. Residential Quarters: 14 rooms are available against requirement of 14 quarters for the faculty. 20 rooms are available against requirement of 20 quarters for the non-teaching staff.
15. Website: Information uploaded is sketchy as detailed in the report.
16. UHC is not identified.
17. College Council; Pharmaco Vigilance Committee; Gender Harassment Committee are not constituted.
18. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Saharsa, Bihar (Sri Narayan Medical Institute & Hospital, Saharsa, Bihar) by Shree Narayan Foundation, Saharsa, Bihar under B.N. Mandal University, Bihar to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or

bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

90. Recommendation for allotment of Govt. run medical colleges to hundred students of MBBS course(session 2012-2013) of Lord Buddha Koshi Medical College & Hospital, Saharsa, Bihar.

Read: the matter with regard to recommendation for allotment of Govt. run medical colleges to hundred students of MBBS course(session 2012-2013) of Lord Buddha Koshi Medical College & Hospital, Saharsa, Bihar.

The Executive Committee of the Council perused the matter pertaining to reallocation of 96 students to Govt. colleges in the State of Bihar. The Govt. of Bihar has requested MCI to accord approval for shifting these students to Govt. colleges pursuant to order of Hon'ble High Court order dt. 22/12/2016 which reads as under:

22.12.2016

Let the colleges which is required to be allotted to these hundred students be decided by draw of lots, to be held in presence of the students, whoever are willing to participate as an observer. The outcome of the said draw will be crystallized and these those names will be recommended to MCI for allotment to the respective medical colleges, which in turn will form the basis for the recommendation by MCI to the Govt. of India for final notification.

The process of recommendation after draw of lots must be completed and sent to the MCI and the Union of India by 29th of Dec.2016.

Matter will be listed for further consideration on 11.1.2017.

In view of the above, the Executive Committee of the Council decided to accord approval to Govt. of Bihar for shifting of the students of Lord Buddha Koshi Medical College & Hospital, Saharsa, Bihar to other Govt. Medical Colleges of the State.

91. Al-Ameen Medical College & Hospital, Bijapur – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Al-Ameen Medical College & Hospital, Bijapur – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that the compliance verification assessment report (28.04.2016) alongwith previous assessment report (4th & 5th March, 2016) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (28.04.2016) along with previous assessment report (4th & 5th March, 2016) and noted the following:-

1. *Deficiency of faculty is 18.93 % as detailed in the report.*
2. *Shortage of Residents is 17.14 % as detailed in the report.*
3. *Many Residents are still not staying in the campus. Many rooms are occupied by II year students.*
4. *Many Senior/Junior residents still do not know each other. Deficiency of not knowing duty hours continues.*
5. *Bed occupancy is 37.64 % (i.e. 256 out of 680 beds) on day of assessment. There was NIL patient in Ophthalmology & very few in Paediatrics.*
6. *OPD: Waiting area is inadequate. Examination rooms are very small cubicles.*

7. Patients having minor complaints like Bodyache, Joint pain, Backache were admitted in General Medicine, Paediatrics, Orthopaedics wards who did not merit admission.
8. Wards: Demonstration rooms are very small in most of the wards with maximum capacity of 10 students. Wards are not as per MSR Requirements. Most of the old wards are divided into cubicles of not more than 6 patients. Nursing staff does not have a view of all the patients in many wards. New wards did not have electric supply. There were no fans.
9. There was NIL Ophthalmology & NIL ENT operations at time of visit.
10. Histopathology & Cytopathology workload was NIL on day of assessment at 1 p.m.
11. ICUs: There was no patient on ventilator support.
12. Central research Laboratory facilities are inadequate.
13. Audiometry room is small & not properly insulated.
14. Lecture Theater: Capacity of Hospital Lecture Theater is only 144 which is inadequate. E class facility & Audiovisual aids are not available in 2 out of 4 Lecture Theaters in the college & also Hospital Lecture Theater.
15. Central Library: Air-conditioning is inadequate for space.
16. Students' Hostels: Ancillary facilities are inadequate as detailed in the report.
17. Microbiology department: Only 4 Service laboratories are available against requirement of 7.
18. Deficiency of inadequate Demonstration rooms remains as such as detailed in the report.
19. Deficiency of RHTC belonging to Govt. of Karnataka remains as such. MOU gives dean only supervisory powers but no disciplinary control.
20. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. to reiterate its earlier decision not to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 in respect of Al-Ameen Medical College & Hospital, Bijapur under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Committee further decided to continue the application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II) dated 16th April, 2010 and amended on 18th March, 2016."

The above decision of the Executive Committee was communicated to the Central Government vide this office letter dated 15.05.2016 and copy marked to the College authorities with the request to submit the detailed point wise compliance.

The Executive Committee further noted that the the Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students against increased intake from 100-150 in MBBS course for the academic year 2016-17.

The Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Executive Committee further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 4th batch (100 to 150 seats) u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 09/09/2016 has forwarded the following the documents as submitted by the college to the Ministry on 31.09.2016:-

- i. An affidavit dated 29.08.2016 from the Chairman of the Trust concerned.
- ii. An affidavit dated 26.08.2016 from the Dean/Principal of the college concerned.
- iii. A bank guarantee bearing No. 01831PBG1608001 dated 30.08.2016 Rs 2 Cr issued by J & K Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 4th batch (100 to 150 seats) at Al-Ameen Medical College & Hospital, Bijapur under Rajiv Gandhi University of Health Sciences, Bangalore has been carried out on 9th and 10th January, 2017 and noted the following:

1. Deficiency of faculty is 5.8 % on day of assessment.
2. Shortage of Residents is 9.4 % on day of assessment.
3. OPD attendance is 1,046 as per Central Register on day of assessment against requirement of 1,200, but actual number was much less.
4. Most of indoor cases in General Surgery, Orthopaedics, General Medicine, ENT & OG were having minor complaints.
5. There were only 09 Major Operations on day of assessment.
6. A list of 6 cases under Local Anaesthesia was posted in General Surgery O.T.; however no such cases were seen in O.T. at the time of visit. On enquiry it was informed that all these cases were operated as outdoor cases.
7. During assessment most of Minor Operations cases were not seen in OPD, Wards or O.T.s but record was maintained for them.
8. Casualty: 25 beds are available as required, but out of them 10 beds are in 2 separate rooms which do not have facility of O₂ supply, Suction or Monitoring. Disaster Trolley is not available. Available CMOs are 3 against requirement of 4. Their attendance registers are not available.
9. OPD: Child Welfare clinic & Child Rehabilitation clinic are not available in Paediatrics OPD. Waiting area is inadequate.
10. In many wards, Nursing stations are located in such a way that Nursing staff does not have a view of all patients.
11. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 5th Batch of MBBS students against the increased intake i.e. from 100-150 at Al-Ameen Medical College & Hospital, Bijapur under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

92. GSL Medical College, Rajahmundry– Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2017-18.

Read: the matter with regard to GSL Medical College, Rajahmundry– Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 150-200 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (9th and 10th January, 2017) and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 150-200 in respect of GSL Medical College, Rajahmundry under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

93. Kalinga Institute of Medical Sciences, Bhubaneswar – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Kalinga Institute of Medical Sciences, Bhubaneswar – Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (9th and 10th January, 2017) and decided to recommend to the Central Govt. to renew the permission for admission of 4th batch of MBBS students against the increased intake i.e. from 100-150 in respect of Kalinga Institute of Medical Sciences, Bhubaneswar under KIIT University, Bhubaneswar u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

94. Maharaja Agrasen Medical College, Aghroha – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2017-18.

Read: the matter with regard to Maharaja Agrasen Medical College, Aghroha – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 50-100 for the academic session 2017-18.

The Executive Committee of the Council noted that the compliance verification assessment report (01.04.2016) alongwith previous assessment report (26th & 27th November, 2015) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (01.04.2016) along with previous assessment report (26th & 27th November, 2015) and noted the following:-

1. Shortage of Residents is 12.96 % as detailed in the report.
2. Deficiency of faculty is 5.49 % as detailed in the report.
3. CT Scan is 2 slice against requirement of 16 slice.
4. AERB approval is not available.
5. OPD: Child Welfare Clinic & Child Rehabilitation clinic are not available.
6. Wards: Most of the wards do not have pantry. All wards are small, partitioned with bed capacity ranging from 2 – 8. Nursing station is outside the ward & common between wards. In some wards, male & female patients are kept in a single room.
7. OPD: Registration is not computerized. Data provided by institute are inflated.
8. Workload of Special investigations like Ba, IVP was less on day of assessment as observed by assessors.
9. Central Library: Residents’ Reading room is not available. Internet Nodes are only 10.
10. Lecture Theater: Hospital Lecture Theater is not of gallery type; its capacity is only 50 which is inadequate.

11. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of scheme for increase of seats from 50 to 100 u/s 10A of the IMC Act, 1956 at Maharaja Agrasen Medical College, Agroha under Pt. B.D. Sharma University of Health Sciences, Rohtak for academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 and amended on 18th March, 2016, which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses....."

The above decision of the Executive Committee was communicated to the Central Government vide Council letter dated 14.05.2016.

The Council vide another letter dated 20.05.2016 issued the Show Cause Notice to the college authorities to explain as to why the Council should not proceed to recommend to the Central Govt. for withdrawal of recognition of MBBS degree/Postgraduate course of the institute and stoppage of admissions in permitted postgraduate course.

The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Central Govt. vide letter dated 10.06.2016 had also disapproved the scheme of the applicant college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (50 to 100 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016, the Central Govt. vide its letter dated 15.11.2016 had forwarded the following documents as submitted by the college authorities to the Ministry on 29.08.2016:-

- i. Affidavit dated 27.08.2016 from the Chairman/President of the Trust and affidavit dated 29.08.2016 from the Director/Principal of the college concerned affirming fulfillment of the all deficiencies and statements made in the respective compliance report submitted to MHFW by 22 June, 2016.
- ii. A Bank Guarantee bearing no. 203ILG000616 dated 29.08.2016 of Rs. 2 Cr. Issued by Punjab National Bank in favour of MCI with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the

conditions stipulated in the Letter of Permission dated 20.08.2016 for increased intake from 50 to 100 seats at Maharaja Agrasen Medical College, Aghroha under Pt. B.D. Sharma University of Health Sciences, Rohtak has been carried out on 9th and 10th January, 2017 and noted the following:

1. The Institute is recognized for 50 and the assessment is for I Renewal of Permission for increase to 100. Accordingly teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	General Medicine	102	90	12
2	Paediatrics	42	30	12
3	General Surgery	102	90	12
	TOTAL			36

2. ICUs: Total 8 beds are available in NICU/PICU against requirement of 5 beds for each. There was only 1 patient in NICU/PICU at time of assessment.
3. 2 Static X-ray machines are available against requirement of 3.
4. OPD: Registration counters are common for males/females.
5. Wards: Nursing station is outside the ward in Paediatrics & O.G. wards. In ENT, a male patient by name of Inder was kept in female ward. In Orthopaedics ward, both male & female toilets are located in male ward.
6. Students' Hostel: A.C. Study room with computer & Internet is not available. Wifi facility is available.
7. Intercom is not available at Nursing stations.
8. RHTC: Specialists' visits are not organized.
9. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 2nd Batch of MBBS students against the increased intake i.e. from 50-100 at Maharaja Agrasen Medical College, Aghroha under Pt. B.D. Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

95. Pramukhswami Medical College, Karamsad – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Pramukhswami Medical College, Karamsad – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that the compliance verification assessment report (05.04.2016) alongwith previous assessment report (7th & 8th December, 2015) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

“The Executive Committee of the Council considered the compliance verification assessment report (05.04.2016) along with previous assessment report (7th & 8th December, 2015) as well as additional information through e-mails dated 11.05.2016 from Dr. Abhimanyu Basu, Kolkata (Co-Cordinator), Dr. Narsingh G. Herekar, Miraj and Dr. Sankar Kurli, Andhra Pradesh and noted the following:-

1. *Shortage of Residents is 11.59 %.*
2. *Bed occupancy is 62.64% as against required 75%.*
3. *Workload of CT Scan is only 10 on day of assessment which is inadequate.*
4. *Histopathology workload is only 07 & Cytopathology workload is only 06 on day of assessment which is inadequate.*
5. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of scheme for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 at Pramukhswami Medical College, Karamsad under Sardar Patel University, Gujarat for academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 and amended on 18th March, 2016, which reads as under:-

8(3)(1).....

- (c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2017-18) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute 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 above decision was communicated to the Central Government vide Council letter dated 15.05.2016.

The Council vide another letter dated 15.05.2016 issued the Show Cause Notice to the college authorities to explain as to why the Council should not proceed to recommend to the Central Govt. for withdrawal of recognition of MBBS degree/Postgraduate course of the institute and stoppage of admissions in permitted postgraduate course.

The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Central Govt. vide letter dated 10.06.2016 had also disapproved the scheme of the applicant college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (100 to 150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 15.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 01.09.2016:-

- i. An affidavit dated 27.08.2016 from the Chairman of the Society and the Principal/Dean of the College concerned.
- ii. A Bank Guarantee bearing No. 50990000216 dated 31.08.2016 of Rs. 2 Cr issued by Oriental Bank of Commerce in favour of MCI, with a validity of 1 year.
- iii. A Bank Guarantee bearing No. 50990000116 dated 31.08.2016 of Rs. 1 Cr. issued by Oriental Bank of Commerce in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for increased intake from 100 to 150 seats at Pramukhswami Medical College, Karamsad under Sardar Patel University, Vidyanagar has been carried out on 9th and 10th January, 2017 and noted the following:

1. Shortage of Residents is 7.24 % as detailed in the report.
2. The Institute is recognized for 100 and the assessment is for I Renewal of Permission for increase to 150. Accordingly teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	General Medicine	132	120	12
2	Paediatrics	72	60	12
3	General Surgery	132	124	08
4	Orthopaedics	72	60	12
5	O.G.	72	60	12
	TOTAL			56

3. Bed Occupancy is 57.74 % at 10 a.m. on day of assessment.
4. There was NIL Normal Delivery & 1 Caesarean Section on day of assessment.
5. There were only 11 Major Operations on day of assessment.

6. Wards: Space between 2 beds is < 1.5 m in some wards. Demonstration rooms are not available in some wards. Pantry is not available.
7. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 2nd Batch of MBBS students against the increased intake i.e. from 100-150 at Pramukhswami Medical College, Karamsad under Sardar Patel University, Vidyanagar u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

96. SVS Medical College, Mahabubnagar – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to SVS Medical College, Mahabubnagar – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council considered the surprise assessment report (6th and 7th January, 2017) alongwith assessment report (3rd & 4th November, 2016) and noted the following:-

1. Deficiency of faculty is 29.11 % as detailed in the report.
2. In Anatomy department, Non-medical faculty is 50 % against maximum permissible 33.33 %.
3. Principal was requested to provide attendance registers of different departments initialed by him which he could not provide.
4. Shortage of Residents is 17.44 % as detailed in the report.
5. OPD attendance of 1,797 as provided by Institute appears to be inflated. It was only 649 at 11:45 a.m.
6. Bed Occupancy was only 44.22 % (i.e. 340 patients out of 720 beds as observed during the ward rounds) at 10 a.m. on day of assessment.
7. Many patients were admitted in the morning of day of assessment. Their names were not shown in ward registers. Some did not have case papers. Other had case papers but without details. Such patients did not merit admission in wards.
8. Institute has stated 33 Major Operations on day of assessment. While taking round it was observed that 2 Orthopaedic Surgeries & 1 O.G. surgery was going on. NIL patient was being operated in General Surgery, ENT, Ophthalmology O.T.s.
9. Data of Laboratory investigations as provided by Institute appear to be inflated.
10. Casualty: Separate Casualty for O.G. is not available.

11. Central Library: 22 Internet Nodes are functional against requirement of 40.
12. Wards: Some wards do not have Demonstration rooms.
13. MRD: It is manual & computerized.
14. Website: Details of teaching faculty including their attendance, Gender Harassment Committee, Toll free number to report ragging are not updated.
15. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 at SVS Medical College, Mahabubnagar under Dr. NTR University of Health Sciences, Vijayawada u/s 10A of the IMC Act, 1956 for the academic year 2017-2018 and apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 and amended on 18.03.2016, which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2017-18) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956, along with direction of stoppage of admissions in permitted postgraduate courses.

The Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

97. Increase of seats in MBBS course from 100-150 at Shree Guru Gobind Singh Tricentenary Medical College Hospital & Research Institute, Gurgaon u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

Read: the matter with regard to increase of seats in MBBS course from 100-150 at Shree Guru Gobind Singh Tricentenary Medical College Hospital & Research Institute, Gurgaon u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (9th and 10th January, 2017) and decided to recommend to the Central Govt. to issue Letter of Permission for increase of MBBS seats from 100 to 150

u/s 10A of the IMC Act, 1956 in respect of Shree Guru Gobind Singh Tricentenary Medical College Hospital & Research Institute, Gurgaon for the academic year 2017-2018.

98. Establishment of new medical college at Uttar Pradesh (Naraina Medical College & Research Centre, Kanpur, U.P.) by Shree Durga Maa Shiksha Sewa Samiti, Kanpur, U.P. with an annual intake of 150 MBBS students under Chhatrapati Shahu Ji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Uttar Pradesh (Naraina Medical College & Research Centre, Kanpur, U.P.) by Shree Durga Maa Shiksha Sewa Samiti, Kanpur, U.P. with an annual intake of 150 MBBS students under Chhatrapati Shahu Ji Maharaj University, Kanpur u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and noted the following:

1. Deficiency of faculty is 96.92 % as detailed in the report.
2. Shortage of Residents is 100 % as detailed in the report.
3. As many as 39 faculty & Residents had signed in the morning but absent in afternoon during head count.
4. OPD attendance was 102 against requirement of 600 as per Regulations.
5. Bed Occupancy was 19 % at 10 a.m. on day of assessment. Even as per claim of Institute, which is inflated, it was only 40 %.
6. There was only 1 Major Operation & 3 Minor Operations on day of assessment.
7. There was NIL Caesarean Section on day of assessment.
8. Radiological & Laboratory investigations workload is grossly inadequate.
9. OPD: Registration counters for OPD/IPD are not separate.
10. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley is not available.
11. ICUs: There was NIL patient in NICU/PICU and 1 patient each in ICCU & SICU on day of assessment. PICU has only 2 beds against 5 required.
12. Blood Bank: Licensing is under process.
13. Anatomy department: Only 25 specimens are available. There are NIL cadavers.
14. MRD: ICD X classification of diseases is not used for indexing of diseases.
15. Central Library: There are NIL Internet Nodes.
16. Central Photographic Section is not available.
17. MEU: It is not available.
18. College Council, Pharmaco Vigilance Committee are not constituted.
19. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Uttar Pradesh (Naraina Medical College & Research Centre, Kanpur, U.P.) by Shree Durga Maa Shiksha Sewa Samiti, Kanpur, U.P. under Chhatrapati Shahu Ji Maharaj University, Kanpur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

99. Establishment of new medical college at Durgapur, Dist. Burdwan, West Bengal (Shri Ramkrishna Institute of Medical Sciences & Sanaka Hospitals, Durgapur) by Sanaka Educational Trust, Durgapur with an annual intake of 150 MBBS students under The West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Durgapur, Dist. Burdwan, West Bengal (Shri Ramkrishna Institute of Medical Sciences & Sanaka Hospitals, Durgapur) by Sanaka Educational Trust, Durgapur with an annual intake of 150 MBBS students under The West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and noted the following:

1. Deficiency of faculty is 26.15 % as detailed in the report.
2. Shortage of Residents is 32.60 % as detailed in the report.
3. OPD attendance on day of assessment was 476 on day of assessment. Central computerized register does not match with individual departmental registers.
4. Bed Occupancy was 33 % at 10 a.m. on day of assessment.
5. There was only 01 Major Operation & NIL Minor Operation on day of assessment.
6. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment. There was NIL woman in Labour room. There is no delivery after 30/12/2016.
7. Radiological & Laboratory investigations workload is grossly inadequate.
8. OPD: There is no signage of OPD timings. Injection room has no drugs and resuscitation facilities. There is no register. ECG room was non-functional. In Paediatrics & OG OPD there was NIL patient; there is no record. There are only rooms without any instrument and staff. ENT OPD was only room without any instrument & staff.
9. Wards: There is no Unit wise bed distribution. Patient record is not available Unit wise. There is no duty list. Nursing stations are not as per MSR. Pantry is not available in some wards.
10. With regard to Audiometry & Speech Therapy, only rooms are available without any equipment and staff.
11. Casualty: Disaster trolley is not available. There was NIL patient in the Casualty at the time of visit. There is no past record. In Minor O.T., there is only a table without any instruments.
12. ICUs: There was NIL patient in SICU, NICU/PICU on day of assessment.
13. Blood Bank is not functional.
14. Paramedical & Non-teaching staff: 76 Paramedical & Non-teaching staff are available against requirement of 100.
15. Students' Hostel: With regard to Visitors' room, A.C. Study room & Recreation room, these are only rooms with no facility.
16. Residents' Hostel: Visitors' room, A.C. Study room with Computer & Internet & Recreation room are not available.

17. Anatomy department: There are only 5 cadavers
18. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Durgapur, Dist. Burdwan, West Bengal (Shri Ramkrishna Institute of Medical Sciences & Sanaka Hospitals, Durgapur) by Sanaka Educational Trust, Durgapur under The West Bengal University of Health Sciences, Kolkata to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

100. **Establishment of new medical college at Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal with an annual intake of 150 MBBS students under West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2017-18.**

Read: the matter with regard to establishment of new medical college at Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal with an annual intake of 150 MBBS students under West Bengal University of Health Sciences, Kolkata u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (9th and 10th January, 2017) and noted the following:

1. Deficiency of faculty is 40.00 % as detailed in the report.
2. Name & administrative experience of Medical Superintendent are not available.
3. Shortage of Residents is 78.26 % as detailed in the report.
4. Bed Occupancy is 38.33 % at 10 a.m. on day of assessment.
5. Blood Bank is not functional. License is awaited.
6. ETO Sterilizer is not available.
7. Central Library: Staff is not available.
8. Hostels for Students, Residents & Nurses are partly furnished. Visitors' Room, A.C. Study room with Computer & Internet & Recreation room are not available. Mess is not available.
9. Anatomy department: Only 3 cadavers are available.
10. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Kolkata (Jagannath Gupta Institute of Medical Sciences & Hospital, Kolkata, West

Bengal) by Urmila Devi Jagannath Gupta Charitable Trust, Kolkata, West Bengal under West Bengal University of Health Sciences, Kolkata under The West Bengal University of Health Sciences, Kolkata to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year 2017-18 and further decided to apply clauses 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

101. Establishment of new medical college at Bidarahalli, Bangalore, Karnataka (East Point College of Medical Sciences & Research Centre, Bidrahalli, Bangalore) by M.G. Charitable Trust, Bangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Bidarahalli, Bangalore, Karnataka (East Point College of Medical Sciences & Research Centre, Bidrahalli, Bangalore) by M.G. Charitable Trust, Bangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (6th and 7th January, 2017) and noted the following:-

1. OPD attendance is 505 on day of assessment against 600 required.
2. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
3. ICUs: There was NIL patient in SICU & PICU; only 1 patient in NICU and 2 patients in ICCU on day of assessment.
4. College Council: No meeting has taken place as yet.
5. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Bidarahalli, Bangalore, Karnataka (East Point College of Medical Sciences & Research Centre, Bidrahalli, Bangalore) by M.G. Charitable Trust, Bangalore with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

102. Establishment of new medical college at Nathdwara, Rajsamand, Rajasthan by Ananta Charitable Educational Society, Udaipur with an annual intake of 150 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Nathdwara, Rajsamand, Rajasthan by Ananta Charitable Educational Society, Udaipur with an annual intake of 150 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the letter dated 24/02/2016 received from the appointed team of Council Assessors along with previous assessment report (1st & 2nd December, 2015) with regard to grant of Letter of Intent/Letter of Permission for establishment of new medical college at Nathdwara, Rajsamand, Rajasthan by Ananta Charitable Educational Society, Udaipur with an annual intake of 150 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 at it was decided as under:-

"The Executive Committee of the Council considered the assessment report (1st & 2nd December, 2015) along with letter dated 24/02/2016 received from the appointed team of Council assessors and noted the following:-

"After accepting the letter on behalf of assessors, the Principal, Prof (Dr.) Jitendra Kain& Medical Superintendent Dr. V.B Gaur refused the inspection process and gave a letter to the same effect. I requested the Principal to continue the inspection process in presence of other faculty if he was sick, but he refused. We the assessor visited the hospital & college grossly on telephonic directions from Medical Council of India and taken the photograph in our own mobile. The brief report is as follows:-

1. Hospital bed occupancy is 28.33% (85 out of 300). Medicine patients: 28, Paediatrics: 10, Surgery: 12, Orthopaedics: 13, OB: 06, Gynae:07, ENT & Ophthalmology: Nil, NICU, PICU: Nil, casualty: 02 till 12.30 PM SICU:03.
2. Central laboratory: In Biochemistry register entries of 08 patients was 23.02.2016. On 24.2.2016 till 11.45 no entry of patient in the register.
3. In Histopathology register last date of entry was 17.2.2016. Register was not upto date. Fake entry was done in register. The patient with Hernioplasty with mesh repair name, Lalit Singh entered in the register for Histopathology. No specimen of the Patient, Lad Kumar was available in the laboratory.
4. Blood bank last consumption of blood was on 15.2.2016 (only one). No expiry date is mentioned in the blood bag. Only seven whole blood was stored on the day of inspection.
5. Library: No outside reading room was available. In digital library no electric connection was found at the time of inspection.
6. Anatomy, Physiology & Biochemistry department ear marked area available and construction work was going on during time of inspection in the College side. No wet specimen was displayed in the anatomy museum. Physiology laboratory was under process of construction.
7. All hostels & resident quarters are under construction. No residents are staying in the hostel.
8. Few faculties of Anatomy, Physiology & Biochemistry was present with the assessor during the time of inspection at 12.30PM.
9. At 9.45 AM during entry of assessors no patient was found in the OPD.
10. Two lecture theatres of 180 capacities are available.

Signature of Principal was not taken because he refused the inspection process. "

The Executive Committee of the Council also perused the letter from Principal of the college to the Health Secretary, Govt. of India, which reads as under "On this date 24.02.2016 MCI team of 3 assessors name Dr. Karabi Baral, Dr. Nina Das, Dr. M.K. Ramesh, MCI team has arrived at 09.45 am to Ananta Instt. Of Medical Sciences & Research Center to carry out the compliance verification assessment. But because of sickness of Principal, we are not ready for assessment. So in the capacity of Principal of the Institution, I Dr. Jitendra Kain of Ananta Instt. Of Medical Sciences & Research Center refused to submit our institution for assessment for MCI. This is voluntary on our part."

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Nathdwara, Rajsamand, Rajasthan by Ananta Charitable Educational Society, Udaipur under Rajasthan University of Health Sciences, Jaipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The Central Government vide its letter dated 08.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the the letter dated 20.08.2016, the Central Govt. vide its letter dated 08/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 29.08.2016:-

- i) An Affidavit dated 20.08.2016 from the Chairman of the Society concerned.
- ii) An Affidavit dated 20.08.2016 from the Principal of the college concerned .
- iii) A bank guarantee bearing No.1097316BG0000436, dated 26.08.2016 of Rs. 2 Cr. issued by State Bank of Bikaner & Jaipur in favour of MCI, with a validity of 1 year.
- iv) A bank guarantee bearing No. 1097316BG0000435, dated 26.08.2016 of Rs. 7.5 Cr. issued by State Bank of Bikaner & Jaipur in favour of MCI, with a validity of 5 year.
- v) A bank guarantee bearing No. 1097316BG0000437, dated 26.08.2016 of Rs. 2 Cr. issued by State Bank of Bikaner & Jaipur in favour of MCI, with a validity of 5 year.

The Executive Committee of the Council further noted in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Nathdwara, Rajsamand, Rajasthan by Ananta Charitable Educational Society, Udaipur with an annual intake of 150 MBBS students under Rajasthan University of Health Sciences, Jaipur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was carried out by the Council Assessors on 23rd & 24th November, 2016. The Executive Committee considered the assessment report dated 23rd and 24th Nov. 2016 alongwith a

representation of the college authorities as well as report/ minutes of the meeting dated 27/12/2016 and 03/01/2017 and noted the following:-

1. Deficiency of faculty is 12.31 % as detailed in the report.
2. Dr. Pramila Bajaj, Medical Superintendent & Dr. S.L. Mandowara, Professor of Paediatrics do not have any relieving order from the previous institute; hence they cannot be considered.
3. Names of the following faculty did not figure in O.T. registers:

#	Name	Designation	Department
1	Dr. Atul Jhanwar	Associate Professor	General Surgery
2	Dr. Muhammad A. Khan	Assistant Professor	General Surgery
3	Dr. Rakesh Mishra	Associate Professor	Orthopaedics
4	Dr. Sudha Sharma	Assistant Professor	O.G.

4. Shortage of Residents is 15.21 % as detailed in the report. However, the Executive Committee of the Council after perusal of the report submitted by the Committee constituted to consider the matter with regard to private practice being done by the Teaching Faculty/Residents of Ananta Institute of Medical Sciences & Research Centre, Rajsamand noted that the shortage of Residents is 6.52% taking into account that Dr. Amit Dhing, Dr. Sushant Joshi and Dr. Sapan Jain can be counted as full time Residents.
5. Copies of resignation letters of faculty & Residents were not submitted.
6. OPD attendance is 307 at 2 p.m. against requirement of 600 as per Regulations.
7. Many of the patients, irrespective of departments were either overstaying or did not require inpatient treatment. Patients with Lap Surgery were found to be staying for around 7 days. A list of a few Paediatric patients not deserving admission is also enclosed.
8. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment. Obstetric work as such is very low.
9. OPD: There are only 3 Examination rooms in OPDs of General Surgery, Orthopaedics, O.G. which are major departments against requirement of 4 for the major departments.
10. Casualty: Separate Casualty for O.G. is not available.
11. ICUs: Newborns kept in NICU did not require intensive care.
12. Labour room: Septic beds are not available.
13. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Nathdwara, Rajsamand, Rajasthan by Ananta Charitable Educational Society, Udaipur under Rajasthan University of Health Sciences, Jaipur, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The decision be conveyed to the Oversight Committee and the Central Government.

The minutes of this item were read out, approved and confirmed in the meeting itself.

103. Establishment of new medical college at Vadnagar, Gujarat (GMERS Medical College, Vadnagar, Gujarat) by Gujarat Medical Education and Research Society, Gandhinagar, Gujarat with an annual intake of 150 MBBS students under Hemchandracharya North Gujarat University, Patan, Gujarat u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Vadnagar, Gujarat (GMERS Medical College, Vadnagar, Gujarat) by Gujarat Medical Education and Research Society, Gandhinagar, Gujarat with an annual intake of 150 MBBS students under Hemchandracharya North Gujarat University, Patan, Gujarat u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (9th and 10th January, 2017) and noted the following:-

1. Audiometry (A.C. & Soundproof) is not available.
2. Central O₂ and Central Suction are not available.
3. ICUs: There was only 1 patient in SICU & 2 patients each in ICCU, MICU on day of assessment.
4. 1 Static X-ray machine is available against requirement of 2.
5. Blood Bank: License is awaited.
6. Intercom is not available.
7. Lecture Theaters: They are yet to be furnished. Audiovisual aids are not available.
8. Central Library: It is not air-conditioned. Space is available but furnishing & electrification are not complete. Only 700 books are available against requirement of 3,000.
9. Furnishing & Electrification is not complete in Students' hostels. Regarding Visitors' room, A.C. Study room with Computer & Internet, Recreation room only space is provided.
10. Nurses' Hostel: Accommodation available is for 06 Nurses against requirement of 35.
11. Residential Quarters: They are under constructions.
12. Anatomy department: Furnishing & Electrification are in process. NIL Dissection tables are not available. Cold Storage, Storage tanks are not available. Band Saw is not available. Only 45 specimens are available. Models, Charts, MRI & CT films are not available. Embalming room is not available. Practical laboratory is not functional. Audiovisual aids are not available in the Demonstration rooms.
13. Physiology department: Furnishing & Electrification are in process. Practical laboratories are not functional. Audiovisual aids are not available in the Demonstration rooms.
14. Biochemistry department: Furnishing & Electrification are in process. Practical laboratory is not functional. Audiovisual aids are not available in the Demonstration rooms.
15. MRD: It is manual. ICD X classification of diseases is not followed for indexing.
16. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Vadnagar, Gujarat (GMERS Medical College, Vadnagar, Gujarat) by Gujarat Medical Education and Research Society, Gandhinagar, Gujarat under Hemchandracharya North Gujarat University, Patan, Gujarat u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

104. Establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

Read: the matter with regard to establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council noted that the compliance verification assessment report (11th March, 2016) alongwith previous assessment report (7th & 8th January, 2016) with regard to grant of Letter of Permission for establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was considered by the Executive Committee of the Council at its meeting held on 13.05.2016 at it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (11th March, 2016) along with previous assessment report (7th & 8th January, 2016) and noted the following:

1. *Deficiency of faculty is 6.15 % as detailed in the report.*
2. *OPD attendance on day of assessment is 485 against 600 required.*
3. *Bed occupancy was 48 % on day of assessment.*
4. *Many patients who were not genuine and did not require admission were admitted in wards of General Medicine, General Surgery, O.G., Tb & Chest, Skin & VD and Orthopaedics.*
5. *In General Medicine ward, a patient named Satish (Reg.# 51007) was admitted on 24/02/2016 without diagnosis and treatment till 11/03/2016. He looked healthy.*
6. *ICUs: Nursing staff in ICUs is inadequate and is not properly qualified. Past record is not available.*
7. *Labour Room: There was no woman in labour room. There was NIL Normal Delivery till 4 p.m.*
8. *OPD: Examination rooms were vacant as the number of patients was very less at time of taking round as compared with data generated by computer.*
9. *Wards: In General Surgery, 1 Nurse is looking after 2 wards. Nursing stations are not as per norms. Many wards do not have Demonstration Rooms.*
10. *Nursing staff is inadequate.*
11. *It appears that some Residents are not staying in the campus.*
12. *Central Kitchen is not hygienic. No record of food trays dispatched is available.*
13. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the

regulations framed therein to keep the application pending in the Council office for the next academic year.”

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission(150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-2017, in light of the directive/approval of the Hon'ble Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 14/09/2016 had forwarded the following the documents as submitted by the college to the Ministry on 02.09.2016:-

- i. An affidavit dated 29.08.2016 from the Principal & Chairman of the Institute concerned.
- ii. A bank guarantee bearing No. 7/2016-17 dated 01.09.2016 of Rs. 2 Cr issued by Canara Bank in favour of MCI, with a validity of 1 year.
- iii. A bank guarantee bearing No. 6/2016-17 dated 01.09.2016 of Rs. 2 Cr issued by Canara Bank in favour of MCI, with a validity of 5 years
- iv. A bank guarantee bearing No. 8/2016-17 dated 01.09.2016 of Rs. 7.5 Cr issued by Canara Bank in favour of MCI, with a validity of 5 years

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Govt. in the light of directive/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka with an annual intake of 150 MBBS students under Rajiv Gandhi University of Health Sciences, Bangalore u/s 10A of the IMC Act, 1956 for the academic year 2016-2017 was carried out by the Council Assessors on 3rd & 4th November, 2016 & 9th and 10th January, 2017 alongwith a complaint dated 26/12/2016 from Sh. Guduru Dasarath Rami Reddy, Bangalore and noted the following:-

1. Shortage of Residents is 13.04 % as detailed in the report. Some Residents are not staying in the campus.
2. Bed Occupancy was 55 % at 10 a.m. on day of assessment.
3. Dr. Lokesh K.M. Jr. Resident (Regn.No. 85583 of Karnataka Medical Council) in the department of General Surgery was found to be working at more than one place. He has attended assessment and has been counted as Sr. Resident at Adichunchanagiri Instt. Of Medical Sciences, Bellur on 6.10.2016 i.e. in the same academic year.
4. Data of clinical material provided by the Institute are inflated.
5. Some of the patients admitted on the first day of assessment were found to be not genuine.
6. In the morning at 10;30 a.m. there were about 30 patients at Central Registration counters and only a few patients in the OPDs of various departments.
7. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
8. There was only 1 patient in PICU & 2 patients in NICU on day of assessment.
9. MRD: It is manual as well as computerized.
10. Anatomy department: MRI & CT films are not displayed in the museum.]
11. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Devanhalli, Bangalore, Karnataka by Akash Education & Development Trust, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The Executive Committee of the Council decided to refer the matter to the Ethics Committee of the Council.

The decision be conveyed to the Oversight Committee and the Central Government.

The minutes of this item were read out, approved and confirmed in the meeting itself.

105. Approval of the minutes of the Monitoring Sub-Committee meeting held on 09/01/2017.

Read: the matter with regard to approval of the minutes of the Monitoring Sub-Committee meeting held on 09/01/2017.

The Executive Committee of the Council approved the minutes of the Monitoring Sub-Committee meeting held on 09/01/2017 with regard to item nos. 3,4,5,6,7,8,9,10,11,12,14,15 & 16 with a direction to office that in all cases where the Discharge Notices are issued, the Institute be asked to submit compliance within 2 weeks. Copy of the Discharge Notice be also sent to Secretary (ME), DME, affiliating University, State Medical Council & the nominee of the State/UT on the MCI.

In rest of the items, the Executive Committee observed as under:-

1. Admission of 1st year MBBS student at Father Mullers Institute of Medical Education and Research, Mangalore, Karnataka for the Academic Year 2016-17 – Regarding.

The Executive Committee of the Council approved the recommendations of the Monitoring Sub-Committee and directed the office to resubmit the matter before Monitoring Sub-committee along with opinion of Law Officer. However while considering legal opinion it may also be verified whether MCI was a party in the instant case and whether any appeal is preferred against the impugned order and if so, its present status. If not, the order of Hon'ble High Court becomes absolute and no further action is required.

2. Admission of 1st year MBBS student at Kanachur Institute of Medical Sciences, Mangalore, Karnataka for the Academic Year 2016-17 – Regarding.

The Executive Committee decided that Discharge Notice be issued in respect of Mr. Aousaf Hussein. College be directed to comply within 2 weeks. Copy of the letter be

also sent to Secretary (ME), DME, affiliating University, State Medical Council & representative of the State on MCI.

13. Admission of 1st year MBBS student at Rohilkhand Medical College & Hospital, Bareilly, Uttar Pradesh for the Academic Year 2016-17 – Regarding.

Noted.

17. Any other Item with the permission of Chairman, Monitoring Sub-Committee

(a) Index Medical College for the academic year 2015-16.

The Executive Committee of the Council noted that the Order of the Hon'ble High Court of Madhya Pradesh : Bench at Indore dated 29th June, 2016 directing the MCI for taking appropriate action for derecognizing the college of respondent no.6 – Index Medical College, Hospital & Research Centre, Indore for repeatedly committing irregularities in admission process and reduce the sanctioned intake from 150 to 145 students for the academic session 2016-17.had been recalled vide the Order dated 7th November, 2016 of Hon'ble High Court of Madhya Pradesh: Bench at Indore.

The Executive Committee of the Council decided that no action is required by the Council at this stage and further directed the Office to locate and strengthen the records.

106. Passing on information in respect of M/s Moogambigai Educational and Charitable Trust (MCET).

Read: the matter with regard to passing on information in respect of M/s Moogambigai Educational and Charitable Trust (MCET).

The Executive Committee of the Council deliberated the matter in detail and directed the office to obtain the necessary details of the names of the students from the Income Tax Department, Bangalore and after obtaining the details, implement the decision of the Executive Committee taken on 10.10.2016.

The Executive Committee of the Council further directed the office that henceforth before placing such items in the meeting of the Executive Committee, all the requisite details/information be obtained from the concerned authorities.

The minutes of this item were read out, approved and confirmed in the meeting itself.

107. Passing on information in respect of M/s Devaraj Urs Educational Trust for Backward Classes.

Read: the matter with regard to passing on information in respect of M/s Devaraj Urs Educational Trust for Backward Classes.

The Executive Committee of the Council deliberated the matter in detail and directed the office to obtain the necessary details of the names of the students from the Income Tax Department, Bangalore and after obtaining the details, implement the decision of the Executive Committee taken on 10.10.2016.

The Executive Committee of the Council further directed the office that henceforth before placing such items in the meeting of the Executive Committee, all the requisite details/information be obtained from the concerned authorities.

The minutes of this item were read out, approved and confirmed in the meeting itself.

108. Amendment in Medical Council of India regulations on Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 – reg.

Read: the matter with regard to amendment in Medical Council of India regulations on Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998.

The Executive Committee of the Council noted that the portion of amendment pertaining to making one year of Sr. Residency mandatory for appointment to the post of Asstt.Prof. had been approved by the Ministry of Health & F.W. The same had been sent by the office for authentication to the Ministry.

With regard to the upper age limit for Sr. Resident as 40 years, the Executive Committee of the Council decided to reiterate its earlier decision in view of the fact that repeatedly private practitioners above the age of 40 years and at times of 65 to 67 years doctors are shown as Sr. Resident by the college authorities at the time of MCI assessment in order to obtain permission from the Council. Sr. resident doctors are required to stay in the campus in view of round the clock duty all through the year and hence in the interest of the patients and hospital functioning it is absolutely necessary to have sr. residents below the age of 40 years.

The minutes of this item were read out, approved and confirmed in the meeting itself.

109. Pre-PG (compliance verification) assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Dr. Ulhas Patil Medical College & Hospital, Jalgaon, Maharashtra under Maharashtra University of Health Sciences, Nashik.

Read: the matter with regard to Pre-PG (compliance verification) assessment – Assessment of the physical and other teaching facilities available for starting of PG course at Dr. Ulhas Patil Medical College & Hospital, Jalgaon, Maharashtra under Maharashtra University of Health Sciences, Nashik.

The Executive Committee of the Council considered the compliance verification assessment report (11th January, 2017) along with previous reports (17th November, 2016 & 6th & 7th June, 2016) and noted the following:-

1. Deficiency of faculty is 7.61 % as detailed in the report.
2. Shortage of Residents is 35.82 % as detailed in the report.
3. Data of clinical material provided by the Institute are inflated.
4. Number of CT Scans for the whole hospital was only 05 in day of assessment.
5. Workload of Histopathology was only 03 on day of assessment.
6. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to reiterate its earlier decision of applying clause 8(3)(1)(c) of Establishment of Medical College Regulations (Amendment), 2010 (Part II), dated 16th April, 2010 which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered

for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2017-18) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute 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 Executive Committee of the Council further decided to direct the office to return the applications received for starting/increase of UG/PG courses. The institute be asked to submit the compliance after rectification of the above deficiencies within one month.

The minutes of this item were read out, approved and confirmed in the meeting itself.

110. Renewal of permission for MBBS course for 2nd batch (150 seats) of ACS Medical College & Hospital, Chennai, Tamilnadu under Dr. MGR Educational & Research Institute (Deemed to be University) u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

Read: the matter with regard to renewal of permission for MBBS course for 2nd batch (150 seats) of ACS Medical College & Hospital, Chennai, Tamilnadu under Dr. MGR Educational & Research Institute (Deemed to be University) u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and noted the following:-

1. On 10.01.2017, 539 patients were in the wards. Majority of them did not appear to require indoor admission when visited by the assessors. Only one trauma case was indoor in the Orthopaedic ward out of 84 indoor admissions. Very less Antenatal and post natal cases in the Obstetrics ward (3 post natal). 5 patients in Orthopaedic wards admitted for physiotherapy. There were many empty beds in the wards shown as occupied by patients, authority explained that patients had gone for OPD consultation and investigations. There were less number of sick and post operative cases. Private rooms and lobby having beds shown as General Medicine beds (15 beds). On surprise visit on next day (11-01-2017) majority of beds were not occupied by patients.
2. There is discrepancy in the statistics provided by the Institute and that physically verified by assessors; E.g. Histopathology workload was more than total of major & Minor Operations on day of assessment.
3. In Orthopaedics, Trauma load is very less.
4. Casualty: At time of visit there were only 4 patients in Casualty out of whom 3 were Non-Casualty cases like Hypertension, COPD & Gastritis.
5. Number of deaths is low during last 3 years suggestive of less number of serious & critically ill patients.
6. ICUs: There is no SICU. An ICU near to labour room used for Obstetric cases is shown as SICU. No Surgical cases are found and kept in SICU. There were only 2 patients in ICCU.
7. Blood Bank: Only 2 units are dispensed on day of assessment.

8. ETO Sterilizer is available but not used regularly.
9. Microbiology department: There is only 1 Service laboratory against 7 required.
10. There is discrepancy in the statistics provided by the Institute and that physically verified by assessors; E.g. Histopathology workload was more than total of major & Minor Operations on day of assessment.
11. In Orthopaedics, Trauma load is very less.
12. Casualty: At time of visit there were only 4 patients in Casualty out of whom 3 were Non-Casualty cases like Hypertension, COPD & Gastritis.
13. Number of deaths is low during last 3 years suggestive of less number of serious & critically ill patients.
14. ICUs: There is no SICU. An ICU near to labour room used for Obstetric cases is shown as SICU. No Surgical cases are found and kept in SICU. There were only 2 patients in ICCU.
15. Blood Bank: Only 2 units are dispensed on day of assessment.
16. ETO Sterilizer is available but not used regularly.
17. Microbiology department: There is only 1 Service laboratory against 7 required.
18. Other deficiencies as pointed out in the assessment report

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd batch of 150 MBBS students at ACS Medical College & Hospital, Chennai, Tamilnadu under Dr. MGR Educational & Research Institute (Deemed to be University) u/s 10A of the IMC Act, 1956 for the academic year 2017-2018

111. Establishment of new medical college at Shahabad, Kurukshetra, Haryana (Adesh Medical College & Hospital, Shahabad) by Adesh Welfare Society, Punjab with an annual intake of 150 MBBS students under Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Shahabad, Kurukshetra, Haryana (Adesh Medical College & Hospital, Shahabad) by Adesh Welfare Society, Punjab with an annual intake of 150 MBBS students under Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and noted the following:-

1. There was only 1 Normal Delivery & NIL Caesarean Section on day of assessment.
2. There were only 2 patients in NICU/PICU on day of assessment.
3. Anatomy department: There are only 5 cadavers.
4. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to recommend to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Shahabad, Kurukshetra, Haryana (Adesh Medical College & Hospital, Shahabad) by Adesh Welfare Society, Punjab under Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

112. Establishment of new medical college at Sindhudurg, Maharashtra (Sindhudurg Shikshan Prasarak Mandal Medical College & Lifetime Hospital, Sindhudurg) by Sindhudurg Shikshan Prasarak Mandal, Sindhudurg, Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Sindhudurg, Maharashtra (Sindhudurg Shikshan Prasarak Mandal Medical College & Lifetime Hospital, Sindhudurg) by Sindhudurg Shikshan Prasarak Mandal, Sindhudurg, Maharashtra with an annual intake of 150 MBBS students under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) alongwith a letter/undertaking dated 11.01.2017 received from the Principal, S.S.P.M.'S Medical College & Lifetime Hospital, Sindhudurg and noted the following:-

1. Deficiency of faculty is 100 % as detailed in the report.
2. Shortage of Residents is 100 % as detailed in the report.
3. In respect of many faculty & Residents, appointment orders & joining report do not have any date / dispatch numbers.
4. Some faculty & Residents are doing full time private practice as detailed in the report; hence they cannot be considered.
5. Some faculty & Residents are still working in District hospitals as detailed in the report; hence they cannot be considered.
6. When the assessment team reached the site of the proposed college, there was no doctor available. Dean & Medical Superintendent came at 10:15 a.m.
7. The Institute has signed an agreement with the Govt. of Maharashtra for using General Hospital bed facilities for training the students. Permission is given for using 300 beds for a period of 5 years this purpose for which amount @ Rs. 150 per bed per day has to be paid to Govt. of Maharashtra starting from 01/01/2017 with the clause that advance payment for 3 months will be paid. However till date no payment has been made. This also implies that on the date of making application in July 2016 there was no functional hospital available as the own hospital is still under construction and the agreement with State Govt. to use Govt. hospital was to come into force w.e.f. only 01/01/2017.
8. College building, including preclinical departments of Anatomy, Physiology & Biochemistry are under construction.
9. Hospital building is under construction.
10. Medical Superintendent's office is under construction.
11. OPDs, Wards, Casualty, O.T., ICUs, Labour room, CSSD, Pharmacy, Intercom, Central Laundry, Central Kitchen, MRD are under construction.
12. NIL Static & Mobile X-ray machines & USG machines are available.
13. Blood Bank is not available.
14. As Hospital including OPD, Wards, etc. are under construction, data of clinical material are not available.
15. Nursing staff: NIL Nursing staff is available.
16. Paramedical & Non-teaching staff: NIL Paramedical & Non-teaching staff are available.
17. Lecture Theaters: Only 1 Lecture Theater is partially ready against requirement of 2; there are only 3 low height steps. Audiovisual aids are not available.
18. Central Library; Hostels for Students, Residents & Nurses; Residential quarters for faculty & non-teaching staff are under construction.
19. Information provided in Form B is fake as no infrastructure of college & hospital is ready.

20. College Council; Pharmaco Vigilance Committee; Gender Harassment Committee are not constituted.
21. Website: Only basic information is available as detailed in the report.
22. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds while making an application.

The Executive Committee further decided to apply clause 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Sindhudurg, Maharashtra (Sindhudurg Shikshan Prasarak Mandal Medical College & Lifetime Hospital, Sindhudurg) by Sindhudurg Shikshan Prasarak Mandal, Sindhudurg, Maharashtra under Maharashtra University of Health Sciences, Nashik to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

The Executive Committee of the Council directed the office to write a letter to the Secretary (ME), Maharashtra as to how Essentiality Certificate was issued when there was no functional hospital required as per terms of Essentiality Certificate.

113. Shri Guru Ram Rai Institute of Medical Sciences, Dehradun – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18 – regarding.

Read: the matter with regard to Shri Guru Ram Rai Institute of Medical Sciences, Dehradun – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and decided to recommend to the Central Govt. to renew the permission for admission of 3rd batch of MBBS students against the increased intake i.e. from 100-150 in respect of Shri Guru Ram Rai Institute of Medical Sciences, Dehradun under Hemwati Nandan Bahuguna Garhwal University, Srinagar u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

114. Sree Balaji Medical College and Hospital, Chennai – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Sree Balaji Medical College and Hospital, Chennai – Renewal of Permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and noted the following:-

1. PG students in Preclinical & Paraclinical departments are shown as having been appointed as Tutors on fixed pay of Rs. 18,000-20,000 p.m. which is too less.
2. Some Senior Residents are drawing salary of Rs. 18,000-20,000 p.m. which is lesser than that paid to Junior Residents.
3. Some Senior Residents are not residing in the campus on regular basis.
4. OPD attendance claimed at 3,786 are exaggerated and do not concur with the situation in OPD.
5. ICUs: There was only 1 patient in ICCU on day of assessment.
6. Examination Hall: 1 Examination hall is available against requirement of 2. Lecture Theaters are used as Examination Hall which are not substitutes for Examination Hall as they are of Gallery type while Examination Hall has to be of flat type. Auditorium in the hospital is also used as Examination Hall which also is not the substitute for Examination hall for the same reason.
7. Central Library: Students' Reading room (Outside) is not air-conditioned. Only 20 Nodes having net connection are available against requirement of 40.
8. Anatomy department: There are only 6 cadavers.
9. Physiology department: Clinical Physiology laboratory is split & has capacity of only 24.
10. Microbiology department: There are only 06 specimens.
11. Other deficiencies as pointed out in the assessment report.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 at Sree Balaji Medical College and Hospital, Chennai under Bharath University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-2018.

115. Sree Balaji Medical College and Hospital, Chennai – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2017-18.

Read: the matter with regard to Sree Balaji Medical College and Hospital, Chennai – Renewal of Permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2017-18.

The Executive Committee of the Council noted that the compliance verification assessment report (12.02.2016) alongwith previous assessment report (29th & 30th October, 2015) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (12.02.2016) along with assessment report (29th & 30th October, 2015) and noted the following:-

1. *Most of the patients admitted in General Medicine ward had minor ailments not necessitating admission.*
2. *Though MRD is computerized, all IPD admission tickets are hand written.*
3. *In General Surgery, very few post-operative patients were found in Surgical wards. Only a few IV drip sets were seen. O.T. list for 11/02/2016 collected from O.T. does not match with post-operative patients. Out of 16 post-operative patients, only 5 were found in wards & post-operative care unit.*
4. *In Orthopaedics, most of admitted patients had minor ailments. Very few post-operative patients were found in wards. Only a few IV drip sets were seen. O.T. list for 11/02/2016 collected from O.T. does not match with post-operative patients. Out of 12 post-operative patients, only 7 were found in wards & post-operative care unit.*
5. *Interns' Hostel: It is still under repair.*
6. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 150-250 in respect of Sree Balaji Medical College and Hospital, Chennai under Bharath University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2016-2017."

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students against increased intake from 150-250 in MBBS course for the academic year 2016-17.

The Central Govt. vide its letter dated 10.06.2016 had also approved the recommendation of the Council not to renew the permission of the said college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 2nd batch (150 to 250 seats) u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 09.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 31.08.2016:-

- i. An affidavit dated 24.08.2016 from the President of the Trust concerned and from the Dean/Principal of the College concerned.
- ii. A bank guarantee bearing No. NIL dated 24.08.2016 Rs 2 Cr issued by Punjab National Bank in favour of MCI, with a validity of 1 year.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for verifying the conditions stipulated in the Letter of Permission dated 20.08.2016 for renewal of permission for MBBS course for 2nd batch (150 to 250 seats) at Sree Balaji Medical College and Hospital, Chennai under Bharath University, Chennai has been carried out on 10th and 11th January, 2017 and noted the following:

1. PG students in Preclinical & Paraclinical departments are shown as having been appointed as Tutors on fixed pay of Rs. 18,000-20,000 p.m. which is too less.
2. Some Senior Residents are drawing salary of Rs. 18,000-20,000 p.m. which is lesser than that paid to Junior Residents.

3. Some Senior Residents are not residing in the campus on regular basis.
4. OPD attendance claimed at 3,786 are exaggerated and do not concur with the situation in OPD.
5. ICUs: There was only 1 patient in ICCU on day of assessment.
6. Examination Hall: 1 Examination hall is available against requirement of 3. Lecture Theaters are used as Examination Hall which are not substitutes for Examination Hall as they are of Gallery type while Examination Hall has to be of flat type. Auditorium in the hospital is also used as Examination Hall which also is not the substitute for Examination hall for the same reason.
7. Central Library: Students' Reading room (Outside) is not air-conditioned. Only 20 Nodes having net connection are available against requirement of 40.
8. Anatomy department: Audiovisual aids are not available in 1 Demonstration room. There are only 6 cadavers. Only 200 Lockers are available against requirement of 250.
9. Physiology department: Audiovisual aids are not available in 2 Demonstration rooms. Clinical Physiology laboratory is split & has capacity of only 24.
10. Biochemistry department: 1 Demonstration room is very small. Audiovisual aids are not available in 2 Demonstration rooms.
11. Pathology department: 1 Demonstration room is very small. Audiovisual aids are not available in 2 Demonstration rooms.
12. Microbiology department: Audiovisual aids are not available in 1 Demonstration room. There are only 06 specimens.
13. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 3rd Batch of MBBS students against the increased intake i.e. from 150-250 at Sree Balaji Medical College and Hospital, Chennai under Bharath University, Chennai u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

116. **Maharashtra Institute of Medical Sciences & Research, Latur – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.**

Read: the matter with regard to Maharashtra Institute of Medical Sciences & Research, Latur – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council noted that the compliance verification assessment report (01.03.2016) alongwith previous assessment report (30th November, 2015 & 1st December, 2015) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (01.03.2016) along with previous assessment report (30th November, 2015 & 1st December, 2015) and noted the following:-

1. *Most of the patients in Skin & VD and Paediatric wards did not merit admission. Good number of patients were admitted on a day prior & on day of assessment. Not a single patient was available in Psychiatry ward.*
2. *Only 3 Major operations – 1 each in ENT, Eye & O.G. – were being performed at time of visit at 10:30 a.m. on day of assessment.*
3. *O.T.: Ophthalmology O.T. has 3 tables in 1 room which is not as per norms.*
4. *ICUs: Combine ICCU & MICU has only 09 beds against total 10 beds required.*
5. *ICUs: In PICU, 2 out of 3 admissions were such who did not merit admission in PICU.*
6. *Elderly Senior Residents are not staying in the campus.*
7. *Residents' Hostel: Half of two blocks are shared by Nursing staff & Non-teaching staff and by Residents. Accommodation available for Residents is 56 against requirement of 67. Deficiency remains as it is.*
8. *Residential Quarters: Quarters for non-teaching staff are not available in the campus. Deficiency remains as it is.*
9. *Anatomy Department: Cadaver lift facility is not yet available. Cold storage facility is shared with Forensic Medicine department. Deficiency remains as it is.*
10. *There is no kitchen in the hospital.*
11. *Other deficiencies as pointed out in the assessment report.*

In view of above, the Executive Committee of the Council decided to return the application to the Central Govt. recommending disapproval of scheme for increase of seats from 100 to 150 u/s 10A of the IMC Act, 1956 at Maharashtra Institute of Medical Sciences and Research, Latur under Maharashtra University of Health Sciences, Nashik for academic year 2016-17 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year."

The above decision of the Executive Committee was communicated to the Central Government vide this office letter dated 14.05.2016. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Central Govt. vide letter dated 10.06.2016 had also disapproved the scheme of the applicant college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (100 to 150 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 15.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 26.08.2016:-

- i. An affidavit dated 22.08.2016 from the Chairman of the Society and the Principal/Dean of the College concerned.
- ii. A Bank Guarantee bearing No. 0540IPBG160204 dated 22.08.2016 of Rs. 2 Cr issued by Bank of India, Latur in favour of MCI, with a validity of 1 year.
- iii. A Bank Guarantee bearing No. 0540IPEBG160206 dated 25.08.2016 of Rs. 2 Cr. issued by Bank of India, Latur in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for increased intake against 100 to 150 at Maharashtra Institute of Medical Sciences & Research, Latur under Maharashtra University of Health Sciences, Nashik has been carried out on 10th and 11th January, 2017 and noted the following:

1. The Institute is recognized for 100 and the assessment is for I Renewal of Permission for increase to 150. Accordingly teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	General Medicine	132	120	12
2	Paediatrics	72	60	12
3	Tb & Chest	14	10	04
4	Psychiatry	12	10	02
4	General Surgery	132	120	12
4	Orthopaedics	72	60	12
5	O.G.	72	60	12
	TOTAL			66

2. OPD attendance on day of assessment is 889 which is inadequate.
3. There was only 1 patient in Psychiatry ward. A few patients in Tb & Chest and Skin & VD ward did not merit admission.
4. ICUs: There was only 1 patient in ICCU on day of assessment.
5. Wards: Demonstration room is not available in Tb & Chest and Psychiatry wards.
6. Central Library: Only E library is air-conditioned. Rest of area is not air-conditioned.
7. Students' Hostel: Boys' hostel is within the campus but outside the boundary. Girls' hostel has students from Dental College & Physiotherapy college as well which is not permissible.
8. RHTC: Cold chain equipment is not available.
9. UHC building is on rent.
10. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 2nd Batch of MBBS students against the increased intake i.e. from 100-150 at Maharashtra Institute of Medical Sciences & Research, Latur under Maharashtra University of Health Sciences, Nashik u/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

117. Dr. D.Y. Patil Medical College, Navi Mumbai – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2017-18.

Read: the matter with regard to Dr. D.Y. Patil Medical College, Navi Mumbai – Renewal of Permission for admission of 2nd Batch of MBBS students against the increased intake i.e. from 150-250 for the academic session 2017-18.

The Executive Committee of the Council noted that the assessment report (26th and 27th November, 2015) was considered by the Executive Committee at its meeting held on 28.12.2015 and noted the following:-

1. OPD attendance is only 980 which is much less than minimum 3,000 required as per Qualifying Criterion and even less than 1,200 required for existing recognized intake of 150.
2. Bed occupancy is 18.04 % on day of assessment which is grossly inadequate.
3. Teaching beds are deficient as under:

#	Department	Beds		
		Required	Available	Deficit
1	General Surgery	240	174	66
2	Orthopaedics	150	93	57
3	O.G.	150	142	8
	TOTAL			131

4. Deficiency of faculty is 21.92 % as detailed in report.
5. Shortage of Residents is 30 % as detailed in report.
6. There are 2 Units for Tb & Chest but only 30 beds which is not as per Regulations as each Unit should be having 30 beds.
7. Wards: Nursing station is situated in such a way that every patient cannot be observed by Nurses in almost every ward. Male Medicine ward is not as per MSR Regulations. In General Surgery wards there is no Pantry, no duty room, no demonstration room are available. Patients of Superspecialty departments are kept in General Surgery wards. Orthopaedics ward has no examination room, no pantry. In many wards, patients are lying on cots in lobby. Ophthalmology, ENT wards are under renovation and non-functional.
8. There were only 05 major operations for the whole hospital on day of assessment.
9. Radiological & Laboratory investigations data given by the institute are inflated.
10. Histopathological & Cytopathological workload on day of assessment is only 3 & 3 respectively which is grossly inadequate.
11. Casualty: Only 18 beds are available against 30 required.
12. O.T.s: Only 8 Major O.T.s are available against requirement of 11.
13. Labour Room: No beds are available for septic cases.
14. Radiodiagnosis department: Only 4 mobile X-ray machines are available against requirement of 6.
15. Central Clinical laboratory: Different sections are not available.
16. Physiology department: Only 3 Demonstration rooms are available against requirement of 4.
17. Biochemistry department: Capacity of 2 Demonstration Rooms is smaller than required.
18. Microbiology department: Capacity of 2 Demonstration Rooms is smaller than required.
19. Pharmacology department: Capacity of 2 Demonstration Rooms is smaller than required.
20. Forensic Medicine department: Capacity of 2 Demonstration Rooms is smaller than required.
21. Community Medicine department: Capacity of 2 Demonstration Rooms is smaller than required.
22. RHTC: Residential accommodation is inadequate. Cold chain equipment is not available.
23. Other deficiencies as pointed out in the assessment report.

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(b)(i) , 6(b)(ii) & 6(b)(iii) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) as number of teaching beds, OPD attendance and Bed occupancy are less than the required for eligibility, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 250 at D.Y. Patil Medical College, Navi Mumbai under Dr. D Y Patil University (Deemed), Navi Mumbai/s 10A of the IMC Act 1956 for academic year 2016-17 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

The Committee further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <80%, such an institute will not be considered for processing applications for postgraduate courses in the Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute 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."

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2016-17) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by the institute 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 above decision was communicated to the Central Government vide Council letter dated 31.12.2015.

The Council vide another letter dated 31.12.2015 had issued the Show Cause Notice to the college authorities to explain as to why the Council should not proceed to recommend to the Central Govt. for withdrawal of recognition of MBBS degree/Postgraduate course of the institute and stoppage of admissions in permitted postgraduate course.

The Council Office had received a letter dated 28.01.2016 from the Central Govt., Ministry of Health & Family Welfare, New Delhi stating therein that as per the proviso under Section 10 (A)(4) of IMC Act, 1956, a Committee has been constituted for granting opportunity of personal hearing by the Ministry in case of disapproval/ non-renewal recommendations of the Council in case of UG courses for the year 2016-17. The Committee has given personal hearing to the authorised representatives of the medical colleges/applicants on 18th, 19th, & 20th January, 2016. Based on the compliance submitted by the colleges concerned in support of their claim, the committee had recommended that the cases may be referred back to MCI for review/assessment with their respective recommendations in respect of the schemes.

In view of above, the Central Govt. had forwarded the representation/compliance dated 20.01.2016 submitted by the Dean, Dr. D. Y. Patil Medical College, Navi Mumbai.

In this regards, the Ministry had forwarded the observations/recommendations of the Committee constituted by the Ministry in the matter for review by MCI and to furnish its recommendations accordingly to

the Ministry. The college authorities vide its letter dated 03.02.2016 had also submitted the same compliance.

The matter with regard to Increase of seats in MBBS course from 150-250 at Dr. D.Y. Patil Medical College, Navi Mumbai for the academic session 2016-17 u/s 10A of the IMC Act, was considered by the Executive Committee of the Council at its meeting held on 27.02.2016 and it was decided as under:-

“The Executive Committee of the Council considered the letter dated 28.01.2016 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding the representation/compliance dated 20.01.2016/ 03.02.2016 submitted by the Dean, Dr. D. Y. Patil Medical College, Navi Mumbai for review.

The Executive Committee of the Council noted the observations/recommendations of the Committee constituted by the Ministry which is as under:-

“In view of the compliance and documents furnished by the college, recommended for review by MCI.”

The Executive Committee of the Council also perused the legal opinion of the Ld. Addl. Solicitor General of India and decided to accept it, which reads as under:-

“..... The querist Medical Council of India [MCI] has sought my opinion on the question as to whether, upon an inspection of any applicant-Medical College, if it is found that the applicant-Medical College neither owns nor possess a suitable plot of land with requisite area and / or does not own or manage a 300-bed hospital or not meeting with mandatory essential qualifying criterion for being considered for approval, is the querist permitted to reconsider its recommendation based upon the subsequent attempts made by the applicant seeking to show change of facts and subsequent acquisition of the eligibility criteria in the form of the compliance submitted in respect of such subsequently acquired eligibility criteria.....

- 5. So far as the present query is concerned, the most essential part of the scheme must be the qualifying criteria, in absence of which the Central Government cannot consider the application for further processing the same by sending it to the querist for its recommendation.....*
- 6. Once the Applicant submits a scheme giving details of the claim made by him of having fulfilled the mandatory qualifying criterion, the next stage is contemplated under Section 10A[2][a] of the Act under which the Central Government sends the scheme, with particulars supplied by the applicant showing his claim of having fulfilled the qualifying criteria, to the querist for its recommendations.*
- 7. When the querist receives such an application / scheme for the purpose of taking a decision as to what recommendations should be made keeping the object and purpose of the Act in mind, the querist conducts a physical inspection / verification of the applicant's land, hospital, institute etc.. Though there is no specific provision mandating the querist to make a physical inspection / verification in Section 10A of the Act, the same is provided for under Regulation 6 that the querist can satisfy itself with the factors stipulated under Section 10A[7] of the Act which is not possible without physical inspection / verification.*

8. *It cannot be gainsaid that without such physical inspection / verification, the querist cannot discharge the function entrusted to it and achieve the objects as enumerated under the IMC Act, 1956 and the Regulations made thereunder.*
9. *When the querist, after following the procedure takes a decision to send its recommendation, it is required of the querist to give a reasonable opportunity to the Applicant Institute only in the cases where the querist found either the scheme to be "defective or not containing any necessary particulars". If the querist finds on physical inspection that the institution is not meeting with the qualifying criteria as stipulated under Regulation [2] itself, the same cannot be said to be a "defect in the scheme or absence of necessary particulars".*
10. *Having inspected the applicant medical college by way of physical verification and considering the factors stipulated in Section 10A[7], the querist is required to send its recommendation to the Central Government.*
11. *For the purpose of the present query, it can be seen that the role of the querist under Section 10-A is over at the stage when it sends its recommendation, be it positive or negative to the Central Government.*
12. *It is only the Central Government, thereafter who can take steps as stipulated under Section 10[4] of the Act without any role of the querist in any of the steps contemplated under section 10A[4] of the Act.*
13. *In light of the above referred statutory scheme, it is clear that if the querist finds, on physical verification, that the concerned applicant medical college is not meeting with the mandatory qualifying criteria as stipulated under Regulation [2] which are in the nature of very essential criterion to be treated as mandatory at the very threshold, the querist has no option but to send a negative recommendation to the Central Govt. In my opinion, non-fulfillment of such mandatory and threshold criterion which disentitles an applicant medical college to even make an application / file a scheme in the first instance, cannot be termed to be a "defect in the scheme or absence of any necessary particulars"; for the rectification of which the querist could give any opportunity to the applicant medical college.*
14. *In other words, if the querist, on physical inspection / verification finds that the applicant neither owns nor possess a suitable single plot of land as per the Regulation or in the alternative does not possess suitable single plot of land by way of lease of 99 years for construction of a medical college, the querist will have no option but to send a negative recommendation since non-fulfillment of this mandatory criteria can never be termed as a "defect or not containing necessary particulars". Similarly, if on physical inspection, the querist finds that the applicant does not have 300-bed Hospital, it will have no option but to send a negative recommendation to the Central Government and in any other case where the querist finds the qualifying criterion not being fulfilled, it is only the Central Government who will have to take a decision considering the recommendation of the querist under section 10A[4] without the involvement of the querist.*
15. *In my opinion, if the application is found to be not fulfilling the aforementioned mandatory eligibility criteria and the querist sends its negative recommendation to the Central Govt., there is no statutory provision which permits such an applicant, which is found to have made a false disclosure at the outset in the scheme, to acquire the eligibility criteria subsequently and insist for processing*

of his application based upon such subsequently acquired qualification under the guise of compliance of the defects.

16. If the provisions of the Act and the Regulations are not construed in the manner in which it is construed hereinabove, the very sanctity of the contents of the scheme would be compromised and the applicants would be encouraged to make false disclosures which, after and if found false by the querist, would be corrected at a subsequent point of time defeating the very object of a self-contained scheme. If the applicant, in fact, acquires these mandatory qualifying criteria subsequently, there is no provision in the Act which prevents such an applicant to file a fresh scheme under Section 10A of the Act which can be considered by the Central Government and the querist as per the procedure stipulated under Section 10A as per the time schedule, based upon newly acquired eligibility criteria.
17. On true and purposeful interpretation of Section 10A[3][a] of the Act, in my opinion, the querist has the jurisdiction to permit the applicants to rectify only the "defects and provide necessary particulars". The querist will have no jurisdiction to permit the applicant -Medical College to subsequently acquire mandatory qualifying criteria enabling the applicant, by way of compliance, to get its application processed which was initially based upon false disclosure and was not entertainable at the outset. Any other interpretation, in my opinion, would encourage mischief and would be against the spirit of the Act.
18. In view of the above referred facts, in my opinion, if the querist, on physical inspection / verification, comes to the conclusion that the applicant college has made a false disclosure in the scheme submitted to the Central Government and is attempting to overcome the mandatory and threshold requirements as prescribed in 'The Establishment of Medical College Regulations, 1999', then the querist will have to send negative recommendation to the Central Government so as to ensure that the very object and the purpose of the Act is not frustrated and if the concerned applicant acquires such mandatory qualifying criteria thereafter, such applicant can submit a fresh scheme to the Central Government under section 10A of the Act which can be again considered as per the procedure contemplated under Section 10A[2], [3] and [4] of the Act from the date of submission of such new scheme as per law."

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in W.P.(C) No. 705/2015-Royal Medical Trust(Regd.) and Another Vs. Union of India and Anrs.:-

".....(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent of affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage...."

The Committee further noted the following relevant portion of the Hon'ble Supreme Court judgment dated 20/08/2015 in SLP.(C) No. 15043/2015-Padmashree Dr. D.Y. Patil Medical College Vs. Medical Council of India & Anr..:-

16. In W.P. (C) No.705/2014 – Royal Medical Trust (Regd.) and Anr. V. Union of India & Anr. decided on 20.8.2015, this Court has observed that the Schedule must take care of following aspects:

“(A) Initial assessment of the application at the first level should comprise of checking necessary requirements such as essentiality certificate, consent for affiliation and physical features like land and hospital requirement. If an applicant fails to fulfill these requirements, the application on the face of it, would be incomplete and be rejected. Those who fulfill the basic requirements would be considered at the next stage.

(B) Inspection should then be conducted by the Inspectors of the MCI. By very nature such inspection must have an element of surprise. Therefore, sufficient time of about three to four months ought to be given to the MCI to cause inspection at any time and such inspection should normally be undertaken latest by January. Surprise inspection would ensure that the required facilities and infrastructure are always in place and not borrowed or put in temporarily.

(C) Intimation of the result or outcome of the inspection would then be communicated. If the infrastructure and facilities are in order, the concerned Medical College should be given requisite permission/renewal. However if there are any deficiencies or shortcomings, the MCI must, after pointing out the deficiencies, grant to the college concerned sufficient time to report compliance.

(D) If compliance is reported and the applicant states that the deficiencies stand removed, the MCI must cause compliance verification. It is possible that such compliance could be accepted even without actual physical verification but that assessment be left entirely to the discretion of the MCI and the Central Government. In cases where actual physical verification is required, the MCI and the Central Government must cause such verification before the deadline.

(E) The result of such verification if positive in favour of the Medical College concerned, the applicant ought to be given requisite permission/renewal. But if the deficiencies still persist or had not been removed, the applicant will stand disentitled so far as that academic year is concerned.”

It is apparent from the aforesaid decision and the regulations that the application at the first instance is required to be complete and incomplete applications are liable to be rejected. Thereafter, there has to be an inspection and other stages of decision-making process.”

The above decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 01.03.2016. Thereafter, Council had not received any compliance from the college stating the corrections of deficiencies either directly or through the Central Government. The Central Government vide its letter dated 10.06.2016 had disapproved the application of the college for the academic year 2016-17.

The Central Govt. vide letter dated 10.06.2016 had also disapproved the scheme of the applicant college for the academic year 2016-2017.

The Executive Committee of the Council further noted that the the Central Govt. vide its letter dated 20.08.2016 had issued Letter of Permission (150 to 250 seats) to the said applicant college u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive dated 13.06.2016 of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the order earlier letter dated 20.08.2016 as quoted above, the Central Govt. vide its letter dated 20.09.2016 has forwarded the following the documents as submitted by the college to the Ministry on 22.08.2016:-

- i. An affidavit dated 22.08.2016 from the Chairman of the Society and the Principal of the College concerned.
- ii. A Bank Guarantee bearing No. 2741IGPER002916 dated 22.08.2016 of Rs. 2 Cr issued by Bank of Baroda, Navi Mumbai in favour of MCI, with a validity of 1 year.
- iii. An extended Bank Guarantee upto 25.09.2021 in continuation of Bank Guarantee bearing No. 27417GPER001212 dated 27.09.2012 of Rs. 2 Cr. issued by Bank of Baroda, Navi Mumbai (forwarded to MCI along with the application) in favour of MCI, with a validity of 5 years.

The Executive Committee of the Council further noted that in reference to conditional approval granted by the Central Government in light of directives/approval of the Oversight Committee, an assessment for increased intake against 150 to 250 seats at Dr. D.Y. Patil Medical College, Navi Mumbai under Maharashtra University of Health Sciences, Nashikhas been carried out on 9th and 10th January, 2017 and noted the following:

1. Deficiency of faculty is 7.07 % as detailed in the report.
2. Shortage of residents is 5.03 % as detailed in the report.
3. Bed Occupancy was 53 % at 10 a.m. on day of assessment.
4. Several patients did not merit admission and could have been treated on outdoor basis. A few patients did not warrant longer duration stay in the hospital.
5. Wards: Female Skin & VD ward is combined with female CTVS, Cardiology & Plastic Surgery ward which are Superspecialty departments. Male Tb & Chest ward is combined with Neurology, Plastic Surgery & Psychiatry which are Superspecialty departments.
6. Casualty: Separate Casualty for O.G. is not available.
7. ICUs: Details of beds occupied in ICCU & ICUs are not provided.
8. OPD: Plaster Cutting room is not separate. Injection room is common for males/females. Dressing room is common for males/females.
9. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for MBBS course for 2nd Batch of MBBS students against the increased intake i.e. from 150-250 at Dr. D.Y. Patil Medical College, Navi Mumbai under Maharashtra University of Health Sciences, Nashik/s 10A of the IMC Act, 1956 for the academic year 2017-18, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

118. Increase of seats in MBBS course from 150-250 at Meenakshi Medical College Hospital and Research Institute, Chennai u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

Read: the matter with regard to increase of seats in MBBS course from 150-250 at Meenakshi Medical College Hospital and Research Institute, Chennai u/s 10 A of the IMC Act, 1956 for the academic session 2017-18.

The Executive Committee of the Council considered the Council Assessors report (10th and 11th January, 2017) and noted the following:

1. Deficiency of faculty is 6.25 % as detailed in the report.
2. Dr. Srinivasagulu, Medical Superintendent has only 6 y administrative experience against 10 y required as per Regulations; hence not qualified to hold the post.
3. Shortage of Residents is 5.4 % as detailed in the report.
4. On verification, it was found that only 3 Senior Residents & 18 Junior Residents out of total 128 are staying in the premises. In the quarter allotment list provided by the Dean, address proof of SR/JR are not matching.
5. Teaching Beds are inadequate by 20 as only 30 beds are available for Tb & Chest against requirement of 50.
6. Bed Occupancy as observed by is 35.45 % at 10 a.m. on day of assessment as under:

#	Department	Beds	
		Available	Occupied
1	General Medicine	240	48
2	Paediatrics	120	20
3	Tb & Chest	30	05
4	Psychiatry	30	03
5	Skin & VD	30	20
6	General Surgery	240	116
7	Orthopaedics	150	68
8	Ophthalmology	60	45
9	ENT	30	20
10	O.G.	150	45
	TOTAL		390

7. OPD attendance as shown in Central Registry is not matching with daily registers of 6 departments examined.
8. There were only 12 Major & 04 Minor Operations on day of assessment.
9. There was only 1 delivery conducted on day of assessment.
10. Laboratory investigations workload is inadequate.
11. Histopathology workload was only 02 & Cytopathology workload NIL on day of assessment.
12. Casualty attendance for the day of assessment is claimed at 74; however till 2 p.m. there were just 06 patients.
13. ICUs: There was only 1 patient in SICU & 2 patients in NICU/PICU on day of assessment.
14. CT Scan is 6 slice against minimum 16 slice required.
15. In the entire hospital in all major clinical departments, there was no policy or protocol for Biomedical Waste Management. The support staff did not even know basic colour coding for Biomedical waste.
16. Audiovisual aids in Demonstration rooms are inadequate as detailed in the report.

17. Examination Halls: 3 Examination Halls with capacity of 190, 154 & 140 respectively are available against requirement of 3 of capacity 250 each. Even this is congested.
18. Lecture Theaters: Hospital Lecture Theater is not available.
19. Students' Hostels: Available accommodation is for 918 against requirement of 938.
20. Physiology department: 2 Demonstration rooms out of 4 required are still under construction.
21. There are only 2 Demonstration rooms in the departments of Pathology; Microbiology; Pharmacology; Forensic Medicine departments against 4 required.
22. MRD: ICD X coding is not complete. Clinical material of the entire hospital is not updated in MRD data.
23. RHTC: Registers are maintained but not signed by concerned authority. Statistics are poor. No National Health programmes are performed. Students are not posted.
24. UHC: Students are not posted.
25. In the interaction with the students, assessors got the feedback that facilities provided in the Girls' hostel are not satisfactory – unhygienic kitchen, poor quality food, unclean surrounding with mosquito breeding. On verification, assessors found the feedback to be correct.
26. Other deficiencies as pointed out in the assessment report.

In view of the above, as the applicant college does not meet the Qualifying Criteria 6(b)(i) & 6(b)(iii) of Opening of New or Higher Courses of Study or Training (including Postgraduate Course of Study or Training) and increase of Admission Capacity in any course of Study or Training (including Postgraduate Course of Study or Training) (Amendment) Regulations, 2009 (Part-III) as number of teaching beds and Bed occupancy are less than the required for eligibility, the Executive Committee of the Council decided to return the application for increase in MBBS seats from 150 to 250 at Meenakshi Medical College Hospital and Research Institute, Chennai under Meenakshi Academy of Higher Education & Research (Meenakshi University) for the academic year 2017-2018 recommending disapproval of the scheme to the Central Govt. as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the Regulations framed therein to keep the application pending in the Council office for the next academic year.

The Committee further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which reads as under:-

8(3)(1).....

(c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2017-18) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute 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 Executive Committee of the Council further decided to intimate the Postgraduate Section of application of clause 8(3)(1)(c) for this Institute for information and further necessary action.

119. Establishment of new medical college at Muzaffarpur, Patna (J.M. Medical College & Hospital, Muzaffarpur) by J.M. Institute of Speech & Hearing, Muzaffarpur with an annual intake of 100 MBBS students under Aryabhatta Knowledge University, Patna, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

Read: the matter with regard to establishment of new medical college at Muzaffarpur, Patna (J.M. Medical College & Hospital, Muzaffarpur) by J.M. Institute of Speech & Hearing, Muzaffarpur with an annual intake of 100 MBBS students under Aryabhatta Knowledge University, Patna, Bihar u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (10th and 11th January, 2017) and noted the following:-

1. Dr. Satyendra M. Thakur, Dean has total experience as Professor + Asso. Prof. of only 5 y against requirement of 10 y as per Regulations; hence not qualified to hold the post.
2. Medical Superintendent is not appointed yet.
3. Deficiency of faculty is 93.10 % as detailed in the report.
4. Shortage of Residents is 66.66 % as detailed in the report.
5. There are total only 60 beds against requirement of 300. There is no department wise distribution & all the beds are shared by all the departments.
6. College building including preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
7. OPD attendance on day of assessment was only 166 against requirement of 400.
8. Register of Casualty attendance was not shown.
9. Bed Occupancy at 10 a.m. on day of assessment was 04 %.
10. There was NIL Major & NIL Minor Operation on day of assessment.
11. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
12. Radiological & Laboratory investigations workload was grossly inadequate.
13. Histopathology & Cytopathology workload is NIL. It is outsourced which is not permissible.
14. MRD is not yet started.
15. Casualty: Separate Casualty for O.G. is not available. Disaster Trolley, Crash Cart are not available.
16. Central Clinical laboratory: Separate sections into Pathology, Microbiology & Biochemistry are not available.
17. O.T.: Only 1 Major O.T. is available against requirement of 4. Only 1 Minor O.T. is available against requirement of 2.
18. Central O₂ and Central Suction are not available.
19. ICUs: Combined 14 beds are available for ICCU, MICU, SICU against requirement of 5 beds each. 5 beds are available for NICU/PICU against requirement of 5 each. There was NIL patient in ICCU or any ICU.

20. Labour room: Eclampsia room is not available. It is ill equipped.
21. Radiodiagnosis department: Only 1 Mobile X-ray machine is available against requirement of 2. AERB registration is not available. Only 1 Static X-ray machine is available against requirement of 2. Only 1 USG is available against requirement of 2.
22. Blood Bank: it is not available.
23. CSSD; Intercom are not available.
24. There is no provision for Dietician.
25. Nursing staff: Only 86 Nursing staff are available against requirement of 175.
26. Website is not available.
27. OPD: Registration Counters are not computerized. Teaching areas are not available. Injection room is common for males & females. Specialty clinics are not available in Paediatrics OPD. Antenatal clinic, Sterility clinic & Cancer Detection clinic are not available.
28. Lecture Theaters; Central Library; Hostels for Students, Residents & Nurses and Residential Quarters for the faculty & Non-teaching staff are under construction.
29. Central Photography Section is not available.
30. College Council, Pharmacovigilance Committee, Gender Harassment Committee are not yet constituted.
31. Other deficiencies as pointed out in the assessment report.

In view of above, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Muzaffarpur, Patna (J.M. Medical College & Hospital, Muzaffarpur) by J.M. Institute of Speech & Hearing, Muzaffarpur under Aryabhatta Knowledge University, Patna, Bihar to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year 2017-18 and further decided to apply clauses 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds as the college has failed to meet this Qualifying Criteria and 8(3)(1)(a) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 which read as under:-

“8(3)(1).....

(a) Colleges in the stage upto II renewal (i.e. Admission of third batch)

If it is observed during any regular inspection of the institute that the deficiency of teaching faculty and/or Residents is more than 30% and/or bed occupancy is <60%, such an institute will not be considered for renewal of permission in that Academic Year.”

120. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats at Kannur Medical College, Kannur – under Kerala University of Health Sciences, Thrissur.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 100 MBBS seats at Kannur Medical College, Kannur – under Kerala University of Health Sciences, Thrissur.

The Executive Committee of the Council noted that the compliance verification assessment report (01.03.2016) alongwith previous assessment report (28th & 29th September, 2015) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (01.03.2016) along with assessment report (28th & 29th September, 2015) and noted the following:-

1. *Bed occupancy was 69 % on day of assessment against 75 % required.*
2. *Wards: Male & Female ENT ward is common. Beds for male & female Ophthalmology patients are common in one single hall. Washroom facilities are common. For 30 beds of female Ophthalmology/ENT, there is only 1 bathroom & latrine.*
3. *Majority of patients are admitted on 28th & 29th February 2016. There are large number of patients with trivial complaints admitted for no reason. Many patients in O.G. ward were not pregnant and admitted with complaints not related with pregnancy & conception. Patients of ENT are admitted in General Surgery ward. One ward in Orthopaedics was totally vacant.*
4. *Data of OPD attendance given by institute is unreasonable & highly inflated. OPD attendance, as observed by assessors is around 600 which is inadequate. At 9:00 a.m., computer showed around 70 patients when OPD starts at 9:00 a.m. Number of patients in individual OPDs when checked by assessors at that time revealed patients who can be counted on fingertips. On verification, no patient was seen in Tb & Chest OPD but in register, many patients were registered. Psychiatry & ENT OPDs were also vacant while the register showed 102 & 112 patients.*
5. *O.T.: On day of assessment, on verification it was observed that there were 3 patients in O.T. & 8 in Preoperative ward – i.e. total 11 cases; however, O.T. list showed 42 operations scheduled. There is Data mismatch.*
6. *Blood bank has issued only 3 units on day of assessment.*
7. *There was only 1 Normal Delivery on day of assessment.*
8. *ICUs: In PICU/NICU, patients are admitted who do not require intensive care.*
9. *Radiodiagnosis Department: 1 static X-ray machine of 300 mA is not working since long; resultantly there is deficit of 1 static X-ray machine.*
10. *Central Library: It is only partly air-conditioned. Second reading room for students, staff reading room, computer room with Medlar & Internet & other areas are still not air-conditioned.*
11. *CSSD: Issue of sterilized material appears to be less on day of assessment.*
12. *USG: Data supplied by institute shows total 68 patients examined for USG; however at the time of visit in the morning hours, only 1-2 patients were seen.*
13. *Other deficiencies as pointed out in the assessment report.*

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 in respect of Kannur Medical College, Kannur under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

The Executive Committee of the Council further decided to apply clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010 and amended on 18th March, 2016, which reads as under:-

8(3)(1).....

- (c) Colleges which are already recognized for award of MBBS degree and/or running postgraduate courses

If it is observed during any inspection/assessment of the institute that the deficiency of teaching faculty and/or Residents is more than 10% and/or bed occupancy is <70%, compliance of rectification of deficiency from such an institute will not be considered for issue of renewal of permission in that Academic year and further such an institute will not be considered for processing applications for postgraduate courses in that Academic year and will be issued show cause notices as to why the recommendation for withdrawal of

recognition of the courses run by that institute should not be made for undergraduate and postgraduate courses which are recognized u/s 11(2) of the IMC Act, 1956 along with direction of stoppage of admissions in permitted postgraduate courses.”

In view of above, it was decided not to consider the Institute for processing applications for postgraduate courses in the current Academic year (2017-18) and to issue show cause notice as to why the recommendation for withdrawal of recognition of the courses run by that institute 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 decision of the Executive Committee was communicated to the Central Government vide this office letter dated 15.05.2016 and copy marked to the College authorities with the request to submit the detailed point wise compliance.

The Council vide another letter dated 15.05.2016 issued the Show Cause Notice to the college authorities to explain as to why the Council should not proceed to recommend to the Central Govt. for withdrawal of recognition of MBBS degree/Postgraduate course of the institute and stoppage of admissions in permitted postgraduate course.

The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students against increased intake from 100-150 in MBBS course for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 5th batch (100 to 150 seats) u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive/approval of the supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the letter dated 20.08.2016, the Central Govt. vide its letter dated 31.08.2016 had forwarded the following documents as submitted by the college to the Ministry on 26.08.2016:-

- i. *An affidavit dated 26.08.2016 from the Chairman of the Trust/Society and the Dean/ Principal of the College concerned.*
- ii. *A bank guarantee bearing No. IBG70787 dated 22.08.2016 Rs 2 Cr issued by Federal Bank Ltd. in favour of MCI, with a validity of 1 year.*

The Executive Committee of the Council further noted that an assessment to verify the compliance submitted by the college authorities on the deficiencies pointed out in the assessment report (1st March, 2016) for 100 MBBS seats at Kannur Medical College, Kerala under Kerala University for Health Sciences, Thrissur was carried out by the Council assessors on 11.01.2017 and noted the following:-

1. A good proportion of patients in most of the wards were admitted for minor complaints and did not merit admission in wards as determined by assessors on asking questions to patients, Nursing staff and Residents.
2. Majority of the patients who had supposedly undergone General Anaesthesia were not available in the wards at 6 p.m., including a patient of Incisional Hernia. The reason provided by college that “It was a day care surgery and the patient was discharged.” In Surgical wards, proportion of operated patients was low.

3. O.T. list on day of assessment included 2 cases of Hysteroscopy, 1 of Polypectomy, 4 cases of D & E, 1 of Mastoid Surgery, Breast excision, 1 Herniorrhaphy, Incisional Hernia Surgery, 1 Hip replacement, 2 closed reduction, 1 Pterygium & 1 Cataract. Of them at 6 p.m. only 3 patients were found in the wards. College authorities stated that the rest had been discharged which implied that they were not Major Operations.
4. Data of clinical material provided by Institute appear to be exaggerated.
5. In NICU, children born in the hospital were kept. 2 patients in PICU did not merit admission in ICU.
6. Other deficiencies as pointed out in the assessment report.

In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 13/08/2016. The Executive Committee, after due deliberation and discussion, has decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 13/08/2016 the college should be debarred from admitting students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for renewal of permission for admission of 5th Batch of MBBS students against the increased intake i.e. from 100-150 in respect of Kannur Medical College, Kannur under Kerala University of Health Sciences, Thrissur u/s 10A of the IMC Act, 1956 for the academic year 2017-2018, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed.

The minutes of this item were read out, approved and confirmed in the meeting itself.

121. Pondicherry Institute of Medical Sciences, Pondicherry - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

Read: the matter with regard to Pondicherry Institute of Medical Sciences, Pondicherry - Renewal of Permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 for the academic session 2017-18.

The Executive Committee of the Council further noted that the compliance verification assessment report (11.03.2016) alongwith previous assessment report (4th & 5th January, 2016) was considered by the Executive Committee at its meeting held on 13.05.2016 and it was decided as under:-

"The Executive Committee of the Council considered the compliance verification assessment report (11.03.2016) along with assessment report (4th and 5th January, 2016) and noted the following:-

1. *There is very less number of patients in different wards. It was observed that true medical or surgical cases are few in respective Medical or Surgical wards as under:*
 - (a) *Patient Mr. Thomas – Reg No. 1259047, Bed No. 51(MMW-2) admitted with pseudophobia for refraction.*
 - (b) *Patient – Iyyadurai, 40/M-Reg.No. 1259481, Bed No. – 77(MMW-3) admitted with Myalgia/muscle pain.*

- (c) Patient in Bed No. 25 in Male Medical Ward was admitted with accident and injury in left hand.
 - (d) Patient in Bed No. 26 in Male Medical Ward was admitted with low backache.
 - (e) Patient in Bed No. 53 in Male Medical Ward was admitted with swelling in the popliteal region.
 - (f) Patient in Bed No. 40 in Male Medical Ward was admitted with postoperative Cholecystectomy.
 - (g) Patient in Bed No. 47 in Male Medical Ward was admitted with Sputum positive Pulmonary Tuberculosis.
 - (h) Patient –Mrs. Rani-Reg No. 1259145, Bed No. 43 (FMW) admitted on 10.3.2016 with Right leg, hand and shoulder pain for 2 months.
2. One patient Mr. Harikrishnan, Regn. # 1259479, Bed # 81 was admitted with complaint of epigastric pain on 09/03/2016; however no advice was given till 11 a.m. on 11/03/2016.
 3. One patient Mr. Arumugam Regn. # 1240099, Bed # 88 was admitted for Hemorrhoidectomy and was discharged on 07/03/2016. But he was still in his bed at time of round during assessment on 11/03/2016.
 4. On random verification it was found that Major Operations in General Surgery varied from NIL to 3 during 3 month period. Daily average was 1.5 which is inadequate.
 5. Out of 13 post-operative cases, 8 were of Diabetic Ulcer only implying thereby poor variety of teaching material.
 6. While checking Bed Head ticket / Indoor patient files, it was observed that there is no OPD sheet or Emergency sheet with provisional diagnosis or advice on admission in most of admitted cases. In many cases provisional diagnosis or treatment was not written even after 2 days.
 7. PG course is running in Ophthalmology; however unit faculty complement is incomplete as there is no Asso. Prof.
 8. Data of Bed Occupancy given by the institute are inflated. Although 76 % bed occupancy is claimed, 35 % of beds in General Medicine (i.e. 49 out of 140) & 31 % (i.e. 41 out of 131) of beds in General Surgery were vacant at time of taking round.
 9. Residential Quarters: Nil Residential Quarters are available for non-teaching staff. Deficiency remains as it is.
 10. Other deficiencies as pointed out in the assessment report.

The Executive Committee of the Council further perused the following remarks from the letter of assessors dt. 11/04/2016:

“Though the overall bed occupancy is about 76% (471 out of 620), as mentioned in page-8 of A-III form, the number of patients in Surgery wards and Medicine wards was low (only 91 patients found out of 140 beds in General Medicine wards & only 90 patients found out of 131 beds in General Surgery wards, PIMS).

2. Moreover, there is lack of proper clinical materials in those wards on the day of assessment, as mentioned in sl.no.- 4 & sl.no.- 6 of A-III form (like- patients with photophobia for refraction, myalgia/muscle pain, with low backache, postoperative cholecystectomy, right leg, hand and shoulder pain etc. were found admitted in different wards of **General Medicine department, PIMS**).”

In view of the above, the Executive Committee of the Council decided to recommend to the Central Govt. not to renew the permission for admission of 3rd Batch of MBBS students against the increased intake i.e. from 100-150 in respect of Pondicherry Institute of Medical Sciences, Pondicherry under Pondicherry University u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.”

The decision of the Executive Committee was communicated to the Central Govt. vide this office letter dated 15.05.2016. The Central Government vide its letter dated 10.06.2016 had conveyed its decision to the college authorities as well as other concerned authorities not to admit any students against increased intake from 100-150 in MBBS course for the academic year 2016-17.

The Executive Committee of the Council further noted that the Central Govt. vide its letter dated 20.08.2016 had granted approval to the said college for renewal of permission for admission of 3rd batch (100 to 150 seats) u/s 10A of IMC Act, 1956 for the academic year 2016-17, in the light of the directive/approval of the Supreme Court Mandated Oversight Committee (OC), subject to submission of bank guarantees, affidavit and some other conditions.

In continuation to the earlier letter dated 20.08.2016, the Central Govt. vide its letter dated 09.09.2016 had forwarded the following the documents as submitted by the college to the Ministry on 05.09.2016:-

- i. An affidavit dated 30.08.2016 from the Chairman of the Trust concerned.
- ii. An affidavit dated 30.08.2016 from the Dean/Principal of the college concerned.
- iii. A bank guarantee bearing No. 497507GL0000716 dated 31.08.2016 Rs 2 Cr issued by Indian Bank in favour of MCI, with a validity of 1 year.

1. The Institute is recognized for intake of 100 UG seats & is at the stage of III Renewal of Permission for increase to 150. Accordingly teaching beds are required @ 4/5 of the difference between required intake of 100 & 150. Accordingly teaching beds are inadequate as under:

#	Department	Teaching Beds		
		Required	Available	Deficit
1	General Medicine	144	140	04
2	Paediatrics	84	65	19
3	General Surgery	144	131	13
4	Orthopaedics	84	66	18
5	O.G.	84	68	16
	TOTAL			70

2. OPD attendance was 1,010 on day of assessment against requirement of 1,100.
3. Labour Room: Separate room for Eclampsia is not available. A room for high risk pregnancy is not a substitute for Eclampsia room.

The Executive Committee of the Council further noted an assessment and verification of the physical and the other teaching facilities available for renewal of permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 seats at Pondicherry Institute of Medical Sciences, Pondicherry under Pondicherry University, Pondicherry u/s 10 A of the IMC Act, 1956 for the academic session 2017-18 with reference to the conditional approval accorded by Oversight Committee has been carried out by the Council assessors on 10th & 11th January, 2017 and decided to recommend to the Central Govt. to renew the permission for admission of 4th Batch of MBBS students against the increased intake i.e. from 100-150 seats at Pondicherry Institute of Medical Sciences, Pondicherry under Pondicherry University, Pondicherry.

The minutes of this item were read out, approved and confirmed in the meeting itself.

122. Establishment of new medical college at Falkawn, Mizoram (Mizoram Institute of Medical Education and Research, Falkawn) by Govt. of Mizoram with an annual intake of 100 MBBS students Mizoram University u/s 10A of the IMC Act, 1956 for the academic year 2017-18

Read: the matter with regard to establishment of new medical college at Falkawn, Mizoram (Mizoram Institute of Medical Education and Research, Falkawn) by Govt. of Mizoram with an annual intake of 100 MBBS students Mizoram University u/s 10A of the IMC Act, 1956 for the academic year 2017-18.

The Executive Committee of the Council considered the assessment report (5th and 6th January, 2017) and noted the following:-

1. Dean is not yet appointed.
2. Medical Superintendent is not yet appointed.
3. Deficiency of faculty is 100 % as detailed in the report.
4. Shortage of Residents is 100 % as detailed in the report.
5. Teaching beds are deficient by 91 as 159 beds are available against 250 required.
6. Preclinical departments of Anatomy, Physiology, Biochemistry are under construction.
7. Nursing staff: 89 Nursing staff are available against 175 required.
8. Paramedical & Non-teaching staff: 89 Paramedical & Non-teaching staff are available against 101 required.
9. OPD attendance on day of assessment was only 177 against 400 required.
10. Bed Occupancy at 10 a.m. on day of assessment was 28.4 % with regard to number of beds required.
11. There was NIL Major Operation on day of assessment.
12. Radiological & Laboratory investigations workload is grossly inadequate.
13. Histopathology workload is NIL.
14. Casualty: 6 beds are available against 10 required. 2 CMOs are available against 4 required. Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not available. Disaster trolley, Defibrillator are not available.
15. There is no Central Clinical Laboratory designated as such.
16. O.T.: 2 Major O.T.s are available against 4 required. 1 Minor O.T. is available against 2 required. Equipment is inadequate.
17. ICUs: ICCU & ICUs are not available.
18. Labour room: Septic Labour room & Eclampsia room are not available.
19. Radiodiagnosis department: 1 Static X-ray machine is available against 2 required. AERB approval is not available.
20. Blood Bank: it is not available.
21. CSSD is not available.
22. OPD: Registration counters are not computerized. There are only 2 Examination rooms for all departments against requirement of 4 for major departments. Teaching areas are not available. Injection rooms for males/females are not available. Dressing room is common for males/females. Minor O.T. is not available. Plaster room & Plaster Cutting room are not available. In Ophthalmology OPD, Dark room, Refraction room, Minor Procedure room are not available. Specialty clinics are not available in Paediatrics & OG OPD.
23. Audiometry & Speech Therapy are not available.

24. Lecture Theaters, Central Library, Residents' Hostel are under construction.
25. Central Photography Section is not available.
26. Residential Quarters: 11 quarters are available for faculty against 12 required.
27. MRD: It is manual.
28. Website is not available.
29. College Council, Pharmaco Vigilance Committee are not constituted.
30. Other deficiencies as pointed out in the assessment report.

In view of above and as the applicant has failed to meet the qualifying criteria u/s 3(2)(5) of Establishment of Medical College Regulations, 1999 pertaining to the person owning and managing a hospital of not less than 300 beds, the Executive Committee of the Council decided to return the application for establishment of a new medical college at Churu (Govt. Medical College, Churu), Rajasthan by Govt. of Rajasthan under Rajasthan University of Health Sciences, Jaipur to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2017-18 as there is no provision u/s 10A of the Indian Medical Council Act, 1956 or the regulations framed therein to keep the application pending in the Council office for the next academic year.

123. Approval of minutes of the Departmental Promotion Committee for promotion to the post of Accounts Officer.

Read: the matter with regard to approval of minutes of the Departmental Promotion Committee for promotion to the post of Accounts Officer.

The Executive Committee of the Council decided to defer the consideration of the matter for the next meeting.

124. Upper age criteria and number of attempts for the participating States/Institutions

Read: the matter with regard to Upper age criteria and number of attempts for the participating States/Institutions.

The Executive Committee of the Council noted that the Joint Secretary, CBSE vide letter dt. 17/18.12.2015 had sought comments of MCI on the upper age limit criteria for all 100 % admission in MBBS/BDS and number of attempts.

The Executive Committee further noted that the matter had been referred to the Academic Committee with the advice to consult all State Governments before taking any decision in the matter. However, very few suggestions have been received from the DMEs.

The Executive Committee of the Council was also informed of a letter dated 13.01.2017 from the Secretary to Govt. of India, Ministry of Health & F.W., New Delhi regarding Information Bulletin for NEET (UG) to be issued by CBSE, New Delhi. The relevant portion is as under:-

S.No.	Issue	Decision
1.	Allowing foreigners to appear in NEET.	Foreign/OCT/PIO/NRI students may be allowed to appear in NEET. They may also be allowed to participate in 15% All India Quota counseling with the applicable terms and conditions (fee, bond, service rule etc.)
2.	Age limit and number of attempts.	To be prescribed by MCI/DCI. As on date, minimum age of 17 years as on 31.12.2017 with no upper age limit and no limit on attempts. Applicable on All India Quota seats also.
3.	Eligibility of OCIs	Foreigners/OCIs/PIO/NRIs would be eligible for All India Quota as per applicable conditions.
4.	Codes for qualifying	The codes at present may continue. Equivalence clause for

	examination.	foreign students should be there. CBSE may consult MCI/DCI.
5.	NEET merit list.	The cut off at 50 and 40 percentile for open and reserved categories as prescribed under NEET Regulations need not be interfered.
6.	Domicile and Category.	CBSE may collect information and make it available with the result sheet for determination by the various counseling authorities in the country.
7.	Result Sheet	CBSE may provide the result in secured CDs in appropriate number to Dte. GHS for the purpose of disbursal to all counseling authorities. The result sheet may provide percentile score and all India rank for the qualified candidates. All India Quota rank may also be provided by CBSE.

In view of above, the Executive Committee of the Council decided that –

1. The upper age limit for National Eligibility Entrance Examination should be 25 years as on the date of examination with relaxation of 5 years for candidates belonging to S.C./S.T./O.B.C. candidates i.e. 30 years on the date of examination;
2. A maximum of 3 attempts may be availed by the candidates for National Eligibility Entrance Examination.
3. Foreigners/OCIs/PIO/NRIs shall not be eligible for All India Quota.

The Committee directed that the matter be placed before the General Body of the Council.

The minutes of the above item were read and confirmed in the meeting itself.

The meeting ended with a vote of thanks to the Chair.

(Dr. Reena Nayyar)
Secretary I/c.

Place: New Delhi
Dated :13.01.2017

APPROVED

(Dr. Jayshree Mehta)
President