

MEDICAL COUNCIL OF INDIA

NEW DELHI

Minutes of the meeting of the Board of Governors held on 9th August, 2011 at 10.00 a.m. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077.

Following members were present:

1.	Dr. K.K. Talwar	Chairman, Board of Governors
2.	Dr. Purshotam Lal	Member, Board of Governors
3.	Prof.K.S. Sharma	Member, Board of Governors
4.	Dr.Rajeev Chintaman Yeravdekar	Member, Board of Governors
5.	Dr. Sangeeta Sharma	Secretary, Member Secretary, BOG meeting.
6.	Dr.P.Prasannaraj	Addl. Secretary

Leave of absence was granted to Dr.H.S. Rissam.

1. **Minutes of the BOG's meetings dated 1st August,2011 - Confirmation of.**

The Board of Governors confirmed the minutes of the meeting held on 1st August, 2011.

2. **Incorporation in amendments to the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) (PC & PNDT) Act,1994 (as amended in 2003).**

Read: the matter with regard to incorporation in amendments to the PC & PNDT Act,1994 (as amended in 2003).

The Board of Governors considered the matter with regard to incorporation in amendments to the PC & PNDT Act,1994 (as amended in 2003) and perused the DO letter dt. 26.7.2011 by Smt. Anuradha Gupta, IAS, Joint Secretary, Ministry of Health & F.W., Nirman Bhavan, New Delhi and the minutes of the 17th meeting of the Central Supervisory Board (CSB) chaired by the Union Minister of Health. The board noted their observation that the provisions of the PC & PNDT Act, 1994, as amended in 2003, do not spell out unambiguously, the qualification, training and experience required for operating a diagnostic clinic offering ultrasound services. This has often resulted in service providers approaching the courts for relief, in the matter of registration and/or renewal of facilities, fuelling unethical practices in the process and given the shortage of doctors with post-graduate qualifications on the one hand and the growing need of ultrasound services on the other, amendments are warranted in the PC & PNDT Act 1994,(as amended in 2003).

In light of the above observations and the decision of the CSB to assign the task of amendment to the present PC & PNDT Act 1994 (as amended in 2003) to the Medical Council of India, the Board decided to constitute a Committee under the Chairmanship of Dr.Veena Chaudhary, Director and Professor Radiology, G.B.Pant Hospital, New Delhi with Dr.Alka Kriplani, Professor, Deptt. of Obst. & Gynae., AIIMS, New Delhi, Dr.A.K. Deorari, Professor, Deptt. of Paediatrics, AIIMS, New Delhi, Dr. Arun Kinare, Consultant and Head, Dept of Ultrasonography, KEM Hospital and Consultant Ultrasonologist, Jahangir Hospital & Research Center, Pune & Dr. Kishore Taori, Prof. & Head of Radiodiagnosis, Govt. Medical College, Nagpur as Committee Members for development of criteria with regard to educational qualifications for eligibility for training, length and content of training, accreditation of training institutions as well as experience and there incorporation in the PC & PNDT Act 1994 (as amended in 2003).

Since the proposal for amendment to PC & PNDT Act 1994 (as amended in 2003) is time bound, the Board directed the office to request the above said Committee for submission of the draft amendment within two weeks.

3. **Public-Private Partnership (PPP) Model for Establishment of Medical College in UP, Haryana and Rajasthan, which are deficient in land requirement.**

Read: the matter with regards to Public-Private partnership (PPP) Model for Establishment of Medical College in UP, Haryana and Rajasthan, which are deficient in land requirement.

The Board of Governors considered the matter with regard to Public-Private Partnership Model for Establishment of Medical College in UP, Haryana and Rajasthan, which are deficient in land requirement and decided that the matter minimum standards and existing land requirement for establishment of a medical college should be adhered to. With regard to PPP model BOG noted that PPP is already permitted in the form of a society or trust as per regulation, it was decided to get this examined by the Legal Section.

3. **Starting a medical college by Employees State Insurance Corporation, New Delhi through Tie-up arrangement with a running Government hospital.**

Read: the matter with regards to starting a medical college by Employees State Insurance Corporation, New Delhi through Tie-up arrangement with a running Government hospital.

The Board of Governors considered the matter with regards to starting a medical college by Employees State Insurance Corporation, New Delhi through Tie-up arrangement with a running Government hospital and after due deliberation decided that at present the existing minimum standard requirement including the requirement of own functional teaching hospital with prescribed bed strength and rate of indoor bed occupancy is essential for establishment of new medical college.

5. **Granting exemption from Screening Test.**

Read: the matter with regards to granting exemption of screening test.

The Board of Governors deliberated on the letter dated 31.05.2011 from Sh. Keshav Desiraju, Addl. Secretary to Govt. of India, Ministry of Health & Family Welfare, New Delhi regarding the issue of granting exemption from Screening Test to those medical doctors who have completed their Postgraduate course in five English speaking countries viz., Australia, Canada, New Zealand, UK and USA, whose Post Graduate degrees have already been recognized by MCI under notification dated 7th March 2008. The Board decided that as their post graduate qualification is recognized they need not appear for the screening test, therefore, necessary correction may be incorporated in the Regulations of Screening Test.

6. **Consideration for grant of provisional registration to Mr. Insaf Ali u/s 25(1) of the IMC Act, 1956.**

Read: the matter with regard to consideration for grant of provisional registration to Mr. Insaf Ali u/s 25(1) of the I.M.C. act, 1956.

The Board of Governors deliberated on the issue for grant of provisional registration to Mr. Insaf Ali u/s 25(1) of the I.M.C. act, 1956 and observed that Dr. Insaf Ali had obtained eligibility certificate issued by the Council on 29.9.2007 and completed M.D (Physician) qualification from Karaganda state Medical University, Kazakistan in June, 2010 but his application for registration was rejected on the ground that he does not fulfill the eligibility requirement on account of his age being less than 17 years at the time of admission in the medical course. Legal opinion from Law officer has also been obtained and opined that the candidate has completed the medical course on the strength of the eligibility certificate and qualified screening test, therefore, he cannot be denied issue of provisional registration certificate at this stage. The applicant may be granted registration treating it as an exceptional case in view of the peculiar circumstances of the case. It is in the nature of one time relaxation in a particular case and it should not be considered as setting a precedent. After detailed discussion, the Board decided to get opinion of the Legal retainer also in this regard before taking any final decision.

7. **Consideration for grant of provisional/permanent registration to the candidates who are having primary medical qualification from IMTU, Tanzania in compliance to Hon'ble Supreme Court order dated 09.05.2011**

Read: the matter with regards to consideration for grant of provisional/permanent registration to the candidates who are having primary medical qualification from IMTU, Tanzania in compliance to Hon'ble Supreme Court order dated 09.05.2011.

The Board of Governors were appraised by the Council office that the 3 candidates namely - 1.Dr.Nageswar Rao Konathala, 2. Dr.Gurram Srinivasa Rao & 3. Dr.Shaik Raiz Basha mentioned in the agenda are respondent 1 & 2 in SLP (c) No.23652/2008 and respondent No.3 in SLP(C) No.23653/2008 respectively who have been ordered by the Supreme Court for grant of permanent registration as they have undergone their entire course in Tanzania and following grant of provisional registration completed their internship.

The Board deliberated on the issue in the light of the order of the Hon'ble Supreme Court and granted *ex-facto* approval for the issue of provisional registration certificate to all the 25 candidates namely - 1. Suraiya Nabi Zorbai, 2. Hymarathi Allam, 3. Amarnath R., 4. Naineni Shashi Kanth, 5. Souvik Kumar Mandal, 6. Sandhya Yadav, 7. Kanti Lal Dembra, 8. Kapil Karan, 9. Kumar Neeraj, 10. Prerna Agrawal, 11. Tanmay Vilas Powar, 12. Prajith K.R., 13. Chander Raju Sai Prakash, 14. Tanguturi Yella Srihari, 15. D. Sai Sucheethra, 16. Partha Pratima Jana 17. Pramod Tukaram Patil, 18. Bhuvaneshwari A. Patil, 19. Errapalli Venkata Kishore Kumar Reddy, 20. Ravi Kanth Kasaraneni, 21. Nishida Padinjare Thiruthiyyil, 22. Saai Prasanna J. 22. Varughese padinjattadathu George, 23. Bhoopal Rishidhar, 24. P.S. Sanjeev Kumar, 25. Partha Pratim Gogoi.

Further it was decided to issue provisional registration to all such candidates as per directions of the Hon'ble Supreme Court order.

The Board further noted that some candidates from Tanzania had already been granted provisional registration u/s 25(1) of the IMC Act, 1956 in the year 2004 for the purpose of undergoing one year internship training in a recognized hospital in India. The Board deliberated on the issue in the light of the order of the Hon'ble Supreme Court dt.9.5.2011 that in view of the long gap from the completion of the course, even those who have completed their internship will have to undergo internship afresh for one year to obtain permanent registration. The Board granted approval for extension of provisional registration certificate already issued to the above candidates.

Further the Board granted approval for issue of permanent registration to the candidates who have recently completed internship in compliance to the Hon'ble Supreme Court order.

8. **Consideration for grant of permanent registration to Mr.Pramod Gupta.**

Read: the matter with regard to consideration for grant of permanent registration to Mr. Pramod Gupta.

The Board of Governors considered the matter with regard to grant of permanent registration to Mr.Pramod Gupta who has obtained MD qualification in 1998 after completion of his education at Saratov State Medical University (not recognized by Medical Council of India) and Tver State Medical Academy, Russia. He had completed his internship from 21.5.2000 to 26.9.2001 at Safdarjung Hospital, Delhi and Primary Health Centre, Delhi following provisional registration dt. 17.5.2000 (certificate bearing No.14614). He successfully completed screening test in March, 2011 conducted by the National Board of Examination, New Delhi and applied for grant of permanent registration on 9.5.2011 quoting the case of Gautam Sinha and Dr.Anil Kumar who have been granted permanent registration by the Council.

The Board considered the matter in the light of legal opinion provided by Mr. P.P. Malhotra, Additional Solicitor General on 14.03.2007 and the decision of the previous BOGs in the Supreme Court's matter of Gautam Prasad Sinha and Anil Kumar

and upon finding the similarity of Mr.Pramod Gupta case, the board decided to grant him permanent registration by the Council. Decision recorded on file.

9. Consideration for grant of permanent registration u/s 13(3) of the IMC Act, 1956 to Dr. Pradeep Kumar Khaini.

Read: the matter with regard to consideration for grant of permanent registration u/s 13(3) of the IMC Act, 1956 to Dr. Pradeep Kumar Khaini.

The Board of Governors considered the matter for grant of permanent registration u/s 13(3) of the IMC Act, 1956 to Dr. Pradeep Kumar Khaini in the light of opinion from the Ministry of Law & Justice forwarded by the Ministry of Health & F.W. which states that *“Pakistani nationals, who obtained medical degrees from the three Pakistani Universities namely Sindh, Karachi and Punjab during 1992 to 1999 i.e. when these degree were recognized under reciprocity scheme as per Section 12 of the IMC Act, 1956 may be exempted from appearing in the Screening Test provided that they had applied for Indian Citizenship before 15.03.2002 i.e. the date of commencement of Screening Test Regulations 2002.”*

In view of above, the board granted approval for permanent registration to the Pakistani nationals who fulfilled the requirements laid by the Ministry of Health & F.W including Dr. Pradeep Kumar Khaini. Decision recorded on file.

10. Proposal from the American Associations of Physicians of Indian Origin (AAPI) to volunteer their expert services in India.

Read: the matter with regard to Proposal from the American Associations of Physicians of Indian Origin (AAPI) to volunteer their expert services in India.

The Board considered the letter dated 13th July, 2011 received from Sh. Dhruv Chakravarty, Under Secretary to Govt. of India, Ministry of Health & Family Welfare, New Delhi and letter dated 09th June, 2011 from the Embassy of India, Washington, D.C. regarding a proposal from American Associations of Physicians of Indian Origin (AAPI) to volunteer their expert services at mutually agreed upon MCI accredited Medical Colleges and teaching programme in India for a period of a week to a month.

The Board of Governors deliberated on the issue and approved for utilization of the expertise of teaching faculty among the American Associations of Physicians of Indian Origin (AAPI) members who intend to volunteer their expert services in India for training and research at mutually agreed upon MCI permitted/recognized medical colleges/institutions in India for a specified period with the following conditions:-

1. The concerned medical specialist working in academic institutions in America and involved in undergraduate and/or postgraduate training courses shall obtain permission from both the college/institution i.e., where he/she is presently working in America and from the host medical college/institution at which he/she proposes to provide his/her expertise in India.
2. He/she shall send his/her request with detailed bio-data to Govt. of India through the host medical college/institute in India. On receipt of such applications the Council shall process and send recommendations on case to case basis to the Government.
3. He will be provided the opportunity to teach, guide and conduct research and clinical care in association with experts from host college/institution in India, but will not be counted in the faculty pool of the medical college/institute by Medical Council of India. The host college/ institute shall send the application to the Govt. of India and on receipt of the application from the Govt. of India the Council shall process accordingly.

11. NIMS Permission to convert M.Ch.(Neurosurgery) 6 years course seats to 3 years course

Read: the matter with regard to permission to convert M.Ch (Neurosurgery) 6 years course seats to 3 years course.

The Board of Governors considered the request of Director, Nizam Institute of Medical Sciences, Hyderabad vide his letter dt. 14.7.2011 and letter dt. 9.8.2011 to convert 2 (two) seats in M.Ch. (Neurosurgery) course of 6 years duration to 3 years course duration for the academic year 2011-12 batch so that with the addition of these 2 (two) seats to the existing two seats in M.Ch. (Neurosurgery) course of 3 years course the institution will have a total of 4 (four) seats in M.Ch. (Neurosurgery) course of 3 years duration. Henceforth, this will result in stopping of M.Ch. (Neurosurgery) course of 6 years duration at NIMS.

The Board deliberated on the issue and noted that the M.Ch. courses of 3 years and 6 years duration are already recognized with a cumulated intake capacity of 4 seats and granted approval for intake of 4 (four) students in the M.Ch. (Neurosurgery) course of 3 years duration from the academic year 2011-12 provided that the admission criteria shall be as per Postgraduate Medical Education Regulations, 2000. However, total number of seats sanctioned should not be more than individually sanctioned intake for MCh (Neurosurgery) in 3 years and 6 years course.

12. **Repeal of Regulations on Graduate Medical Education, 1997 and enactment of Indian Medical Graduate Regulations, 2011.**

Read: the matter with regard to Repeal of Regulations on Graduate Medical Education, 1997 and enactment of Indian Medical Graduate Regulations, 2011.

The Board of Governors considered the matter and decided that to refer to the UG Committee for their perusal thereafter Academic Council.

13. **To consider the course of action on Contents curriculum for Undergraduate courses prepared by the constituted Board of Specialty, MCI.**

Read: the matter with regard to Contents curriculum for Undergraduate courses prepared by the constituted Board of Specialty, MCI.

The Board of Governors decided to refer the matter to the UG Committee and thereafter Academic Council for their perusal.

14. **To consider the course of action on curriculum for Postgraduate courses prepared by the constituted Board of Specialty, MCI.**

Read: the matter with regard to course of action on curriculum for Postgraduate courses prepared by the constituted Board of Specialty, MCI.

The Board of Governors decided to refer the matter to the PG Committee and thereafter Academic Council for their perusal.

15. **MCI's recognition of the basic medical degree awarded by Duke-NUS Graduate Medical School and National University of Singapore Yong Loo Lin School of Medicine.**

Read: the matter with regard to MCI's recognition of the basic medical degree awarded by Duke-NUS Graduate Medical School and National University of Singapore Yong Loo Lin School of Medicine.

The Board was apprised of the matter and developments. The Board of Governors desired the details of the report of interaction between the Medical Council of India and the Singapore be examined by the Academic Council and then place before the Board of Governors.

16. **Amendment to Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 regarding non medical faculty shall be treated at par with medical faculty for the respective post in the concerned department except for the post of Head of the Department.**

Read : the matter with regards to Amendment to Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 regarding non medical faculty shall be treated at par with medical faculty for the respective post in the concerned department except for the post of Head of the Department.

The Board of Governors directed the Council to obtain the policy decisions from the Director/Dean, AIIMS & PGI Chandigarh with regard to promotion of faculty members including those with Ph.D. qualification to the post of Head of the Department in the subject of Anatomy, Physiology, Biochemistry, Microbiology & Pharmacology and place the matter before the Board along with the Court orders where decisions have been given in the above matter at an early date.

17. **Admission of 1st year MBBS students at Shree Guru Gobind Singh Tricentenary Medical College & Research Institute, Gurgaon in the academic year 2010-11 - Discharge regarding.**

Read: the matter with regards to admission of 1st year MBBS students at Shree Guru Gobind Singh Tricentenary Medical College & Research Institute, Gurgaon in the academic year 2010-11.

The Board of Governors observed that Shree Guru Gobind Singh Tricentenary Medical College & Research Institute, Gurgaon for not complying in accordance with the Graduate Medical Regulations in the process of admission of students for the academic year 2010-11.

The Board noted that the above said college was granted first renewal of permission for 100 admissions during the last week of June, 2011. The Board of Governors observed that the matter of irregularities in the admission process of medical students during the academic year 2010-11 was not brought to their notice while the matter of the said institutions for grant of permission for first renewal was being considered by the Board. As a policy the Board directed the Council to make it a practice to present the legal matters, pending disciplinary action matters, matters wherein the institution have violated the regulations before the Board while their undergraduate/postgraduate matters for grant of permission or renewal of permission are being considered by the Board and the Board of Governors decided to issue a show cause notice to the institution as to why action should not be taken by the MCI for irregularities done by them in admission process during the academic session 2010-2011 and college to send reply within 2 weeks.

18. **Admission of 1st year MBBS students at Govt. Medical College, Thrissur in the academic year 2010-11- Discharge regarding.**

Read: the matter with regard to admission of 1st year MBBS students at Govt. Medical College, Thrissur in the academic year 2010-11.

The Board of Governors considered the letter dt. 20.10.2010 & 26.5.2011 by the Principal of Govt. Medical College, Thrissur and the letter dt. 18.11.2010 from the Jt. Commissioner (Academic), Office of the Commissioner for entrance examination, Govt. of Kerala, Thiruvananthapuram and decided to ask them to explain the reasons for not seeking prior clarification from the Medical Council of India for admission of Mohd. Nujoom M under the reservation category as per the Travancore Medical Practitioner's Act, 1953, Kerala.

19. **Adjustment of excess admission in Management quota at People's College of Medical Sciences & Research Centre, Bhopal in the academic year 2010-11- regarding.**

Read: the matter with regards to adjustment of excess admission in Management quota at People's College of Medical Sciences & Research Centre, Bhopal in the academic year 2010-11.

The Board of Governors directed the law officer to seek opinion from Sr. Advocate of the Council and place before the Board with draft of show cause notice.

20. **Consideration for grant of registration to the candidates of Angeles University Foundation, Philippines - reg.**

Read: the matter with regards to consideration for grant of registration to the candidates of Angeles University Foundation, Philippines

The Board of Governors directed the Law Officer to provide legal opinion and place the matter before the board.

21. **Establishment of Medical College.**

Read: the letter dated 27/07/2011 from the Chief Medical Director, South Central Railway, Secunderabad for establishment of a new medical college in the existing Railway Hospital.

The Board of Governors considered the matter with regards to the request from the Chief Medical Director, South Central Railway, Secunderabad for establishment of a new medical college in the existing Railway Hospital with the relaxation of land requirement and decided that at present the existing minimum standard requirement including the requirement of own functional teaching hospital with prescribed bed strength and rate of indoor bed occupancy is essential for establishment of new medical college.

22. **The matter pertaining to definition of Resident Doctor as well as requirement of Senior Residents in medical college - Amendment to Minimum Requirements for 50/100/150 Admissions Annually Regulations, 1999 - Regarding.**

Read: the matter pertaining to definition of Resident Doctor as well as requirement of Senior Residents in medical college - Amendment to Minimum Requirements for 50/100/150 Admissions Annually Regulations, 1999.

The Board of Governors decided that the matter may be put up in the next BOG meeting along with the details of existing requirements of qualification and experience for senior residency and other faculty positions as per regulation.

Any other item

a) Secretary, MCI informed that assessments for the purpose of recognition and continuation of recognition are in progress, it was decided to get these reports examined by the UG committee.

b) The Board of Governors discussed about recent news on T.V regarding irregularities related to fee by several colleges. In addition to Shree Guru Gobind Singh Tricentenary Medical College & Research Institute, Gurgaon, the Board noted that Goldfield Medical College, Faridabad, Sarasvati Medical College, Hapur & Shri Rama Medical College, Ghaziabad were also involved in irregularity related to fee. The Board directed the Law officer to prepare a show cause notice to all these colleges in this regard and also seek information of last one year on their admission details, names of students admitted in state and management quota along with marks in 10+2, and PMT entrance, OPD attendance, daily bed occupancy, indoor admissions, teaching faculty along with their registration details & salary statements. It was also decided to get the vetting done by Senior Counsel in this regard.

Meeting ended with a vote of thanks to the Chair.

(Dr. P. Prasannaraj)

Addl. Secretary

(Dr. Sangeeta Sharma)

Secretary

Approved by

(Dr. Kailash Sharma)

Member, BOG

(Dr. Rajeev C.Yeravdekar)

Member, BOG

(Dr. P. Lal)

Member, BOG

(Dr. K.K. Talwar)

Chairman