

MEDICAL COUNCIL OF INDIA
NEW DELHI
EXECUTIVE COMMITTEE

Minutes of the meeting of the Executive Committee held on 4th January, 2018 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)
Dr. Anil Chauhan	Principal, Dr. Radhakrishnan Govt. Medical College, Hamirpur-177001 (Himachal Pradesh)
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.

Apologies for absence were received from Dr. G.B. Gupta Dr. Mhaske Chandrakant Bhaskar, Dr. Vijay Prakash Singh, Dr. Kampa Shankar and Dr. Alok Ahuja.

1. Minutes of the Executive Committee Meeting held on 14th December, 2017 – Confirmation of.

The Executive Committee of the Council confirmed the minutes of the Executive Committee meeting held on 14th December, 2017.

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

The Executive Committee of the Council noted the action taken on the minutes of the Executive Committee meeting held on 22nd November, 2017.

The Executive Committee also noted that the action has been taken on the minutes of the Executive Committee meeting held on 14th December, 2017 which have been “read and confirmed” in the said meeting. The Committee also took note that approval from the Oversight Committee on the rest of items of the minutes of the Executive Committee dated 14th Dec. 2017 has been received today and action would be taken accordingly.

3. Assessment of the physical and other teaching facilities available for Recognition/approval of Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (150 seats).

Read: the matter with regard to assessment of the physical and other teaching facilities available for recognition/approval of Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (150 seats).

The Executive Committee of the Council considered the assessment report (17th and 18th November, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents as well as a letter dated 18/11/2017 from the Principal of the college and noted the following:-

1. Deficiency of faculty was 7.52 % as detailed in the report.
2. OPD was closed on day of assessment.
3. Bed Occupancy at 10 a.m. on day of assessment is 41.23 %.
4. There was NIL Major Operation on day of assessment.
5. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
6. Data of Laboratory Investigations provided by the Institute appear to be inflated.
7. Casualty: Crash cart is not available.
8. ICU: There were only 2 patients in SICU.
9. RHTC: Construction is not yet complete. Students are not posted.
10. UHC: Students are not posted.
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 Government not to recognize/approve Shridevi Institute of Medical Sciences & Research Hospital, Tumkur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (150 seats) and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

4. Assessment of the physical and other teaching facilities available for Recognition/approval of Indian Institute of Medical Sciences and Research, Jalna, Maharashtra under Maharashtra University of Medical Sciences, Nashik u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (100 seats).

Read: the matter with regard to assessment of the physical and other teaching facilities available for recognition/approval of Indian Institute of Medical Sciences and Research, Jalna, Maharashtra under Maharashtra University of Medical Sciences, Nashik u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (100 seats).

The Executive Committee of the Council considered the assessment report (7th and 8th December, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court and decided to recommend to the Central Government for recognition/approval of Indian Institute of Medical Sciences and Research, Jalna, Maharashtra under Maharashtra University of Medical Sciences, Nashik u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree (100 seats).

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

5. **Recognition/Approval of Annapoorna Medical College & Hospital, Salem, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.**

Read: the matter with regard to recognition/approval of Annapoorna Medical College & Hospital, Salem, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (20th and 21st December, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents and noted the following:-

1. Deficiency of faculty was 32.57 % as detailed in the report.
2. Shortage of Residents was 63.75 % as detailed in the report.
3. Printout of Biometric attendance is not available.
4. OPD attendance at 2 p.m. on day of assessment was 664 against requirement of 1,200.
5. Bed Occupancy at 10 a.m. on day of assessment was 06.30 %.
6. There were only 2 Major Operations for the whole hospital on day of assessment.
7. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
8. Data of Laboratory Investigations provided by the Institute do not match.
9. Wards: All wards of Paediatrics; 2 wards of Orthopaedics; 2 wards of General Surgery; 2 wards of General Medicine; Psychiatry ward; Skin & VD ward were locked at time of visit. Ancillary facilities are not provided for wards of Ophthalmology, ENT, O.G.
10. Casualty: No CMO was available at the time of visit.
11. ICUs: There was NIL patient in ICCU & NICU and only 2 patients each in SICU, PICU on day of assessment. A patient named Shyam was admitted in PICU but there was no case paper. Mothers of admitted patients in PICU were present in PICU with shoes on.
12. Labour Room: There was no waiting mother in Labour Room at the time of visit.
13. RHTC: Cold Chain equipment is not in working condition.
14. 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 Government not to recognize/approve Annapoorna Medical College & Hospital, Salem, Tamilnadu for the award of MBBS degree (150

seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

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 18.03.2016.

6. **Recognition/Approval of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956.**

Read: the matter with regard to recognition/approval of Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (18th and 19th December, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents and observed that the faculty cannot be disqualified on the ground that they are staying in a neighbouring city that is less than 15 kms away. Therefore the following faculty that is staying in Lucknow and have reported within time should be counted:-

1. Dr. Surendra Mehrotra, Assoc. Prof., General Surgery
2. Dr. Parijat Gupta, Professor, Orthopaedics
3. Dr. Lakhan Chandra Pandey, Prof. & Head of Orthopaedics
4. Dr. Ravindra Pratap Singh, Asstt.Prof. of Orthopaedics
5. Dr. Rahul Singh, Asstt.Prof., Orthopaedics
6. Dr. Devendra Bahadur Singh, Professor, ENT
7. Dr. Shashi Bhushan, Prof. & HOD, Anaesthesiology
8. Dr. V.N. Vaid, Assoc.Prof., Anaesthesia
9. Dr. Suruchi, Asstt.Prof. Anaesthesia

The Committee on further scrutiny of the declaration forms of the following faculty observed that their promotion is irregular as they do not have the research publications:-

1. Dr. Arvind Kumar Srivastava, Assoc.Prof., General Surgery
2. Dr. Narendra Kumar Gupta, Professor, General Surgery

1. In view of above, the deficiency of faculty was 8.32% as detailed in the report.
2. Shortage of Residents was 29.41 % as detailed in the report.
3. Authorities have not submitted bank account statements of faculty & Residents. Residents are drawing more salary than faculty.
4. Biometric attendance was not produced for verification in spite of repeated requests.
5. OPD computerized registry showed 414 OPD at 09:45 a.m. on 19/12/2017. On cross verification in Medicine, Surgery & OG OPD, it was found that the record was gross mismatch as on asking Consultants in respective OPD stated that they had seen only 1 or 2 patients. Same type of mismatch was there on 18/12/2017 as well.
6. Bed Occupancy at 10 a.m. on day of assessment was 36.15 %.
7. Nursing & Paramedical Staff: On cross verification in a Surgery ward, Staff Nurse was actually found to be OT Technician.

8. On cross verification, it was observed that no Major or Minor operation was performed till 6 p.m. on day of assessment.
9. There was NIL Normal Delivery & only 1 Caesarean Section on day of assessment.
10. In O.G., one patient named Shanti Devi (IP # 171250294) with complaints of Menorrhagic disorder having no investigation or treatment but fund with Delivery Note.
11. Histopathology workload is NIL & Cytopathology workload is only 05 on day of assessment.
12. OPD: Resuscitation equipment are not available in Injection room. There are no records of Specialty clinics in Paediatrics & OG OPD.
13. Wards: There is no O₂ pipeline in Surgical, Medical & Orthopaedic wards.
14. Casualty: There was only 1 patient at time of visit. Old records were not available.
15. O.T.: On 18/12/2017, there were 4 patients in Pre-operative ward; In the evening on cross verification, there was no operation done & no patient in post-operative ward.
16. ICUs: There was only 1 patient each in ICCU, MICU, SICU, NICU/PICU on day of assessment. In MICU, the admitted patient had no finding of any seriousness on case paper as well as clinically. Same thing was found in NICU & SICU.
17. Labour room: There was no woman in Labour room on 18/12/2017.
18. Blood Bank: Only 1 unit was disbursed on day of assessment.
19. MRD: ICD X classification of diseases was not functional.
20. Central Library: There is no signage of working hours & holidays.
21. RHTC: Cold Chain equipment are not available.
22. UHC: Teaching area is not available.
23. Other deficiencies as pointed out in the assessment report.

The Executive Committee of the Council also perused the letter of assessors which reads as under:

“With reference to the subject cited above, kindly note that the assessors were harassed at the Mayo Institute of Medical Sciences at Barabanki, UP. The following incidents took place at the institute:-

1. *Dean has given to do Xerox copy of verified declaration forms namely Devendra Bahakar Singh Professor ENT without permission of assessors. (proof attached)*
2. *Dean has allowed unauthorized person to do separate videography during inspection of the college and hospital. As we came across this matter we have collected that mobile and submit to you for their mobile data verification, after verification, you may please hand over the mobile to concerned authority.*
3. *Lady from management side yelled at assessors during assessment. Even dean did so.*
4. *They were not co-operative during the assessment process. They have indifferent attitude towards the assessment.*
5. *In spite of repeated requests made by the assessors to produce biometric attendance/attendance registers for verification immediately after reaching the institute it is not produced on the first day of assessment. However they have produced on the second day of the assessment, that is on 19.12.2017.*
6. *In form A2 in disagreement note, authorities have written that one of the assessor has pulled her ID. Her allegation is baseless and totally uncalled for. ID was asked as a part of assessment and there was no malafide intention.*
7. *There is written statement from the concerned nursing staff stating that no operations were done, so there are no patients in the post-operative ward, on first day of assessment (18.12.2017).*
8. *Most of the beds in different wards were empty during the assessment days (18th and 19th December, 2017) photograph are attached.*

9. College authority has edited the videography of assessment process, so we submit photos taken during the process of assessment by our own mobiles photos enclosed for evidence.
10. College authority refuses to give Xerox copy of verification notes in different registers during assessment. It had been edited (deleted) from videography. Registers: As it has been edited by the college authority, we here with submit the photographs of the same taken in our mobiles.
11. College authority has flicked one of the assessor's verification data recorded in a note pad on 18/12/2017, while he went to attend nature's call.
12. On random verification of residents hostel two SR's have accepted that they never stayed in residents hostel.
13. As per the norms either the Dean or the authorized person from the management is authorized to sign the report. Whereas, in spite of informing, Dean took the help of management trustee's son (Orthopaedic Surgeon) Help to write down the disagreement note.
14. The trustee's son has written in pencil in few pages and the Dean has over written on that which is evident in form A2. In later papers trustee's son has written the note. Dean signed for the same."

The Committee also perused the letter dated 22.12.2017 received from Dr. T. Gangadhara Gouda, Co-ordinator, Professor & Head, Community Medicine, VIMS, Bellary stating therein as under:-

"...I am herewith submitting LENOVO-VIBE mobile phone which was seized by one of the Assessor during assessment of Mayo Institute of Medical Sciences, Barabanki, Lucknow, U.P. on 19.12.2017, as one of the personnel from the management side was video graphing without the knowledge of the Assessor.

This is for your kind information and the needful."

The Executive Committee therefore decided that opinion from Ld. Additional Solicitor General be obtained with regard to steps which can be taken against the Institute for misbehaving the assessors.

In view of the above, the Executive Committee of the Council decided to recommend to the Central Government not to recognize/approve Mayo Institute of Medical Sciences, Barabanki, Uttar Pradesh for the award of MBBS degree (150 seats) granted by Dr. Ram Manohar Lohia Awadh University, Faizabad, U.P. u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

7. **Recognition/Approval of Malla Reddy Institute of Medical Sciences, Hyderabad for the award of MBBS degree (150 seats) granted by N.T.R. University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956 .**

Read: the matter with regard to recognition/approval of Malla Reddy Institute of Medical Sciences, Hyderabad for the award of MBBS degree (150 seats) granted by N.T.R. University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (6th and 7th December, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents and noted the following:-

1. With regard to the following faculty & Residents, there was mismatch in signature in attendance & verification:
 - (a) Dr. K. Manjulatha, Assistant Professor of Physiology;
 - (b) Dr. Mithilesh, Senior Resident in Radiodiagnosis;

- (c) Dr. E. Rabeena, Junior Resident in General Medicine.
2. Printout of Biometric attendance on 06/12/2017 showed NIL punches.
3. OPD attendance upto 2 p.m. as verified by assessors was 827 against requirement of 1,200.
4. Bed Occupancy at 10 a.m. on day of assessment was 65.38 %.
5. There were only 10 Minor Operations for the whole hospital on day of assessment.
6. Admitted patients:
 - (a) In Medicine wards no diagnosis was written in case sheets of ten patients whose data of admission 03.12.2017.
 - (b) Patients with low back pain for evaluation, osteoarthritis, lipoma, breast lump and lumbar spondylosis are admitted in medicine wards. Patients with CVA and hemiparesis is without required investigations reports. About 10 patients admitted in medicine wards due to myalgia. Time of admission did not mention in case tickets of most of the patients. Patients in all medicine and medicine allied wards looks healthy without any personal belongings. In Pediatrics department patients admitted due to amebic colitis, viral pyrexia, pain in abdomen evaluation, microcephaly with mental retardation for physiotherapy.
 - (c) In medicine ward 12 patients were admitted on 06.12.2017 within 9.01 a.m. to 9.23 a.m. Where in OPD sheet no doctors signature was available for advice admission. About 70-75% of patients are admitted in Medicine & Medicine allied wards from 03.12.2017 onwards.
7. OPD: Dark room is not available in Ophthalmology OPD. There is no refrigerator in Immunization room.
8. RHTC: Survey/MCH/Immunization/FP registers are not available. Records of National Health Programmes are not maintained properly. Immunization register is not maintained. Family folders are not available.
9. UHC: Family folders are not updated. Records of National Health Programmes are not maintained properly. Immunization register is not maintained.
10. 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 Government not to recognize/approve Malla Reddy Institute of Medical Sciences, Hyderabad for the award of MBBS degree (150 seats) granted by N.T.R. University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

The Executive Committee also decided to apply clause 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).....

(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.”

The Executive Committee decided to refer the matter to the Ethics Committee of the Council.

8. **Assessment of the physical and the other teaching facilities available for Recognition/approval of Era's Medical College & Hospital, Lucknow under Dr. R.M.L. Avadh University, Faizabad u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017.**

Read: the matter with regard to assessment of the physical and the other teaching facilities available for Recognition/approval of Era's Medical College & Hospital, Lucknow under Dr. R.M.L. Avadh University, Faizabad u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017.

The Executive Committee of the Council considered the assessment report (11th and 12th October, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court and decided to recommend to the Central Government for recognition/approval of Era's Medical College & Hospital, Lucknow under Dr. R.M.L. Avadh University, Faizabad u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

9. **Assessment of the physical and the other teaching facilities available for Recognition/approval of Kannur Medical College, Kannur under Kerala University of Health Sciences, Thrissur u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017- req.**

Read: the matter with regard to assessment of the physical and the other teaching facilities available for recognition/approval of Kannur Medical College, Kannur under Kerala University of Health Sciences, Thrissur u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017.

The Executive Committee of the Council noted that the Council appointed the assessors to carry out the assessment on 7th and 8th December, 2017 in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court. The Committee also perused the letter dated 07.12.2017 received from Dr. G. V. Prakash (Co-ordinator), Tirupati duly signed by all the assessors, stating therein as under:-

"Vide reference cited we (the assessment team) have reached at Kannur Medical College at 9.30 AM and handed over the letter of Assessment to the Principal Dr. GKG Prasad for the inspection. The Principal after

consulting with his team has informed us that they do not want to have the assessment today. The Principal has given the letter regarding the refusal of assessment. (attached the original copy of the letter).

The same matter is informed to the MCI Office over phone and the inspection could not be done. Hence returned from the college on the same day i.e. 7.12.2017.”

The Executive Committee also noted that the Council Office has appointed the assessors to carry out another assessment of the above said college on 29th and 30th Dec. 2017. The Committee noted the contents of the letter of the assessors dated 29th Dec. 2017 as under:-

“We reached the college at 9.30 am, as regular Principal was on leave, met the in-charge principal in his chamber but the in-charge Principal after discussion with management informed us that they do not want to have assessment as they are yet to receive the outcome of the previous inspection held on 11th and 12th Sept. 2017. We gave assessment order and told him this is different inspection and it is in pursuance of the Hon’ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017 for recognition of MBBS degree against the increased intake i.e. from 100 to 150 seats u/s 11(2) of IMC Act,1956 at Kannur Medical College, Kannur. As they declined for the assessment we were not able to carry out the assessment as per the assessment order No. MCI/37(UG)(RG-12)/2017-Med dated 29.12.2017.”

The Executive Committee also perused the letter dated 07.12.2017 received from the Principal, Kannur Medical College, Kannur stating as under:

“With reference to your visit for conduct of inspection on behalf of Medical Council of India, most respectfully we submit that, recently Medical Council of India had already conducted two inspection(s) of this college on 11 and 12 September, 2017. Since then as we are yet to receive the outcome of the previous inspection or any communication for compliance report and there is no inspection due as per MCI Regulation.

In view of the above facts, we most respectfully request you not to conduct inspection of our college today as we are yet to receive the outcome of the previous inspection.

Inconvenience caused to you is highly regretted.”

The Committee also took into consideration the letter of the Principal of the college dated 29.12.2017 which reads as under:-

“...we submit that compliance inspection for recognition of MBBS degree for increase seat from 100 to 150, was conducted on 11th and 12 Sept. 2017. Since then as we are yet to receive the outcome of the previous inspection or any communication for further deficiency/compliance report and there is no inspection due as per MCI Regulation. If at all there is any deficiency, there can be only compliance inspection based on previous report. In addition, we would like to submit that the 65 teaching faculty have gone to KUHS, Thrissur for their original certificates verification by the Kerala Health University as per the E-Scheduler enclosed which is mandatory on the part of the college according to Kerala Health University Rules”.....

The Committee further noted that the Council had confirmed the above facts from the Registrar, KUHS and the Registrar of KUHS vide email dated 4.1.2018 informed as under:-

“The Kannur Medical College, Kannur was given the following appointment dates for faculty enrolment program at KUHS Headquarters, Thrissur:

S.No.	Appointment date	No. of faculty booked	No. of faculty verified
1	27.12.2017	47	44
2	28.12.2017	01	00
3	29.12.2017	35	32

FEP is mandatory as per Governing Council decisions of KHUS.

As per KUHS directions, faculty are not required to present themselves in person. Only their original documents need to be sent through the authorized representative of the Principal. Since the documents are accepted only from the authorized representative, we verify only their original documents, and we cannot confirm their physical presence at the KHUS on these days."

The Executive Committee also noted the legal opinion obtained on the letter of the Dean of the college which reads as under:-

"The inspection on 29.12.17 of the Kannur Medical College had been carried out in pursuance of the orders passed by the Hon'ble Supreme Court in WP (C) No. 432/2017 on 09.10.17. By the order under reference the Hon'ble Supreme Court had directed the Council to conduct surprise assessment in 25 Medical Colleges, including Kannur Medical College. All these 25 Medical Colleges have been impleaded as respondent party in the matter.

I have also perused the letter dated 29.12.17 of the Principal (I/C) of the Medical College wherein he has stated that "compliance inspection for recognition of MBBS degree for increase seat from 100 to 150, was conducted on 11& 12 September 2017. Since then as we are yet to receive the outcome of the previous inspection or any communication for further deficiency/compliance report and there is no inspection due as per MCI Regulation." Further, he has stated "not to conduct inspection of our College today as we are yet to receive the outcome of previous inspection."

The aforesaid contention of the Medical College is required to be rejected as the inspection conducted in September 2017 is of no relevance here, as the present inspection has been conducted in pursuance of the orders passed by the Hon'ble Supreme Court as referred above. Furthermore, as regulator of medical education under section 17 of the Indian Medical Council Act, 1956 the Council is empowered to "inspect any medical institution, college, hospital or other institution where medical institution is imparted" at any point of time. Therefore, the contention of the College that no inspection is due as per MCI Regulation is also liable to be rejected.

In the above circumstances, I am of the considered opinion that as Kannur Medical College has denied the Council to carry out surprise inspection in pursuance of the orders of the Hon'ble Supreme Court, the Executive Committee may consider recommending to the Central Government denial of recognition against the increased intake from 100 to 150, and debarring the Medical College from admitting students against the increased intake for the next academic session 2018-19."

In view of above, the Committee decided that it is evident that the college is not compliant with MCI Regulations and therefore the Executive Committee of the Council decided to recommend to the Central Government not to recognize/approve Kannur Medical College, Kannur under Kerala University of Health Sciences, Thrissur u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats.

10. **Assessment to assess the standard of examination held by Krishna Institute of Medical Sciences, (Deemed University) Karad and to assess the physical and the other teaching facilities available for recognition/approval of Krishna Institute of Medical Sciences, Karad for the award of MBBS degree granted by Krishna Institute of Medical Sciences, (Deemed University) Karad against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956 in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017- req.**

Read: the matter with regard to assessment to assess the standard of examination held by Krishna Institute of Medical Sciences, (Deemed University) Karad and to assess the physical and the other teaching facilities available for recognition/approval of Krishna Institute of Medical Sciences, Karad for the award of MBBS degree granted by Krishna Institute of Medical Sciences, (Deemed University) Karad against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956 in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017.

The Executive Committee of the Council noted that the Council appointed the assessors to carry out the assessment on 27.11.2017 in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court. The Committee perused the letter from Assessors which reads as under:

"In compliance to your directive regarding assessment of Krishna Institute of Medical Sciences, Karad, Maharashtra we reached the campus of the college after receiving the email from your office.

On reaching the college office we found the chamber of the Principal, KIMS locked and upon enquiry we were informed by the security guard on duty that today is a college holiday.

As per our request he informed the Principal, Dr S Y Mohite, regarding our arrival. Shortly thereafter the Principal and the Medical Superintendent, Dr. Kshirsagar arrived and Principal's chamber was opened.

On producing the appointment letter it was duly acknowledged by the Principal. Thereafter, the Principal gave us in writing that they are not willing to continue with the assessment in view of the declared holiday today i.e. 11.12.2017 (vide letter no. KIMS/MCI- Inst./419/2017; dated 11.12.2017 attached herewith).

On request we were allowed to visit the hospital section and thereafter proceed back."

The Executive Committee also perused the letter from the Principal of the college stating as under:

This is to inform you that an expert committee appointed by the University Grants Commission has reviewed the functioning of Krishna Institute of Medical Sciences "Deemed To Be University", Karad on 8th, 9th and 10th Dec., 2017. In view of cancellation of Two holidays The Deemed to be University has declared a holiday on Monday 11th Dec. 2017.

In view of the declared holiday, we are not ready for the assessment today. (Copy of Holiday circular and certificate from the Registrar is attached).

Order No. KIMS DUKARAD/RO/C1(i)/3954 dt. 08th Dec. 2017.

We will be highly obliged to carry out assessment at any later date."

In view of denial of assessment by the college authorities, another assessment was conducted by the Council Assessors on 2nd and 3rd January, 2018. The Executive Committee considered the said report alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents and noted the following:-

1. Deficiency of faculty is 21.18 % as detailed in the report.
2. Shortage of Residents is 17.69 % as detailed in the report.
3. OPD attendance as verified by assessors upto 2 p.m. was 964 against requirement of 2,000. Data of OPD attendance of 2,372 as provided by the college are highly inflated.
4. Bed Occupancy at 10 a.m. on day of assessment as verified by assessors after taking round was 33.33 % (i.e. 315 out of 945 beds). Data provided by college of 84 % occupancy are highly inflated.
5. Teaching Beds: 30 beds are deficient in Paediatrics ward as 90 beds are available against requirement of 120.
6. Data of Major Operations provided by the college are inflated as detailed in the report.
7. Lecture Theater: Hospital Lecture Theater is not of Gallery type.
8. Central Library: It is partially air-conditioned.
9. Students' Hostels: One of the Boys' Hostel is located outside the campus which is contrary to Regulations.
10. Interns' Hostel: Available accommodation is for 72 Interns against requirement of 200.
11. Residents' Hostel: Available accommodation is for 266 Residents against total requirement of 308 – 41 Senior Residents & 267 Junior Residents.
12. Physiology department: NIL Polygraph is available against requirement of 4. NIL Physiograph is available against requirement of 10.
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 Government not to recognize/approve Krishna Institute of Medical Sciences, Karad for the award of MBBS degree granted by Krishna Institute of Medical Sciences, (Deemed University) Karad against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

The Committee also 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 (2018-19) 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.

11. **Assessment of the physical and the other teaching facilities available for recognition/approval of Al-Ameen Medical College & Hospital, Bijapur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017- req.**

Read: the matter with regard to assessment of the physical and the other teaching facilities available for recognition/approval of Al-Ameen Medical College & Hospital, Bijapur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017.

The Executive Committee of the Council considered the assessment report (6th and 7th December, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court alongwith the videography, photographs and other relevant material/documents and noted the following:-

1. Deficiency of faculty is 16.77 % as detailed in the report.
2. Shortage of Residents is 20.48 % as detailed in the report.
3. OPD attendance upto 2 p.m. on day of assessment is 1,121 against requirement of 1,200. Even this figure seems to be inflated.
4. Bed Occupancy at 10 a.m. on day of assessment was 29.7 %.
5. Out of 202 patients available on the day of assessment during the physical verification, total 18 patients (8.9%) – 16 patients in Medicine ward and two patients in Paediatrics ward are sorted out to be not genuine indicated for hospitalization as six patients were admitted without case papers in Medicine ward and 10 patients case papers of without any clinical signs and No IV lines and treatment written not consistent with the diagnosis (statement recorded on the three case papers by the on duty residents) and two cases in Pediatric ward not with clinical sign and matching with the treatment and one case without diagnosis and evaluation.
6. There was NIL Major Operation performed upto 12:10 p.m. on day of assessment. Only 6 patients were posted for elective Surgery.
7. Data of Laboratory Investigations provided by the Institute appear to be inflated as detailed in the report.
8. Wards: Pantry & Store Room in most of the wards were locked & non-functional at time of visit. Treatment rooms are not adequately equipped. Demonstration rooms are common for 2-3 wards. Paediatric ward in newly constructed building is without functional Nursing Station, fan & adequate lighting. 9 beds in Orthopaedics ward are in pathetic condition & cannot be used for patient care. Out of 30 required beds in Ophthalmology (as PG course is run), only 9 are functional. Proper Nursing Stations are not available in Eye & ENT wards.
9. Casualty: Separate Casualty for O.G. is not available.
10. Radiodiagnosis department: 3 Static X-ray machines are available against requirement of 5. 5 Mobile X-ray machines are available against requirement of 6.
11. Students' Hostels: Room space is inadequate for a 3-seater room (i.e. 27 sq.m. required)

12. Residents' Hostel: Available accommodation is for 58 Residents against requirement of 85.
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 Government not to recognize/approve Al-Ameen Medical College & Hospital, Bijapur, Karnataka under Rajiv Gandhi University of Health Sciences, Bangalore u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

The Committee also 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 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 (2018-19) 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 and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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.

12. **Assessment of the physical and the other teaching facilities available for Recognition/approval of Maharajah's Institute of Medical Sciences, Nellimarla under Dr. N.T.R. University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017- req.**

Read: the matter with regard to assessment of the physical and the other teaching facilities available for recognition/approval of Maharajah's Institute of Medical Sciences, Nellimarla under Dr. N.T.R. University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats in pursuance of the Hon'ble Supreme Court order dated 09.10.2017 passed in WP © No. 432/2017.

The Executive Committee of the Council considered the assessment report (19th and 20th December, 2017) carried out in pursuance of the Order dated 09.10.2017 passed by the Hon'ble Supreme Court alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents and noted the following:-

1. On detailed examination of patients, 21 patients were observed to have anal pathology. On random examination of patients per anally they did not have the pathology as written in the case paper. 13 patients had pain abdomen under investigation or peptic ulcer disease but no investigation had been done for 4 to 5 days indicating that the patients did not need indoor admission. 32 patients in Orthopaedics had backache and Osteoarthritis not meriting admission copy of evidence sheet and photographs of case sheets attached. Deducting 66 patients from total admission the total number of genuine patients is 504, i.e. 70%. Resultantly, bed occupancy of genuine patients was 70 %.
2. There was only 1 Normal Delivery & 1 Caesarean Section on day of assessment.
3. O.T.: Ophthalmology O.T. has 4 tables which is not as per norms.
4. ICUs: None of 3 patients in SICU merited admission in SICU.
5. ETO Sterilizer is not available.
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 Government not to recognize/approve Maharajah's Institute of Medical Sciences, Nellimarla under Dr. N.T.R. University of Health Sciences, Vijayawada u/s 11(2) of the IMC Act, 1956 for the award of MBBS degree against the increased intake i.e. from 100 to 150 seats and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

13 Recognition/Approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 - regarding.

Read: the matter with regard to recognition/approval of Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (11th& 12th December, 2017) alongwith the videography, photographs and other relevant material/documents as well as the letter dated 23.09.2017 received from the previous appointed team of Council Assessors, letter dated 23.09.2017 received from the college authorities and previous assessment reports (22nd March, 2017, 21st February, 2017, 22nd April, 2016 and 18th& 19th March, 2016). The Committee also considered the additional information submitted by the Council Assessors regarding faculty/residents who were not accepted due to the following reasons:-

Sl. No	Name with Designation	Remarks
<u>Anaesthesiology</u>		
1.	Dr. Sheba Rathna Kumari, Assistant Professor	Chettinad experience of one years as SR not enclosed. No 3years experience as JR.
2.	Dr. Anand Sriram	Appointed on 10.08.2017 after new regulation, no

	Assistant Professor	SR experience of one year.
3.	Dr. Neeraj Mangla Senior Resident	No Form 16, appointed from 2013-2016 as JR From 2016 as SR.
4.	Dr. S. Madan Kumar Associate Professor	Inadvertently the declaration form was not signed by the assessor, but the said faculty has signed in attendance sheet, so he has been counted now.
5.	Dr. Gautam Krishna Senior Resident	Inadvertently the declaration form was not signed by the assessor, but the said faculty has signed in attendance sheet, so he has been counted now.
<u>Radio Diagnosis</u>		
6.	Dr. N. Aravind Associate Professor	No journal details enclosed. Promoted in 4 years Assistant Professor to Associate Professor without publications.
7.	Dr. P. Roselin Assistant Professor	No promotion order for Assistant Professor and no joining letter for the said post.
8.	Dr. K. Devendra Senior Resident	Only DMRD, 5 month experience as JR. One year experience as SR. (1 year 4 month)
9.	Dr. G. Yuvabalakumaran G. Senior Resident	Appointed as Assistant Professor shown as SR. Therefore not accepted.
<u>Forensic Medicine</u>		
10.	Dr. S. Sivak Kumar Professor	Promoted as Professor after 5 years on 17.04.2014 without publications.
<u>Obstetrics & Gynaecology</u>		
11.	Dr. Josephin Rosy Associate Professor	Promoted from Assistant Professor to Associate Professor in five years on 02.09.2015 without publications.
12.	Dr. K. Geetha Senior Resident	Appointed as Assistant Professor, SR in Declaration form. No signature of Assessor. Not counted as SR or as Assistant Professor.
<u>Paediatrics</u>		
13.	Dr. Deepak Kumar Assistant Professor	Promoted as Assistant Professor on 28.08.2017. 11 months experience as SR.
14.	Dr. Sudhagar Assistant Professor	No appointment letter, No joining letter. However, form 16 enclosed. Date of joining different in two places of Declaration Form.
15.	Dr. Jeyaprakash Senior Resident	He is DCH. One year experience as JR after DCH is not there for eligibility as SR.
16.	Dr. Altaf Ahmad Bhat Assistant Professor	DCH from GMC, Jammu. DNB from where not known. Therefore not accepted.
<u>Biochemistry</u>		
17.	Dr. L Karpagavel Professor & HOD	Promoted in 2015 as Professor in 4 years without publications.

<u>Psychiatry</u>		
18.	Dr. S. Arun Kumar Associate Professor	No appointment/promotion order as Associate Professor without publications.

<u>Pharmacology</u>		
19.	Dr. S.T. Balamurali Professor	Promoted as Professor in 2015 without publications.
20.	Dr. B.G. Abhilash Assistant Professor	Appointed as Assistant Professor on 06.11.2017. As per new regulation no experience as SR for one year.

<u>General Medicine</u>		
21.	Dr. Rally Roy Senior Resident	Appointed as SR on 15.05.2017. Document of experience as JR at Ramachandra not in proper format.
22.	Dr. Dasari Srinivasa Rao Senior Resident	Appointed as SR on 23.10.2017. His age 46 years.
23.	Dr. S. Annamalai Associate Professor	Appointment letter as Professor since 20.08.2013. Joined as Associate Professor on same date. Not accepted due to this discrepancy.

<u>Physiology</u>		
24.	Dr. P. Elavarasi Assistant Professor	Also found in Annai Medical College during the same academic year. (13 th & 14 th November, 2017)

<u>Community Medicine</u>		
25.	Dr. A. Ashrof Raja Associate Professor	Promoted on 02.06.2015 as Associate Professor without publications.

<u>Orthopaedic</u>		
26.	Dr. T.K. Sangameswaram Associate Professor	Promoted on 31.10.2016. No journal details enclosed.
27.	Dr. N. Arul Prakash Senior Resident	Having D. Ortho qualification. No experience as JR in Ortho for one year. However, enclosed experience certificate of SR ship at Sree Balaji Medical College for one year. Cannot be accepted.
28.	Dr. Vasanth Kumar C. Senior Resident	Having DNB qualification. No experience as JR for 3 years. No From – 16.
29.	Dr. Ananth Krishnan N Senior Resident	Having D. Ortho qualification. No experience as JR in Ortho for one year. However, enclosed experience certificate of SR ship at Chettinad for one year. Cannot be considered.

<u>General Surgery</u>		
30.	Dr. Arun Kumar	Appointed on 16.10.2017.

	Assistant Professor	As per new rule no experience of one year SR ship.
31.	Dr. P. Vijaya Bhaskar Senior Resident	No appointment letter. No joining letter.
32.	Dr. Saleem Jahangir Senior Resident	Having DNB from non teaching hospital. No experience of 3 years as JR.
33.	Dr. K. Ilavarasan Assistant Professor	No appointment letter. No joining letter.
34.	Dr. Maidu Mahesh Kumar Senior Resident	DNB (non - teaching) 2013. No 3 years teaching experience as JR.
<u>Microbiology</u>		
35.	Dr. S. Renuga Assistant Professor	Also found in Annai Medical College during the same academic year. (13 th & 14 th November, 2017)
<u>ENT</u>		
36.	Dr. R. Abdul Aman Assistant Professor	DNB (non - teaching) 2012. Certificate of 3 years teaching experience as JR not there.

In view of above, the Executive Committee noted that -

1. Deficiency of teaching faculty is 21.21 %.
2. Shortage of Residents is 18.75 %.
3. Dr. P. Elavarasi, Asst. Prof. of Physiology has also worked at Annai Medical College in the same Academic Year and has been counted in the assessment on 13/14 November 2017. However, this fact has not been mentioned in the declaration form signed by the concerned faculty although has been shown in the experience column.
4. Dr. S. Renuga, Asst. Prof. of Microbiology has also worked at Annai Medical College in the same Academic Year and has been counted in the assessment on 13/14 November 2017. However, this fact has not been mentioned in the declaration form signed by the concerned faculty although has been shown in the experience column.
5. There were only 7 Major & 2 Minor Operations for the whole hospital on day of assessment.
6. There was NIL Normal Delivery on day of assessment.
7. ICUs: There were only 2 patients each in SICU, NICU/PICU on day of assessment.
8. RHTC: Specialists' visits are not organized.
9. UHTC: Specialists' visits are not organized.
10. 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 Government not to recognize/approve Madha Medical College and Hospital, Thandalam, Chennai, Tamilnadu for the award of MBBS degree (150 seats) granted by the Tamilnadu Dr. MGR Medical University, Chennai u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

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 18.03.2016.

The Committee also decided to apply clause 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).....

(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.”

The Executive Committee decided to refer the matter to the Ethics Committee of the Council.

14. Recognition/Approval of Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat, Haryana for the award of MBBS degree (100 seats) granted by Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat, Haryana for the award of MBBS degree (100 seats) granted by Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment reports (27th November and 12th and 13th December, 2017) alongwith the videography, photographs and other relevant material/documents and noted the following:-

1. Deficiency of faculty is 18.67 % as detailed in the report.
2. Shortage of Residents is 17.74 % as detailed in the report.
3. Nursing staff: 242 Nursing staff are available against requirement of 247.
4. Residents' Hostel: Visitors' room, A.C. study room with Computer & Internet, Recreation room are not available.
5. Nurses' Hostel: It is not furnished.
6. ICU: ABG Analyser is not available in ICCU, MICU, NICU/PICU. In SICU, it is not functional.
7. 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 Government not to recognize/approve Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat, Haryana for the award of MBBS degree (100 seats) granted by Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

15. Recognition/approval of Govt. Siddhartha Medical College, Vijayawada for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Govt. Siddhartha Medical College, Vijayawada for the award of MBBS degree granted by Dr. N.T.R.

University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (08.12.2017) along with previous assessment report (24.04.2017 & 16th & 17th March, 2017) and decided to recommend to the Central Government for recognition/approval of Govt. Siddhartha Medical College, Vijayawada for the award of MBBS degree granted by Dr. N.T.R. University of Health Sciences, Vijayawada against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

16. Recognition/approval of R.G. Kar Medical College & Hospital, Kolkata for the award of MBBS degree granted by The West Bengal University of Health Sciences, Kolkata against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of R.G. Kar Medical College & Hospital, Kolkata for the award of MBBS degree granted by The West Bengal University of Health Sciences, Kolkata against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the compliance verification assessment report (08.12.2017) along with previous assessment report (19.04.2017 & 16th & 17th March, 2017) and decided to recommend to the Central Government for recognition/approval of R.G. Kar Medical College & Hospital, Kolkata for the award of MBBS degree granted by The West Bengal University of Health Sciences, Kolkata against the increased intake i.e. from 150 to 200 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

(2) The recognition so granted to an Undergraduate Course for award of MBBS degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.

(3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.

(4) Failure to seek timely renewal of recognition as required in sub-clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

17. Recognition/approval of Sri Aurobindo Institute of Medical Sciences, Indore for the award of MBBS degree granted by Devi Ahilya Vishwavidyalaya, Indore against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

Read: the matter with regard to recognition/approval of Sri Aurobindo Institute of Medical Sciences, Indore for the award of MBBS degree granted by Devi Ahilya Vishwavidyalaya, Indore against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (18th & 19th December, 2017) carried out in pursuance of the Order of the dated 18.09.2017 passed by the Hon'ble Supreme Court of India in WP © No. 810 of 2017 filed by Sri Aurobindo Institute of Medical Sciences – Vs.- Union of India and Others alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents as well as letter/representation dated 20.12.2017 received from the Dean, Sri Aurobindo Institute of Medical Sciences, Indore and noted the following:-

1. Shortage of Residents is 29.88 % as detailed in the report.
2. A lot of PGs/Residents have not been paid stipend.
3. Most of the faculty did not receive salary for last 2 months.
4. On enquiry, it was found that salary paid does not match with appointment order.
5. There is proportional discrepancy of stipend to Residents – i.e. 3rd year Residents are paid less stipend than I/II year Residents. On enquiry, it was told that III year Residents had taken cash advances; however on repeated asking no evidence of the same like cash book were provided to assessors.
6. Orders of Tutors showed salary payable @ Rs. 25,000 p.m.; however bank statement showed Rs. 15,000 or less. No explanation is given for this dichotomy.
7. OPD attendance upto 2 p.m. on day of assessment was 1,100 against requirement of 1,200.
8. Bed Occupancy at 10 a.m. on day of assessment was 60.13 % as detailed in the report.
9. 102 patients in various wards were not counted due to following reasons:
 - (a) Patients with CA Cervix, CA Breast, CA Esophagus, CA Buccal Mucosa, CA Colon, CA Mandible, Meningioma without seizures, CA Rectum were admitted in Medicine Wards . The Institute has Post graduate courses in DM Oncology, M.Ch. Oncosurgery, M.Ch. Neurosurgery but no wards in the said departments. Hence, the patients are kept in Medicine and Surgery Wards. In Medicine ward patients with Liver abscess had no USG. In TB Chest ward on Examining patients by assessor 7 patients had no Chest X Rays, and no findings on clinical Evaluation. PFT of patient had no correlation with Symptoms and Examination Findings. In Surgical ward Patients with CA endometrium, CA Ovary were kept for Chemotherapy. In Paediatric ward Day care patients were shown as indoor. In ENT ward one patients case had mention of Tonsillectomy done by Surgeon. However, according to the patient no surgery was done on him.
 - (b) Some examples of mismatch are as under:
 - (i) Patient Chandan MRD No534239 admitted in respiratory ward with Diagnosis of Bronchial Asthma. On examination she had no findings and on asking history she complained of Knee pain.
 - (ii) Patient Lalitaben with MRD no 533536 with Diagnosis of RL LL Pneumonia was in ward. Her X-ray did not show any consolidation also on examination also she had no clinical findings.

- (iii) In surgical ward patients with CA endometrium, CA Ovary were kept for Chemotherapy. In Paediatric ward Day care patients were shown as indoor. In ENT ward one patients case had mention of Tonsillectomy done by Surgeon. However according to the patient no surgery was done on him.
 - (iv) On visiting ward no 304, General Surgery, patient Sachin Malaviya case paper showed that he was operated for sebaceous cyst on 12th December by Dr. Rohan Caphekar (SR Surgery). Dr. Caphekar denied operating on this patient and the patient neither had cyst nor Scar of surgery. OT records also showed that the surgery done by Dr. Vipul and Dr. Sunil and Anaesthesia was given by Dr. Agarwal and Dr. Urvashi. The OT list signed by Dr. Sadhana (HOD Anaesthesia) showed the same patient. There was no histopathology sample of the same patient. This shows collusion by different departments to falsify surgeries and patients.
 - (v) In ENT one patient had on round said that he had throat pain, but case papers showed rt tonsillectomy by Dr. Munjal. On enquiry the patient denied any surgery. On asking Dr. Munjal about the same he could not defend and abstained for the remaining period of assessment.
10. In Siddhant Hostel, 10 rooms were occupied by students of Engineering college.
 11. None of Senior Residents in Radiodiagnosis stay in the campus.
 12. In Harshringar building where several Senior Residents were allotted rooms, none of the rooms except that of Dr. PushpawardhanMandlecha had any items of daily use implying that allotted Senior Residents were not staying there. Room # 410 was allotted to Shri Shailesh Patel, Radio-Technician & Room # 510 was allotted to P.T. Johnson, Nursing staff.
 13. One Dr. Ritesh Sharma was found in room allotted to Dr. Pooja& Dr. Garima; on further enquiry he accepted that he did not belong to this Institute.
 14. RHTC: Cold Chain Equipment are inadequate.
 15. Common rooms for Boys & Girls do not have attached toilets.
 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 Government not to recognize/approve Sri Aurobindo Institute of Medical Sciences, Indore for the award of MBBS degree granted by Devi Ahilya Vishwavidyalaya, Indore against the increased intake i.e. from 100 to 150 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

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 18.03.2016.

18. **Recognition/approval of Shri Bhausaheb Hire Govt. Medical College, Dhule for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik against the increased intake i.e. from 50 to 100 seats u/s 11(2) of the IMC Act, 1956.**

Read: the matter with regard to recognition/approval of Shri Bhausaheb Hire Govt. Medical College, Dhule for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik against the increased intake i.e. from 50 to 100 seats u/s 11(2) of the IMC Act, 1956.

The Executive Committee of the Council considered the assessment report (19.12.2017) and (6th& 7th December, 2017) alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents and noted the following:-

1. Dean is not available. Dr. S.V. Ghorpade, Professor & HOD of Pulmonary Medicine is in charge Dean which is not permissible.
2. Deficiency of faculty is 18.86 % as detailed in the report.
3. Shortage of Residents is 50.84 % as detailed in the report.
4. OPD attendance upto 2 p.m. on day of assessment is 700 against 800 required.
5. Bed Occupancy at 10 a.m. on day of assessment is 47.23 %.
6. Paramedical & Non-teaching staff: 153 Paramedical & Non-teaching staff are available against 179 required.
7. OPD: Registration counters are not computerized. Waiting area is inadequate & has no seating facility. Teaching areas are inadequate. Plaster room & Plaster Cutting room are common. Special clinics are not furnished.
8. Wards: Capacity of Demonstration rooms is less than required.
9. Casualty: Separate Casualty for O.G. is not available. Central O₂ and Central Suction are not available. Disaster Trolley is not available.
10. O.T.: Central O₂ and Central Suction are not available.
11. ICUs: Central O₂ and Central Suction are not available.
12. 3 Static X-ray machines are available against requirement of 5.
13. Available CT Scan is 6 slice against minimum 16 slice required.
14. Central Research Laboratory is not available.
15. Examination Hall is not available.
16. Lecture Theaters: 2 Lecture Theaters are available against requirement of 4. They are not of Gallery type. Audiovisual aids are not available. Hospital Lecture Theater is not of Gallery type.
17. Central Library: It is not air-conditioned. Available area is 763 sq.m. against requirement of 1,600 sq.m. Students' Reading room (Inside) is not available. Capacity of Students' reading room (Outside) & of Staff Reading room is less than required. 86 Journals are available against 100 required. 25 Internet Nodes are available against 40 required.
18. Students' Hostels: Visitors' room, A.C. Study room with computer & Internet, Recreation room are not available. Toilet facilities are inadequate. Hygiene is poor.
19. Interns' Hostel: Available accommodation is for 60 Interns against 100 required. Toilet facilities are inadequate. Hygiene is poor.
20. Residents' Hostel: Available accommodation is for 60 Residents against requirement of 67. Toilet facilities are inadequate.
21. Common Rooms for Boys & Girls: They are not furnished.
22. Anatomy department: IN Museum, there is no seating arrangement. Available Mounted specimens are only 45.
23. Biochemistry department: There is no seating arrangement in Demonstration room.
24. Pharmacology department: Clinical Pharmacology/Pharmacy Laboratory is not available.
25. Website: It is under update.
26. 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 Government not to recognize/approve Shri Bhausaheb Hire Govt. Medical College, Dhule for the award of MBBS degree granted by Maharashtra University of Health Sciences, Nashik against the increased intake i.e. from 50 to 100 seats u/s 11(2) of the IMC Act, 1956 and further decided that the Institute be asked to submit the compliance for rectification of the above deficiencies within 01 month for further consideration of the matter.

19. Continuance of recognition of MBBS degree granted by Devi Ahilya Vishwa Vidyalaya in respect of students being trained at Index Medical College Hospital & Research Centre, Indore.

Read: the matter with regard to continuance of recognition of MBBS degree granted by Devi Ahilya Vishwa Vidyalaya in respect of students being trained at Index Medical College Hospital & Research Centre, Indore.

The Executive Committee of the Council considered the assessment report (21st and 22nd December, 2017) alongwith the observations of the Dean/Principal, videography, photographs and other relevant material/documents as well as representation/letter dated 23.12.2017 from the Dean of the college and noted the following:-

1. Deficiency of faculty is 35.4 % as detailed in the report.
2. Many of faculty were found to be part time & hence not considered.
3. Shortage of Residents is 29.9 % as detailed in the report.
4. OPD attendance upto 2 p.m. was 946 as verified from various departmental OPD registers against requirement of 1,200.
5. In Paediatrics OPD, it was found that clerk was copying names of patients from readymade printed list to register to mark the attendance of patients without actual presence of patients.
6. Bed Occupancy at 10 a.m. on day of assessment was 13 %.
7. There were only 5 Major Operations for the whole hospital on day of assessment.
8. There was NIL Normal Delivery & NIL Caesarean Section on day of assessment.
9. Radiological investigations are inadequate.
10. Histopathology workload was only 3 & Cytopathology workload was only 5 on day of assessment. Signed copy of reports are not available.
11. OPD: Injection room is common for males/females. Colposcope in Cancer Detection clinic in OG OPD is not functional.
12. Casualty: Separate Casualty for O.G. is not available. Crash Cart is not available.
13. ICUs: There were NIL patient in SICU, only 1 patient each in PICU/NICU & only 2 patients in ICCU on day of assessment.
14. 1 Static X-ray machine is not functional on day of assessment.
15. Examination Hall: 1 Lecture Theater is available against requirement of 2.
16. Lecture Theaters: 3 Lecture Theaters are functional against requirement of 4; 4th one is non-functional; there are no facilities for audio-visual projection.
17. Central library: only 4 foreign Journals are available against requirement of 30.
18. Residents' Hostel: Available accommodation is for 208 Residents + PG against requirement of 230.
19. Forensic Medicine department: Cold storage is not functional.
20. Other deficiencies as pointed out in the assessment report.

The Executive Committee observed that during assessment of continuance of recognition of MBBS degree (150 seats) granted by Devi Ahilya Vishwa Vidyalaya in respect of students being trained at Index Medical College Hospital & Research Centre, Indore carried out on 1st and 2nd August, 2017, glaring discrepancies/mismatch found in 02 reports i.e. the one received from e-mail of the assessors and the other that had been received through courier. Accordingly, enquiries were made from the appointed team of assessors, Dean of the College and some of the faculties of the college authorities. Further, the Council office has referred the matter to the CBI, New Delhi for investigation on 21.09.2017 and no response has been received from the CBI till date.

In view of above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Devi Ahilya Vishwa Vidyalaya in respect of students being trained at Index Medical College Hospital & Research Centre, Indore and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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 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 (2018-19) 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 and further decided that the institute be asked to submit the compliance of rectification of the above deficiencies within 01 month.

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.

20. Approval of the proceedings of the Ethics Committee meetings held on 28th November, 2017 and 11th December, 2017.

Read: the matter with regard to approval of the proceedings of the Ethics Committee meetings held on 28th November, 2017 and 11th December, 2017.

The Executive Committee of the Council approved the proceedings of the Ethics Committee meetings held on 28th November, 2017 and 11th December, 2017.

21. Establishment of New Medical College at Diphu, Assam (Assam Hills Medical College & Research Institute, Diphu) by Govt. of Assam u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

Read: the matter with regard to establishment of New Medical College at Diphu, Assam (Assam Hills Medical College & Research Institute, Diphu) by Govt. of Assam u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

The Executive Committee of the Council considered the letter dated 21/12/2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding compliance submitted by the college concerned in support of their claim.

The Executive Committee noted that the Ministry has forwarded the observations/recommendations of the Committee constituted in the matter, which is as under:-

“The online application was received in the Ministry on 07.07.2017 which was within time. The demand draft is also dated 07.07.2017. The physical copy may have been received late in MCI, however considering that the online application was received in time, MCI may consider the proposal for the session 2018-19. The college agreed to submit additional draft of Rs. 50, 000/- to MCI to make up for the deficit. The issue also merits consideration as the college is situated in a highly underserved and disturbed area.”

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.”

In view of clear specific directives of the Hon'ble Supreme Court of India as mentioned above, the Executive Committee of the Council decided to seek advise/opinion of the Oversight Committee on whether to consider and process the application in view of the Central Govt. recommendations and as the applicant is the State Government of Assam and the proposed medical college is in a remote area of Assam.

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

22. Establishment of New Medical College at Firozabad, U.P. (Government Medical College, Firozabad, U.P.) by Govt. of Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

Read: the matter with regard to establishment of New Medical College at Firozabad, U.P. (Government Medical College, Firozabad, U.P.) by Govt. of Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

The Executive Committee of the Council considered the letter dated 21/12/2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding compliance submitted by the college concerned in support of their claim.

The Executive Committee noted that the Ministry has forwarded the observations/recommendations of the Committee constituted in the matter, which is as under:-

“The college has submitted a copy of Form – 5 dated 23.09.2017. It is mentioned that 20 acres land is available for the government medical college at Firozabad. However, it is also noted in the document that plot No. 53 M area 1.05 hectare is subjudice at Hon'ble Allahabad High Court in W.P. NO. 16532/2017. The college representative informed that other than administrative building, other works of the medical college are in progress.

Apparently the college has been allotted 20 acres land by the state government. Efforts are being made for early resolution of the dispute for a small portion of the land.

The matter may be referred to MCI for review.”

The Executive Committee also perused the legal opinion, operative part of which reads as under:-

“.....2. I have also gone through the order dated 19.04.2017 passed by the Hon'ble High Court of Allahabad in Writ Petition No. 16532 of 2017 that is referred to in the above observations. The Order reads as under:

“Heard learned counsel for the parties.

It is contended that although the proceeding under Section 161 of UPZA & LR Act, for exchange of land with Gao Sabha, is pending adjudication before the Board of Revenue and during the pendency of the same without any acquisition or any authority of law, respondents have made encroachment and are forcibly trying to raise construction. Categorical averment in this regard have been made in paragraph 29, 30, 31 and 32.

The issue requiring scrutiny.

Learned Standing Counsel may file counter affidavit within six weeks. Petitioner will have two weeks time to file rejoinder affidavit.

List after expiry of aforesaid period.

In view of the facts and circumstances, till further orders of this Court the respondents are restrained from raising any construction or changing the nature of the land in dispute in any manner. Petitioner is also restrained from alienating or changing the land in dispute being plot Nos. 38/302 and 53, situated in village Daulatpur, District Firozabad.

3. *It is also seen from the website of the Hon'ble High Court that there are no further orders passed by the Hon'ble High Court after 19.04.2017.*

4. *In view of the observations of the Hearing Committee and the restrain order dated 19.04.2017 passed by the Hon'ble High Court, which is directed against the respondents (State of U.P. & 4 Others), I am of the opinion that there is a dispute pertaining to part of the land under reference. Therefore, the application may be returned to the Central Government for disapproval as the applicant State Government has failed to meet the requirement of owning and possessing undisputed unitary piece of land as prescribed in the Establishment of Medical College Regulations, 1999”.*

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.

In view of clear specific directives of the Hon'ble Supreme Court of India as mentioned above, the Executive Committee of the Council decided to reiterate the earlier decision of the Council to return the application for establishment of New Medical College at Firozabad, U.P. (Government Medical College, Firozabad, U.P.) by the Nodal Officer, Government Medical College, Firozabad, U.P. to the Central Govt. recommending disapproval of the Scheme u/s 10A of the IMC Act, 1956 for the academic year 2018-19 as the land issue is still sub-judice.

23. Establishment of New Medical College at Basti, Uttar Pradesh (Government Medical College, Basti) by Govt. of Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

Read: the matter with regard to establishment of New Medical College at Basti, Uttar Pradesh (Government Medical College, Basti) by Govt. of Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

The Executive Committee of the Council considered the letter dated 21/12/2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding compliance submitted by the college concerned in support of their claim.

The Executive Committee noted that the Ministry has forwarded the observations/recommendations of the Committee constituted in the matter, which is as under:-

"The college has submitted a copy of Form – 5, year wise time bound programme and undertaking by the state government. The distance between hospital and college is stated to be 8 km.

The committee recommends that MCI may conduct physical assessment of the college."

The Executive Committee further perused the legal opinion of the Law Officer which is as under:-

"The file of Government Allopathic Medical College, Basti has been referred for my opinion regarding land documents submitted by the State Government. The applicant State Government has submitted Form-5 dated 23.10.2017 issued by the District Collector, Basti. This form-5 is in respect of 16.924 Acres of land. It is stated that this land is unitary and contiguous and allotted for construction of Government Medical College. It is further stated that the State Government proposes to utilize the District Hospital for establishing on land New Medical College and the existing District Hospital is 8 Km away from the land under reference and is well connected by road. Earlier, the State Government has informed that the land of the District Hospital is approximately 10 Acres.

2. *Therefore, the applicant U.P. Government meets the requirement of land of owning and possessing land in two pieces that is 16.984 Acres and 10 Acres of the (District Hospital) which is above 20 Acres.*

3. *Thus, the applicant Government of U.P. meets the requirement of land as stipulated in Establishment of Medical College Regulations, 1999. The application may be therefore further processed."*

In view of above, the Executive Committee of the Council accepted the legal opinion and decided to process the application further and office was directed to act accordingly.

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

24. Establishment of New Medical College at Bahraich, Uttar Pradesh, (Govt. Allopathic Medical College, Bahraich) by Govt. of Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

Read: the matter with regard to establishment of New Medical College at Bahraich, Uttar Pradesh, (Govt. Allopathic Medical College, Bahraich) by Govt. of Uttar Pradesh u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

The Executive Committee of the Council considered the letter dated 21/12/2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding compliance submitted by the college concerned in support of their claim.

The Executive Committee noted that the Ministry has forwarded the observations/recommendations of the Committee constituted in the matter, which is as under:-

"The college has submitted a copy of Form – 5, year wise time bound programme and undertaking by the state government. The distance between hospital and college is stated to be 1.8 km.

The committee recommends that MCI may conduct physical assessment of the college."

The Executive Committee further perused the legal opinion of the Law Officer which is as under:-

"I have perused the form-5 submitted by Government of U.P issued by District Collector, Bahraich. It is stated that 10 Acres of land has been allotted to Medical Education Department for construction of Government Medical College by Government order dated 22.08.2016. It is further stated that District Hospital is situated 1.8 Km from this piece of land. Earlier the applicant State Government has stated in the application that the land of the existing District Hospital is 10 Acres of land.

2. *Therefore, the applicant U.P. Government meets the requirement of land of owning and possessing land in two pieces that is 16.984 Acres and 10 Acres existing (District Hospital) which is above 20 Acres.*

3. *Thus, the applicant Government of U.P. meets the requirement of land as stipulated in Establishment of Medical College Regulations, 1999. The application may be therefore further processed."*

In view of above, the Executive Committee of the Council accepted the legal opinion and decided to process the application further and office was directed to act accordingly.

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

25. Establishment of New Medical College at Madhepura, Bihar (JannayakKarpoori Thakur Medical College & Hospital, Madhepura) byGovt. of Bihar u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

Read: the matter with regard to establishment of New Medical College at Madhepura, Bihar (JannayakKarpoori Thakur Medical College & Hospital, Madhepura) byGovt. of Bihar u/s 10A of the IMC Act, 1956 for the academic year 2018-19.

The Executive Committee of the Council considered the letter dated 21/12/2017 received from the Central Govt., Ministry of Health & Family Welfare, New Delhi forwarding compliance submitted by the college concerned in support of their claim.

The Executive Committee noted that the Ministry has forwarded the observations/recommendations of the Committee constituted in the matter, which is as under:-

“The college has submitted Form – 5 and undertaking from state government with regard to means of finance.

The committee recommends that MCI may conduct physical assessment of the college.”

The Executive Committee further perused the legal opinion of the Law Officer which is as under:-

“I have perused the form-5 dated 02.11.2017 issued by District MagistrateMadhepura and counter signed by Superintendent, JannayakKarpoori Thakur Medical College and Hospital, Madhepura. This certificate is as per suggested form in Establishment of Medical College Regulations, 1999 and brings out that 25 Acres of unitary and contiguous of land is allocated for construction of the Medical College & Hospital by the State Government. It has requisite permission for construction of Medical College and Hospital on the land under reference from the concerned authorities.

2. The applicant Government of Bihar meets the requirement of land for Establishment of New Medical College on the land under reference. The application may be therefore further processed.”

In view of above, the Executive Committee of the Council accepted the legal opinion and decided to process the application further and office was directed to act accordingly.

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

26. Medical Education – Orders of High Court of Madras in W.P.No.25215, 26085, 26177, 26566, 28262 and 28444 of 2017 – filed by Hariprasad and other Students of Annaii Medical College and Hospital, Pennalur, Chennai – Reallocation of students among the Government Medical Colleges.

Read: the matter with regard to Medical Education – Orders of High Court of Madras in W.P.No.25215, 26085, 26177, 26566, 28262 and 28444 of 2017 – filed by Hariprasad and other Students of Annaii Medical College and Hospital, Pennalur, Chennai – Reallocation of students among the Government Medical Colleges.

The Executive Committee of the Council perused the letter/proposal dated 29.12.2017 received from the Principal Secretary to the Government, Health & Family Welfare Department, Govt. of Tamilnadurequesting for necessary permission of the Medical Council of India/Government of India for the accommodation of 144 students of Annai Medical College who were admitted during the year 2016-17 in the 21 Government Medical Colleges as a Special case since the High Court has directed a time schedule for the re-allotment of the students in the Government Medical Colleges. The letter further states to invoke the bank guarantee of Rs. 9.5 crores and Rs. 2.00 crores given by the Annai Medical College and Hospital for its failure to fulfill its obligation under said guarantee for establishing Medical College and Teaching hospital facilities with infrastructure.

The Committee also perused the order of the Hon'ble High Court of Madras dated 22.12.2017. The High Court has in its orders dated 22.12.2017 had directed as follows:-

- i. *The State Government shall send a proposal to the Medical Council of India to accommodate the students studying in the 6th respondent College, within a period of one week from the date of receipt of a copy of this order.*
- ii. *The Medical Council of India, on receipt of the said proposal, shall take a decision and forward the same to the Hon'ble Apex Court monitored Oversight Committee within one week there from.*
- iii. *The Oversight Committee shall take a decision within a period of one week from the date of receipt of the decision of the MCI Committee and forward the same to the Ministry of Health and Family Welfare.*
- iv. *The Ministry of Health and Family Welfare shall pass necessary orders increasing the number of seats in Government Medical Colleges and approve the accommodation of students studying in the 6th respondent college in the 22 Government Medical Colleges functioning in the State of Tamil Nadu.*
- v. *Tamil Nadu Dr. MGR Medical University and the State Government shall make necessary arrangements to conduct special classes to the accommodated students from the 06th respondent Medical College, so that the lost attendance could be made good and the newly admitted students could be brought on par with the regular students.*
- vi. *The new trustees viz., Respondents 7 & 8 (Rajalakshmi Group) are directed to return all the certificates to the 06th respondent college students within a period of one week from the date of receipt of a copy of this order.*
- vii. *The 6th respondent Medical college shall give necessary certificates as required by the Government to the individual students so that their accommodation in Government Medical Colleges will be made very easy without any problem.*
- viii. *The students are required to file an affidavit stating that they shall pay the fees fixed by the fee fixation committee applicable for private medical colleges every years.*

In view of above, the Executive Committee after detailed deliberations in the matter decided to file a Special Leave Petition in the Hon'ble Supreme Court of India immediately against the Order of the High Court of Madras.

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

27. Compliance Verification Assessment of the physical and the other teaching facilities available for 100 MBBS seats (Show Cause) at Sree Balaji Medical College and Hospital, Chennai, Tamil Nadu under Bharath University, Chennai.

Read: the matter with regard to compliance verification assessment of the physical and the other teaching facilities available for 100 MBBS seats (Show Cause) at Sree Balaji Medical College and Hospital, Chennai, Tamil Nadu under Bharath University, Chennai.

The Executive Committee of the Council considered the compliance verification assessment report (29.12.2017) along with previous assessment reports (10th& 11th August, 201) and decided to revoke the decision of application of clause 8(3)(1)(c) of Establishment of Medical College Regulation (Amendment), 2010 (Part II), dated 16th April, 2010.

The Executive Committee further recommended that recognition of MBBS degree granted by Bharath University, Chennai in respect of students being trained at Sree Balaji Medical College and Hospital, Chennai, Tamil Nadu be continued restricting the number of admission to 100 (One Hundred) students.

The Executive Committee further decided that the attention of the institute be drawn to Sections 8(3)(2), 8(3)(3) & 8(3)(4) of the Establishment of Medical Colleges Regulations (Amendment), 2010 (Part II) dated 16th April, 2010 and act accordingly at appropriate time, which reads as under:-

8 (3) ...

- (2) The recognition so granted to an Undergraduate Course for award of degree shall be for a maximum period of 5 years, upon which it shall have to be renewed.
- (3) The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.
- (4) Failure to seek timely renewal of recognition as required in sub clause (a) supra shall invariably result in stoppage of admissions to the concerned Undergraduate Course of MBBS at the said institute.

28. Consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Pondicherry University in respect of students being trained at Sri Venkateswara Medical College, Hospital & Research Centre, Pondicherry.

Read: the matter with regard to consideration of compliance verification assessment report with regard to continuance of recognition of MBBS degree granted by Pondicherry University in respect of students being trained at Sri Venkateswara Medical College, Hospital & Research Centre, Pondicherry.

The Executive Committee of the Council considered the compliance verification assessment report (28th December, 2017) along with previous assessment report (17th& 18th July, 2017) as well as the videography, photographs and other relevant material/documents and noted the following:-

1. Deficiency of faculty is 19.30 % as detailed in the report.
2. Shortage of Residents is 37.20 % as detailed in the report.
3. With regard to Dr. Gopisree Peringeth, Senior Resident in General Medicine, signature in Declaration Form & in attendance sheet do not match.
4. Bed Occupancy at 10 a.m. on day of assessment was 34.00 %.
5. In Paediatrics ward, all admitted patients were non-genuine. They were school children & playing on beds.
6. Patient Nathan male 54 years in ENT ward IP No.20171222019 PIN No.P20171220156 was shown admitted since 22nd December but no medicine were seen near patients bed. No personal belongings and noblood or investigations reports were attached to case paper. (Patient was shown to be operated on 23rd December).
7. There were only 04 Major & NIL Minor Operations for the whole hospital on day of assessment.
8. Cytopathology workload was only 07 on day of assessment.
9. There was NIL patient in PICU on day of assessment.

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

The Executive Committee also perused the letter from Assessors which reads as under:-

1) *After completing the assessment, we have given report with signature of 3 assessors to the Dean and Medical Superintendent. They have read it for more than one and half hours. At that time, we have asked them whether any point they wants to clarify with us, we are ready to discuss it, but dean has said that report is okay but only in one point he mentioned disagreement that faculty and residents deficient is higher so, please count/accept those faculty and residents who have not accepted due to late reporting or incomplete declaration form or not eligible due to any other reason. We have shown them D.F. & late attendant sheet and explained why we have not accepted them as per MCI norms. We also asked them if any remarks is there, please give us in writing. But authority has not signed the report as well as not given any remarks also. They have even not given acknowledgment receipt also. After 2 hours, we left the college after giving signed report to Dean without acknowledgement receipt also. After 2 hours, we left the college after giving signed report to Dean without acknowledgement receipt.*

2) *Clinical material of the hospital was very inadequate. Actually, indoor bed occupancy on the day of assessment at 10.00 a.m. was 26%. But we have counted/accepted/added those patients also who were not present in wards but gone for laboratory and Radiological investigations, O.T., Cross reference etc., as claimed by staff nurses/doctors. So, final total beds occupancy on the day of assessment at 10.00 a.m. was 34% (242 indoor out of 710 required beds).*

3) *During head count many declaration forms were incomplete. There were no signature of Dean or head of department or faculty/resident. Salary column were blank. D.F. were computerized typed by college office but faculty/residents do not know about any information of D.F. It seems that, faculty/resident only have come today for inspection purpose only. That's why most of D.F. were incomplete. No room number or quarter number mentioned in residents address column 1(e)(i). When we asked some residents about, why quarter/room number is not written, they said that they are not staying in campus/hostel/quarters. (Dr. Gopisree Peringeth, Senior Resident of Gen. Medicine department has given written statement in D.F. also) we have not counted/accepted such faculty/staff.*

4) (a) *Two residents and 12 (Twelve) faculty reported lately (as per norms) are not counted as per rules. Also two residents reported between 11 to 12 who are not on night duty. are not counted.*

(b) *Attendance also has been taken in all operation theatres, ICU's, Labour room casualty etc.*

(c) *Dr. K. Selvakumar, Associate Professor, Surgery was on leave for National Conference; so as per rules we have counted him.*

(d) *Dr. B. Neeharika, Tutor in Microbiology dept., was on maternity leave as per rules we have counted/accepted.*

(e) *Two P.G. residents of General Medicine Dr. M. Mithun and Dr. S. Sravan Kumar who were posted for special training at Madras Medical College, Chennai. They were not present but we have counted/accepted.*

But we are requested MCI to look into the matter whether, as per P.G. Rules/Regulation transfer/deputation/posting of P.G. Students outside other states medical college is permissible or not.

(f) *We have not counted lately reported six faculty/residents of General Medicine. Dean has claimed that they have been posted at RHTC – UHTC. But no posting order was there with HoD or faculty or Residents. After we have asked for order, it has been prepared in front of us by one physiology professor on computer. There was no outward number also on it.*

Thus, in the day of assessment faculty deficiency was 19.30% and Residents deficiency was 37.20%.

In view of the above, the Executive Committee of the Council decided not to recommend continuance of recognition of MBBS degree granted by Pondicherry University in respect of students being trained at Sri Venkateswara Medical College, Hospital & Research Centre, Pondicherry and further decided that the institute be asked to submit the compliance after rectification of the above deficiencies within 01(one) month.

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 16thApril, 2010 and amended on 18.03.2016.

The Executive Committee also decided to apply clause 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).....

(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.”

The Executive Committee decided to refer the matter to the Ethics Committee of the Council.

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

Dr. Reena Nayyar recused herself from the meeting.

29. Charge sheet no. MCI-154(3)/2017-Estt./156990 dated 29/30.11.2017 issued to Dr. Davinder Kumar, Joint Secretary (U/S) for issuing a charge sheet to Dr. A.R.N. Setalvad, the then Secretary, MCI on 27.11.2010 without the approval of Board of Governors.

Read: the matter with regard to Charge sheet no. MCI-154(3)/2017-Estt./156990 dated 29/30.11.2017 issued to Dr. Davinder Kumar, Joint Secretary (U/S) for issuing a charge sheet to Dr. A.R.N. Setalvad, the then Secretary, MCI on 27.11.2010 without the approval of Board of Governors.

The Executive Committee of the Council considered the representation of Dr. Davinder Kumar dated 13.12.2017 at length and decided that at this stage the additional documents which are not part of the charge sheet cannot be supplied to Dr. Davinder Kumar, Joint Secretary (U/S).

The Executive Committee of the Council further directed that Dr. Davinder Kumar, Joint Secretary (U/S) may be informed accordingly.

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

30. Migration case of Harmanjot Singh - Disciplinary case against Dr. Davinder Kumar, Joint Secretary, MCI.

Read: the matter with regard to migration case of Harmanjot Singh - Disciplinary case against Dr. Davinder Kumar, Joint Secretary, MCI.

The Executive Committee of the Council deliberated upon the matter at length and noted that there is no merit in the reply furnished by Dr. Davinder Kumar, Joint Secretary (U/S) vide his representation dated 18.12.2017.

Further, the Executive Committee of the Council decided to appoint Shri P.N. Mishra, Retired (DANICS) as Inquiry Officer and Shri Nirmal Singh, Consultant (Finance) as Presenting Officer. The honorarium to the Inquiry Officer and Presenting Officer shall be paid as per rules.

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

Dr. Reena Nayyar rejoined the meeting

The Executive Committee took into consideration the representation of all the Staff members of the Council dated 3rd January, 2018 regarding their request for safeguarding and protecting the employment in light of proviso of Section 58 of National Medical Commission Bill, 2017 which was presented in the Parliament on 29th December, 2017 by the Hon'ble Union Minister of Health & F.W. and their request for taking up the matter with the Ministry of Health & F.W. The Executive Committee considered the matter sympathetically and assured and will make all efforts to help safeguard the welfare of the staff to the best of their ability.

The meeting ended with a vote of thanks to the Chair.

New Delhi, dated
4th January, 2018

(Dr. Reena Nayyar)
Secretary I/c

APPROVED

(Dr. Jayshree Mehta)
President