

**Medical Council of India**  
**New Delhi**

**Minutes of the 33<sup>rd</sup> Meeting of Board of Governors**

The 33<sup>rd</sup> Meeting of the Board of Governors was held on 3<sup>rd</sup> October, 2013, at 11.00 A.M. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077.

The following members of the Board of Governors attended the meeting :-

- |    |                                      |   |          |
|----|--------------------------------------|---|----------|
| 1) | Dr. R.K. Srivastava, Chairman, BOG   | - | In Chair |
| 2) | Dr. A.K. Bardhan, Member, BOG        |   |          |
| 3) | Dr. Raja Babu Panwar, Member, BOG    |   |          |
| 4) | Dr. Brijendra Kumar Rao, Member, BOG |   |          |
| 5) | Dr. Manoj K. Singh, Member, BOG      |   |          |

Prof. Sanjay Shrivastava - Secretary

Leave of absence was received from Dr. K. Mohandas & Dr. K.S. Sharma Member, BOGs.

1. Advisory to Medical Colleges for implementation of Verifiable Attendance Monitoring System for their Faculty & Students.

The matter relating to implementation of Verifiable Attendance Monitoring System in medical colleges for the faculty, staff and students was considered, the BOGs perused the agenda and reviewed the attempts made by the Council in past for generating a Verifiable Attendance Monitoring System. After detailed discussion, the BOGs decided to issue instructions to medical colleges:-

- a) All medical colleges/institutions to ensure that all faculty members, staff and students apply for Aadhar Card within one month from the date of issue of circular.
- b) In next 3 months, all faculty members, staff and students must have computerized copy of Aadhar Card.
- c) Thereafter the medical colleges shall ensure in a time-bound manner that they install system by which attendance is linked with the Aadhar Card and this attendance can be verified through the Aadhar card data by the Council Assessors at the time of inspection or at any point of time at the discretion of the Council.
- d) Entire exercise must be completed in 4 months time.

2. Finalization of house-keeping for providing various house-keeping services in the Council.

The Board of Governors perused the agenda and decided to obtain the details of the existing House Keeping services in terms of number of people employed through contractor and the amount paid for hiring services. The BOGs desired that the comparative statement may be put up for consideration of BOGs.

3. Consideration of Draft EOI for Short-listing of agencies for services towards revamping of Indian Medical Register (IMR) of MCI.

The BOGs perused the Draft EOI and after discussions approved the draft EOI document. Further necessary action may be taken up by the Council in the matter.

4. Validation of decisions taken by the Board of Governors in the meeting held on 17<sup>th</sup> & 18<sup>th</sup> September, 2013.

32<sup>nd</sup> meeting of the BOGs was held on 17<sup>th</sup>-18<sup>th</sup> September, 2013. On 18<sup>th</sup> September, 2013, a letter bearing No. V.11011/1/2013-MEP-1(Pt.), dated 17<sup>th</sup> September, 2013 was received at 3.00 p.m. According to this letter, Ordinance No.4 of 2013 by which the existing BOGs was constituted would cease to operate on 16<sup>th</sup> September, 2013. The Ministry of Health & F.W. asked the BOGs not to convene any meeting from 16.9.2013 till further order. In view of Ministry's letter dt.17.9.13 received on 18.9.13, no action was taken on the matters discussed in BOGs meeting held on 17-18<sup>th</sup> September, 13 before receipt of Ministry's letter. The BOGs considered the agenda items which were discussed in the meeting of Board held on 17<sup>th</sup>-18<sup>th</sup> September, 2013 and approved the following items:-

Consideration of the minutes/observation of PG Committee meeting dated 21<sup>st</sup>, 22<sup>nd</sup> & 23<sup>rd</sup> August, 2013 for recommendation of recognition of various postgraduate courses u/s 11(2) of the IMC Act, 1956.

BOGs confirmed decision taken in Item No.1 to 140.

5. Consideration of the remaining Agenda Items for BOG Meeting of 17<sup>th</sup> & 18<sup>th</sup> September, 2013.

Deferred

6. Consideration of the matter relating to challenge to amendment made in Postgraduate Medical Education Regulations on 15.5.2013 whereby MD(Biochemistry) is deleted from the list of Eligibility for admission to DM(Endocrinology) in view of the directions of the Hon'ble High Court of Judicature at

Bombay in CWP No.7334 of 2013 in the matter of Chaitanya Govindrao Yerawar vs. Union of India & others.

The Board of Governors considered the agenda item and the directions of the Hon'ble High Court at Bombay and after detailed deliberations decided that the petitioner Dr. Chaitanya Govindrao Yerawar who was already admitted in DM (Endocrinology) course at St. George Medical College, Mumbai before the publication of the notification on the MCI website be allowed to continue his study in DM(Endocrinology) course. Further the BOGs decided that the entry qualification from which the MD(Biochemistry) has been deleted for admission to DM(Endocrinology) course will be applicable from the date of application due to the following reasons:-

- (a) MD(Biochemistry) course is a pre-clinical discipline wherein the candidates are not exposed to clinical practice, which is necessary for pursuing DM(Endocrinology) discipline dealing with the Endocrine system of the body which requires extensive clinical knowledge.
- (b) The other two streams from which the candidate be allowed to take admission in DM(Endocrinology), namely, MD(Medicine) & MD(Pediatric) are essentially clinical subjects and also deals with clinical aspects of the Endocrine system in adults and children respectively.
- (c) The decision to delete MD(Biochemistry) qualification from the eligibility criteria for admission to DM(Endocrinology) has been taken by the Council after due consideration about the skills possessed by the candidate of three qualifications which existed in previous notification.

7. The matter relating to application of the Royal Medical Trust for Establishment of new medical college at Palakkad (Kerala).

The Hon'ble Supreme Court vide order dt.10.9.13 in SLP No.2178 of 2013 in the matter of Royal Medical Trust, Kerala vs- Union of India directed the Council to register the application for 2013-14 and process it within 15 days and thereafter place it before higher authorities for recommendation and decided the matter within a month from 10.9.2013. Accordingly a letter was sent to Royal Medical Trust on 30<sup>th</sup> September, 2013 requesting the Trust to submit the necessary documents for processing application for admission of MBBS students with annual intake capacity of 150 admissions. The Royal Medical Trust, Kerala vide letter dt.3.10.2013 have informed "after clarifications and submitting the details directed by you vide your email (ref-1) and after the inspection which may follow, it will be very late and we will not be in a position to admit students for the academic year 2013-14."

Hence we have submitted a new application to the Medical Council of India to establish a new medical college with 150 seats intake for the academic year 2014-15 on 28.09.2013.

8. Matter relating to Kushal Education Trust, Jodhpur, Rajasthan.

The Hon'ble High Court of Rajasthan at Jodhpur vide order dt.24.9.13 had directed to conduct inspection of Kushal Education Trust, Jodhpur by 30<sup>th</sup> September, 2013 and place assessment report before the Court on 1.10.2013. In view of the existing position on 24.9.2013 with reference to Ministry of Health & F.W. letter dt.17.9.2013, the Hon'ble Court was apprised of the factual position and difficulties in conducting inspection before 30<sup>th</sup> September, 2013. The case was heard by the Hon'ble High Court on 1<sup>st</sup> October, 2013 as informed by the Standing Counsel of the MCI. The case has been listed for hearing on 4<sup>th</sup> October, 2013. The BOGs desired that the outcome of 4.10.2013 may be put up to the BOGs for consideration as and when order is available.

9. Matter relating to use of MCI Auditorium with seating capacity of 200 by public and Private organizations

Matter relating to use of MCI Auditorium with seating capacity of 200 by public and Private organizations was discussed by the BOGs and after discussion the BOGs decided that the Auditorium of MCI with seating capacity of 200 without Audio-Visual facilities and Operator shall be allowed to be rented to any public and private organization for academic purposes at the rent of Rs.20,000/- per day (for maximum of 4 hours) with restriction that no food, beverages shall be permitted inside of the Auditorium and full rent amount shall be recovered from the Organization in advance.

(Prof. Sanjay Shrivastava)  
Secretary.

(Dr. Manoj K. Singh)  
Member, BOG

(Raja Babu Panwar)  
Member, BOG

(Dr. Brijendra Kumar Rao)  
Member, BOG.

(Dr. A.K. Bardhan)  
Member, BOG.

(Dr. R.K. Srivastava)  
Chairman

**Medical Council of India**  
**New Delhi**

**Minutes of the 33<sup>rd</sup> Meeting of Board of Governors**

The 33<sup>rd</sup> Meeting of the Board of Governors was held on 3<sup>rd</sup> October, 2013, at 11.00 A.M. in the Council office at Sector-8, Pocket-14, Dwarka, New Delhi-110077. The following members of the Board of Governors attended the meeting :-

- |     |                                      |   |          |
|-----|--------------------------------------|---|----------|
| 6)  | Dr. R.K. Srivastava, Chairman, BOG   | - | In Chair |
| 7)  | Dr. A.K. Bardhan, Member, BOG        |   |          |
| 8)  | Dr. Raja Babu Panwar, Member, BOG    |   |          |
| 9)  | Dr. Brijendra Kumar Rao, Member, BOG |   |          |
| 10) | Dr. Manoj K. Singh, Member, BOG      |   |          |

Prof. Sanjay Shrivastava - Secretary

Leave of absence was received from Dr. K. Mohandas & Dr. K.S. Sharma Member, BOGs.

In addition to the minutes of the 33<sup>rd</sup> meeting which are recorded the following items which were decided on 17<sup>th</sup>-18<sup>th</sup> September, 2013 (32<sup>nd</sup> meeting) were ratified by the BOGs in their meeting held on 3.10.2013. The following members were present:-

- |    |                                      |   |          |
|----|--------------------------------------|---|----------|
| 1) | Dr. R.K. Srivastava, Chairman, BOG   | - | In Chair |
| 2) | Dr. K. Mohandas, Member, BOG         |   |          |
| 3) | Dr. K.S. Sharma, Member, BOG         |   |          |
| 4) | Dr. A.K. Bardhan, Member, BOG        |   |          |
| 5) | Dr. Raja Babu Panwar, Member, BOG    |   |          |
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| 7) | Dr. Manoj K. Singh, Member, BOG      |   |          |

Dr. P. Prasannaraj - Additional Secretary, MCI

1. Inclusion of PMR & Radio-therapy as mandatory subject in the existing MBBS Curriculum.

The Board of Governors perused the note forwarded by the Academic Cell with regards to inclusion of Physical Medicine and Rehabilitation and Radio-Therapy in the curriculum of MBBS course and after detailed discussion approved the Inclusion of PMR & Radio-therapy as mandatory subject in the existing MBBS Curriculum.

The following requirements in terms of faculty, teaching hours, clinical training and internship duration for Physical Medicine & Rehabilitation and Radio-Therapy recommended as under:-

	<b>Physical Medicine &amp; Rehabilitation</b>	<b>Radio-Therapy</b>						
<b>Department</b>	: Independent & Essential department	Independent & Essential department						
<b>Faculty</b>	: Requirement as per Minimum Standard Requirements for 50/100/150/200/250	Requirement as per Minimum Standard Requirements for 50/100/150/200/250						
	Minimum Qualification for Teachers in Medical Institutions Regulations, 1998	Minimum Qualification for Teachers in Medical Institutions Regulations, 1998						
	<b><u>PHYSICAL MEDICINE AND REHABILITATION</u></b>	<b><u>RADIO-THERAPY</u></b>						
	<table border="1"> <tr> <td>(A) Professor or</td> <td>M.D.(P.M.R)/M.D.(Medicine) with Diploma in PMR/M.S. (General Surgery)/ M.S.(Orthopaedics) with two years special training in the Speciality of Physical Medicine and Rehabilitation (Rehabilitation Medicine) or two years of equivalent</td> <td>(i) As Reader/Associate Professor in Physical Medicine and Rehabilitation for four years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journal and one research publication in International Journal.</td> </tr> </table>	(A) Professor or	M.D.(P.M.R)/M.D.(Medicine) with Diploma in PMR/M.S. (General Surgery)/ M.S.(Orthopaedics) with two years special training in the Speciality of Physical Medicine and Rehabilitation (Rehabilitation Medicine) or two years of equivalent	(i) As Reader/Associate Professor in Physical Medicine and Rehabilitation for four years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journal and one research publication in International Journal.	<table border="1"> <tr> <td>(A) Professor or</td> <td>M.D.(Radio-Diagnosis)/ M.D.(Radiology/ M.S. (Radiology)</td> <td>(i) As Reader/Associate Professor in Radio-Diagnosis/ Radiology for four years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journal and one research publication</td> </tr> </table>	(A) Professor or	M.D.(Radio-Diagnosis)/ M.D.(Radiology/ M.S. (Radiology)	(i) As Reader/Associate Professor in Radio-Diagnosis/ Radiology for four years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journal and one research publication
(A) Professor or	M.D.(P.M.R)/M.D.(Medicine) with Diploma in PMR/M.S. (General Surgery)/ M.S.(Orthopaedics) with two years special training in the Speciality of Physical Medicine and Rehabilitation (Rehabilitation Medicine) or two years of equivalent	(i) As Reader/Associate Professor in Physical Medicine and Rehabilitation for four years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journal and one research publication in International Journal.						
(A) Professor or	M.D.(Radio-Diagnosis)/ M.D.(Radiology/ M.S. (Radiology)	(i) As Reader/Associate Professor in Radio-Diagnosis/ Radiology for four years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journal and one research publication						

		training approved in the subject in any approved institution in India.			in International Journal.	
	(B) Reader / Associate Professor	-do-	(i) As Assistant Professor/Lecturer in Physical Med. And Rehabilitation for five years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journals.	(B) Reader / Associate Professor	-do-	(i) As Assistant Professor/Lecturer in Radio-Therapy/Radiology for five years in a recognised medical college. <u>Desirable</u> (ii) Minimum of four Research publications indexed in Index Medicus/national journals.
	(C) Assistant Professor/ Lecturer	-do-	(i) Requisite recognised postgraduate qualification in the subject. (ii) Three years teaching experience in the subject in	(C) Assistant Professor/ Lecturer	-do-	(i) Requisite recognised postgraduate qualification in the subject. (ii) Three years teaching experience

			a recognised medical college as resident/ Registrar/Demonstrator/ Tutor.			in the subject in a recognised medical college as resident/ Registrar/Demonstrator/ Tutor.
	(D) Tutor/ Demonstrator/ Resident/ Registrar.	MBBS		(D) Tutor/ Demonstrator/ Resident/ Registrar.	MBBS	
<b>Teaching Hours</b>	:	05 hours of lectures from Community Medicine (4 <sup>th</sup> semester onwards*) may be utilized for PMR	05 hours of lectures from Community Medicine (4 <sup>th</sup> semester onwards*) may be utilized for Radio therapy.			
		In addition, in the following specialities when related topics are being taught, its PMR aspects may be taught by the faculty of PMR: <b>(a) Medicine</b> <b>(b) TB &amp; Chest</b> <b>(c) Surgery</b> <b>(d) Orthopaedics</b> <b>(e) Paediatrics</b> <b>(f) E.N.T.</b> <b>(g) Ophthalmology</b>	In addition, in the following specialities when related topics are being taught, its Radio-therapy aspects may be taught by the faculty of Radio-therapy: <b>(a) Medicine</b> <b>(b) OBG</b> <b>(c) Surgery</b> <b>(d) Orthopaedics</b> <b>(e) Paediatrics</b> <b>(f) E.N.T.</b>			



<b>Clinical Training</b>	: One week each from Orthopedics, ENT and Paediatrics (03 weeks).	One week each from Surgery, Medicine, OBG for Radio-therapy (03 weeks).
<b>During Internship</b>	PMR is already an elective posting for 15 days. May be made mandatory and only one posting may be made elective instead of two.	15 days Radio-therapy as part of Medicine / Surgery / OBG postings

\* Total 10 hours of community medicine (4<sup>th</sup> Semester onwards), as per current Graduate Medical Education, 1997.

2. Consideration of the minutes/observation of PG Super Specialty Committee meeting dated 27.8.2013 for recommendation of recognition of various postgraduate courses u/s 11(2) of the IMC Act, 1956.

The decision taken on files of concerned colleges.

Decision taken on 17<sup>th</sup> & 18<sup>th</sup> September, 2013, confirmed.

3. Request to review the application for increase of seats in MD(General Medicine), MS(OBG) and MD(Pathology) at Sri Aurubindo Institute of Medical Sciences, Indore.

Reiterate earlier decision already (copy of earlier letter enclosed).

4. Consideration of the Order dated 25.06.2013 of the Government of Jammu & Kashmir, ARI and Training Department regarding migration of Ms. Ayushi Sharma.

The Board of Governors considered the matter of migration of students within the Jammu & Kashmir State of Ms. Ayushi Sharma whose migration was denied by the State Health Authorities as the 5% ceiling laid down by the Graduate Medical Education Regulations was exhausted and aggrieved by this decision she approached the Hon'ble High Court of J & K. The Court directed the competent authorities in this case, MCI to pass an order accordingly. The BOGs perused the regulation that permits consideration of migration on individual merits by MCI for request that are not covered under the provisions of GME Regulation. The State Govt. has granted migration on similar grounds to other candidates within the 5% ceiling. Further, the Board in the light of the Court order and the prevailing situation in the State of Jammu & Kashmir and the powers conferred by the Regulation, granted migration of Ms. Ayushi Sharma from Govt. Medical College, Srinagar to Govt. Medical College, Jammu as well of Rahil Farooq Shah from Govt. Medical College, Jammu to Govt. Medical College, Srinagar.

The rationale of fixing a particular percentage of ceilings is required to be recommended keeping in mind the present medical education scenario. Accordingly the Board decided to constitute a Sub-Committee for re-looking the migration issue in Undergraduate Medical Education.

5. Review of the Gazette Notification dated 09.05.2013 pertaining to the post of Secretary, Medical Council of India.

The Board of Governors deliberated upon the amended Recruitment Rules for the post of Secretary, MCI notified in the official Gazette of India on 17<sup>th</sup> May 2013. In this regard, following points were noted by the Board of Governors : -

1. The amended Recruitment Rules is directly in conflict with Section 9 of the Indian Medical Council Act, 1956 which provides that the Medical Council of India shall appoint a Secretary, whereas, by the amendment notification by which recruitment rules have been amended confers power of appointment of Secretary to the Government of India through Search-cum-Selection Committee constituted by the Ministry of Health and Family Welfare [Ministry of Health & Family Welfare] with the concurrence of Department of Personnel and Training [DOPT]. It is well settled in law that the provisions of Regulation cannot override the provision of the Act. Hence, it calls for an amendment to the IMC Act itself.
2. The essential qualification prescribed is postgraduate degree from a recognized University including MD/MS/DM/M.Ch. This may allow persons with non-medical qualification, including MA, M.Sc, M.Com or LL.M also apply and carry out the functions of the Principal Executive Officer i.e. Secretary of an Organization wherein the primary duties pertain to grant of permission for establishment of Medical Colleges, recognition of qualifications awarded by Medical Colleges and matters relating to professional conduct of Doctors. The Principal Executive Officer of the MCI, i.e., its Secretary has to be a person with Medical qualifications, in view of the functions and responsibilities entrusted by the Indian Medical Council Act, 1956 upon the Council.
3. The first mode of recruitment is through deputation from officers under the Central Government/State Government/Autonomous bodies under Central/State Government/Medical Universities/Government Medical Colleges or Government Hospitals including All India Service Officers. It means that the post would be required to be circulated to the various Ministries/Departments of the Government of India and State Governments and in-service officers with PG qualification can apply for the deputation. Out of applied candidates, Selection cum Search Committee will appoint suitable candidates. As medical doctors will not find it very convenient to go out of their hospitals and apply for this deputation. Hence, in overall applicants number, medical professional will be in minority.

Further, because of experience criteria, as envisaged in new RRs, the medical professionals working in medical colleges will be excluded.

4. The mode of recruitment by deputation also compromises with the autonomy of the Council that is provided in the IMC Act, 1956.
5. The constitutional and statutory validity of this notification is subject matter of challenge in the Hon'ble High Court of Delhi in a petition filed by the Indian Medical Association.

In view of the above, the Board of Governors deems it appropriate to request the Ministry to re-examine the notification dated 17.05.2013.

6. Review of the current workload of the MCI vis-à-vis available posts and proposal for enhancing the present manpower to address the challenges of increasing workload.

The Board noted that with increasing number of medical colleges the proportionate increase of manpower is not in place in the Council. There are nearly 381 medical colleges currently as a result of said increase in their number. The shortage of manpower in the Council is due to non-approval of nearly 57 created posts and non-fulfillment of 47 posts remaining vacant. The Board decided that Ministry of once again be requested to grant approval for notification of the created posts.

The Council is directed to fill the notified vacant posts till such time.

Ministry's approval for notification for created posts is received. Meanwhile to meet the acute shortage of manpower, consultant in the following areas be appointed for a period of 3 to 6 months:-

- a) Consultant (Finance)
- b) Consultant (Surveillance & Monitoring)
- c) Consultant (Building Maintenance)
- d) Consultant (Liaison Officer)

7. Review of the Residency Scheme.

The Board observed that there are quite a few court cases with Residency Scheme. The Board reviewed the Residency Scheme taking into consideration the training capacity spectrum required to be undergone by the postgraduates and the pattern of working in the hospital and the medical college and constituted a Sub-Committee under the Chairmanship of Dr.Raja Babu Panwar, Member, Board of

Governors (BOGs) with Dr.K.S.Sharma, Member, BOG and Dr.B.K. Rao, Member, BOG with a request for submission of their report in two weeks time.

8. Review of Teachers experience equivalence norms.

The Board considered the increasing requirement of faculty for improving medical education facilities in both UG & PG institutions. The Board noted that there are many potential teachers who have yet to be given recognition/equivalence for their teaching experience engaged in various health care organizations under – (a) Armed Forces Medical Services;(b) ESI Hospitals; (c) District Hospitals & (d) Railway hospitals. In order to work out the mechanism of granting equivalence to those potential teachers working in the above mentioned clinical setups, a Sub-Committee is constituted under the Chairmanship of Prof. Mohandas, Member, BOG with Dr.A.K.Bardhan, Member, BOG duly supported by Dr. R.K. Srivastava, Chairman, BOG.

The Board noticed about the inclusion of qualifications with nomenclature MD which are actually basic medical qualification equivalent to MBBS awarded in our country. This has created confusion among the public as the said basic medical qualification is taken equivalent to the Postgraduate MD qualification awarded in India. In order to avoid such confusion in public interest, the Board decided that henceforth the registration certificate issued to such candidates who have completed their basic medical degree with MD nomenclature which should be clearly mentioned in Bold letter that the MBBS qualification is and among part of notification and on the foot note written as equivalent to the degree with nomenclature as awarded abroad.

The draft certificate may be submitted in the BOGs meeting for approval and necessary measures to be taken for appropriate correction in the certificate that have been already issued with MD nomenclature for basic medical qualification.

9. Matter relating to the suspension of Shri A.K. Ahluwalia, Accounts Officer.

The matter related to suspension of Shri A.K. Ahluwalia, Accounts Officer was considered by the Board of Governors and the Board decided to extend the suspension for 45 days and perused the Enquiry Report and decided to peruse enquiry report in the next meeting.

(Prof. Sanjay Shrivastava)  
Secretary.

(Dr. Manoj K. Singh)  
Member, BOG

(Raja Babu Panwar)  
Member, BOG

(Dr. K. S. Sharma)  
Member, BOG

(Dr. Brijendra Kumar Rao)  
Member, BOG.

(Dr. K. Mohandas)  
Member, BOG.

(Dr. A.K. Bardhan)  
Member, BOG

(Dr. R.K. Srivastava)  
Chairman

