

No.MCI-5(2)/2003-Med./

MEDICAL COUNCIL OF INDIA**EXECUTIVE COMMITTEE**

Minutes of the meeting of the Executive Committee held on Tuesday the 30th December, 2003 at 12 noon in the Council office at New Delhi.

Present:

Dr.P.C. Kesavankutty Nayar	]President (Acting)](Former Dean, Govt. Medical College)]Trivandrum
Padamshree Prof. P.N.Tandon	]Former Prof. & Head of Neuro-]Surgery, A.I.I.M.S, New Delhi and]Member, Adhoc Committee]appointed by the]Hon'ble Supreme Court
Dr.D.K. Sharma	]Former Prof. & Head]Deptt. of Paediatrics]LLRM Medical College]Meerut.
Dr.Nitin S. Vora	]Director,Health Services (ESIS)]Govt. of Gujarat.
Dr.P.M. Jadhav	]Prof. of Orthopaedics,]Aurangabad and MGM Hospital.
Dr.Ajay Kumar	]Consultant Urologist]Hony. Secretary,]Urologist Society of India](USI)
Dr.M.K. Sharma	]Deptt. of Surgery, SMS Medical]College, Jaipur.
Dr. V.K. Puri	]Prof.& Head, Deptt. of Cardiology,]K.G.Medical College,Lucknow.
Dr. P.K. Sur	]Professor of Radio-therapy,]Medical College,]Kolkatta.
Dr. G.B. Gupta	]Prof. of Medicine, Pt.JNM Medical]College, Raipur

Lt.Col.(Retd.) Dr. A.R.N. Setalvad - Secretary

Apology for absence was received from Prof. N. Rangabashyam and Dr.(Mrs.) S. Kantha, members, Adhoc Committee and Dr. K.S. Chugh, member of the Executive Committee.

1. **Minutes of the Executive Committee held on 7th November, 2003 – Confirmation of.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council confirmed the minutes of the Executive Committee meeting held on 7th November, 2003 with following correction.

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Item No.7:- **To consider the inspection report of Co-Operative medical College, Kochi carried out on 13th and 14th October, 2003 in pursuance of the order passed by the Hon'ble High Court of Kerala on 29.9.2003.**

the last paragraph on page no.14 “On consideration of the deficiencies..... the Central Government in accordance therewith”.

The paragraph be deleted in the minutes.

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

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the action taken on the minutes of the Executive Committee meeting held on 7th November, 2003.

3. **Revision of Graduate Medical Education Regulations – 1997 and minimum standard requirements for the Medical College for 100 admissions.**

Read: the proposed revision of Graduate Medical Education Regulations, 1997 and Minimum Standard Requirements for the Medical College for 100 admissions.

The members of the Ad-hoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council requested President (Acting) to convene a joint meeting of the Executive Committee & Postgraduate Committee and deferred the consideration of the matter till then.

4. **Establishment of a new medical college at Azamgarh by All India Children care & Educational Development Society.**

Read: the Council Inspectors report (10th & 11th December, 2003) for establishment of Medical College, Azamgarh under section 10A of the IMC Act, 1956.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of Medical College, Azamgarh carried out on 10th and 11th December, 2003 and noted as under:-

1. The application under Section 10A and the documents enclosed therewith do not prove the fulfillment of the essential condition of owning and possessing of 25 acres of land required to be fulfilled by the applicant at the time of making the application itself under Section 10A of the Act. The photocopy of the document purporting to be in relation to the ownership and possession of the land indicates the documents No. 1,2,3,5,6,7 and 8 pertaining to plot No. 699, 687, 700 in Khemaupur, Azamgarh and plots No. 191a/13 m in Itaura, Azamgarh are the registered sale deed of total land measuring approximate 6 acres. The document at No. 4 relating to plots No. 686, 528, 679, 606 in Khemaupur, Azamgarh and Plots no. 7,8 & 9 in Itaura, Azamgarh is neither a registered sale deed nor a registered lease deed. The document No. 4 mentioned above constitutes more than 22 acres of land for which there is neither registered sale deed nor the registered lease deed of 99 years as submitted by the applicant. Thus the applicant does not fulfil the statutory pre-condition of the

qualifying criteria stipulating the condition of owning and possessing of 25 acres of land. Pharmacy college is also lodged in the same campus.

2. a) The shortage of teaching faculty is 18.5%: -
 - i) Professor 1 (General Medicine-1)
 - ii) Associate Professor 3 (Physiology-2 E.N.T.-1)
 - iii) Assistant Professor 4 (Physiology-2, Lecturer in Bio-physics-1, Dental-1)
 - iv) Tutor NIL
- b) The shortage of Residents is as under:-
 - i) Sr. Resident 7 (General Medicine-1, ENT-1, phthalmology-1, Gynaecology-2)
 - ii) Jr. Resident NIL
- c) The Medical Superintendent is possessing only 5 years of administrative experience and is thus not qualified to hold the Post of Medical Superintendent under the Regulations.
- d) The para-medical staff is also inadequate. Only two technicians, two Laboratory Assistants and two Laboratory Attendants are posted for the whole Hospital of more than 300 beds, which is grossly inadequate. No other para-medical staff is available. The Nursing staff is also less than the required as per norms.
3. Blood bank is non-functional and is not licensed.
4. The OPD Register and the records are not maintained properly. Therefore, the figures provided by the management as regards the Hospital statistics cannot be verified.
5. No Collection facilities for the Central Laboratory is established in the Hospital. The Registration counter in the OPD is not computerized. The average daily OPD attendance is only 240 cases and the average daily casual attendance is four.
6. The bed occupancy is only about 25 to 30%.
7. The Radiological and laboratory investigations performed daily are inadequate.
8. Furniture in the rooms and the mess for the hostels for the boys, girls and residents is not provided. Pharmacy College is also lodged in the same campus.
9. Protective measures as per 'BARC' specifications are not provided for the staff employed in the Radiology Department.
10. In the Pre-clinical Department following deficiencies are observed:-
 - a) Catalogues are not available in the Anatomy Museum.
 - b) Number of books available in the Department of Anatomy, Physiology and Biochemistry are much less than required as per norms.
11. Other deficiencies/remarks are in the report.

In view of the above whereby it has been found that the applicant has failed to fulfil the mandatory and statutory preconditions laid down in the Establishment of Medical College Regulations, 1999, the said application of All India Children Care & Educational Development Society for establishment of medical college at Azamgarh in light of the judgement of the Hon'ble Supreme Court in case of UOI vs. All India Children Care & Educational Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application u/s 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself.

It is therefore, recommended that the application of All India Children Care & Educational Development Society for establishment of medical college at Azamgarh be returned /disapproved.

5. **Establishment of new medical college at Vellore by Govt. of Tamilnadu.**

Read: Council Inspectors report (16th & 17th Dec., 2003) for establishment of Medical College at Vellore by Govt. of Tamilnadu u/s 10A of the IMC Act, 1956.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of Medical College at Vellore carried out on 16th and 17th December, 2003 and noted as under:-

1. The affiliated teaching hospital has only 200 beds, which are inadequate. The shortage of teaching beds is 100, which is as under :-

- a) Anatomy - 40
- b) Surgery - 30
- c) Obst. & Gynae. - 30

Thus, the application u/s 10A, on verification, does not prove the fulfilment of the essential condition of owning and managing of a functional hospital of not less than 300 beds required to be fulfilled by the applicant for making application itself u/s 10A of the Act. Thus, the applicant does not fulfil the statutory pre-condition of the availability criteria stipulating the condition of owning and managing a functional hospital of not less than 300 beds.

2. The staff required at the time of inspection has been posted at this hospital by transfer from Madras Medical College.

- A. The entire staff has reported to this college on 1st December 2003.
- B. No separate post of Medical Superintendent is created. Dean looks after the work of the Medical Superintendent.
- C. The non-medical staff in Anatomy and Physiology exceeds 30 per cent, which is not as per the norms

3. The nursing staff and the para-medical staff are grossly inadequate. The para-medical and the nursing staff are common for this hospital and the district hospital and a common pool of staff is working in both the hospitals.
4. Available clinical material is grossly inadequate. No surgical work is being performed at this hospital. No deliveries have been conducted at this hospital. The number of Radiological investigations and laboratory investigations is grossly inadequate.
5. In the OPD, the registration counter is a make shift arrangement. No separate counter is available for male and female patients. No teaching space is provided in the OPD for any subject. The OPD is conducted by the clinical staff of Govt. District hospital and no separate staff is appointed for this hospital. The OPD consists of only two rooms, which are common for the departments of Medicine, Surgery, Orthopaedics, Casualty and Obst. & Gynae. The Eye and ENT OPD is housed in a single room, which is very small. The room is not adequately equipped. The audiometry room is not available. Injection room does not have any water supply. Needle destroyer is not provided. Proper methods for waste disposal are not followed.
6. Most of the wards are not provided with duty doctors room, nursing room, nursing station, pantry, teaching area and side laboratory. The wards on the ground floor have two toilets, but no water supply. The wards on the first floor do not have either toilets or water supply. None of the patients admitted in these wards have any Case sheets. None of the patients provided with side lockers and stools. Almost all patients were of T. B. cases. In some wards, the open T. B. cases are kept with other general patients.
7. No operation theatre unit is available in the hospital.

8. There is only one labour room with one bed. There is no wash area or water supply in the labour room. Facilities and equipment in the labour room are grossly inadequate. No deliveries are conducted in the hospital. Intensive areas are not available.
9. The X-Ray room also functions as an ECG room. Protective measures for the employees are not available as per BARC specifications.
10. Blood Bank is not available.
11. CSSD is not available.
12. The Intercom system is not available.
13. Manual laundry is existing but non functional.
14. Incinerator is not available.
15. The space is provided for lecture theatres of level type, which are unfurnished at present.
16. Books and Journals and other facilities are not available in the Central library.
17. The whole area of the Central library is unfurnished.
18. Make shift arrangement is made in temporary structures for housing Anatomy, Physiology, Biochemistry and PSM departments. Only space is provided, which is grossly inadequate. The space provided for the OPD block, Dean's office and administrative block is also grossly inadequate. No furniture equipment is provided in Anatomy, Physiology, Biochemistry and PSM Departments.
19. Other deficiencies/remarks are in the report.

In view of the above, whereby it has been found that the applicant has failed to fulfil the mandatory and statutory preconditions laid down in the Establishment of Medical College Regulations, 1999, the said application of Govt. of India for establishment of medical college at Vellore in light of the Hon'ble Supreme Court in case of UoI Vs. All India Children Care & Education Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application u/s 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself.

It is therefore, recommended that the application of Govt. of India for establishment of medical at Vellore be returned/disapproved.

6. **Mahatma Gandhi Instt. of Medical Sciences, Wardha – increase of seats in Ist MBBS course from 65 to 100.**

Read: the Council Inspectors report (8th & 9th December, 2003) for increase of seats in Ist MBBS course from 65 to 100 at Mahatma Gandhi Instt. of Medical Sciences, Wardha u/s 10A of the IMC Act, 1956.

The members of the Adhoc Committee and of the Executive Committee decided to recommend to the Central Govt. to issue Letter of Intent for increase of seats in Ist MBBS course from 65 to 100 at Mahatma Gandhi Instt. of Medical Sciences, Wardha u/s. 10A of the IMC Act, 1956 for the academic session 2004-2005.

7 **Bharti Vidyapeeth Medical College, Pune – Increase of seats in Ist MBBS course from 120 to 150.**

Read: the Council Inspectors report (15th & 16th December, 2003) for increase of seats in Ist MBBS course from 120 to 150 at Bharti Vidyapeeth Medical College, Pune u/s 10A of the IMC Act, 1956.

The members of the Adhoc-Committee and of the Executive Committee considered the inspection report (15th & 16th December, 2003) and noted the following:-

1. Shortage of teaching staff is as under :-
 - (a) Faculty 6.7% (i.e 14 out of 207)
 - (i) Professor : 1 TB & Chest
 - (ii) Associate Professor : 7 (Physiology -2, Pharmacology – 1)
Pathology –1, FM – 1, PSM – 1 and TB & Chest - 1)
 - (iii) Assistant Professor : 5 (Anatomy – 1, Pathology – 2 and FM – 2)
 - (iv) Tutor : 1 (PSM)
2. The number of beds required for a teaching hospital having 120 admission annually is deficient as under :-
 - a) Ophthalmology : 20 beds
 - b) ENT : 08 beds
3. The daily average bed occupancy is 72 per cent and on the day of inspection, it was 76 per cent, which is less than required as per norms. The daily average radiological investigations are inadequate and not commensurate with the clinical material claimed by the institute. The number of laboratory investigations are also inadequate.
4. Hospital kitchen is not available.
5. There is a shortage deficiency of 100 para-medical staff inclusive of 24 technicians and 22 laboratory attendants.
6. There are only 74 staff nurses to manage 750 bedded hospital, which is grossly inadequate.
7. Laundry is not available and the laundry service is outsourced.
8. Other deficiencies/remarks are in the report.

In view of above, the members of the Adhoc Committee and of the Executive Committee decided to recommend to the Central Govt. not to issue Letter of Intent for increase of seats in Ist MBBS course from 120 to 150 at Bharati Vidyapeeth Medical College, Pune u/s. 10A of the IMC Act, 1956 for the academic session 2004-2005”.

8. **Regional Instt. of Medical Sciences, Imphal – Increase of seats in Ist MBBS course from 100 to 125.**

Read: the request received from Regional Instt. of Medical Sciences, Imphal for increase of seats in Ist MBBS course to 125 u/s 10A of the IMC Act, 1956 for which no regulations are prescribed.

The members of the Ad-hoc Committee and of the Executive Committee noted that the present Regulations of the Council are for 50/100/150 admissions only. As such there is no provision in the Regulations on minimum requirements for the intake of 125 annual admissions. In view of this it was decided to return the file for increase of seats from 100 to 125 at Regional Instt. of Medical Sciences, Imphal received u/s 10A of the IMC Act, 1956.

9. **Santosh Medical College, Ghaziabad – Increase of seats in Ist MBBS course from 50 to 100.**

Read: the request received from Santosh Medical College, Ghaziabad requesting to conduct the inspection of the college after Ist week of Feb., 2004.

The members of the Ad-hoc Committee and of the Executive Committee considered the request received from Santosh Medical College, Ghaziabad and noted the request of the college authorities to conduct the inspection after Ist week of February,

2004. The Committee decided to return the file pertaining to increase of seats in Ist MBBS course from 50 to 100 at Santosh Medical College, Ghaziabad received u/s 10A of the IMC Act, 1956 recommending disapproval of the scheme.

10. **V.S.S. Medical College, Burla – Increase of seats in Ist MBBS course from 107 to 150.**

Read: the request received from V.S.S. Medical College, Burla requesting to conduct the inspection of the college after Ist week of Jan., 2004.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the request received from V.S.S. Medical College, Burla and noted the request of the college authorities to conduct the inspection after Ist week of January, 2004. The Committee decided to return the file pertaining to increase of seats in Ist MBBS course from 107 to 150 at V.S.S. Medical College, Burla received u/s 10A of the IMC Act, 1956 recommending disapproval of the scheme.

11. **MKCG Medical College, Berhampur – Increase of seats in Ist MBBS course from 107 to 150.**

Read: the request received from MKCG Medical College, Berhampur requesting to conduct the inspection of the college after Ist week of Jan., 2004.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the request received from MKCG Medical College, Berhampur and noted the request of the college authorities to conduct the inspection after Ist week of January, 2004. The Committee decided to return the file pertaining to increase of seats in Ist MBBS course from 107 to 150 at MKCG Medical College, Berhampur received u/s 10A of the IMC Act, 1956 recommending disapproval of the scheme.

12. **Establishment of new medical college at Vilayodi, Chittur, Palakkad, Kerala by Safe Development Alms Trust.**

Read: the request of the Trust authorities requesting to fix the dates of inspection in the last week of March, 2004.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the request received from Medical College at Vilayodi Chittur, Palakkad, Kerala and noted the request of the college authorities to conduct the inspection after last week of March, 2004. The Committee decided to return the file pertaining to establishment of medical college at Vilayodi, Chittur, Palakkad, Kerala by Safe Development Alms Trust, Palakkad, Kerala to the Central Government recommending disapproval of the scheme.

13. **C.W.J.C. No.420/2001 filed by Citizen cause vs State of Jharkhand & Ors.**

Read: the inspection report of Rajendra Medical College & Hospital carried out on 28th & 29th Nov., 2003 in the above matter).

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (28th and 29th November, 2003) and noted as under:

1. Shortage of teaching staff is as under:
 - (a) Faculty 43.66% (i.e. 62 out of 142)
 - (i) Professors-7
 - (ii) Assoc. Professors-13
 - (iii) Asstt. Professors-32
 - (iv) Tutors-10
2. The distribution of units in different departments which have been submitted by the Director of the Institute is not as per the standard requirement of the Council as given in the Postgraduate Medical Education Regulations, 2000. The number of postgraduate students admitted in each department is much more than the recognised postgraduate teachers in the department. As per MCI norms the ratio has not been followed. Hence, there is gross anomaly in number of units and faculty members and also postgraduate students.
3. Electricity fired incinerator with capacity of 50 kg/hr. is not functional.
4. The availability of para medical staff of different categories is not adequate.
5. There is no centralized research laboratory for experimental/research work, however different departments have their own research labs.
6. No functional linkage is with 3 primary health centres and separate accommodation for boys and girls interns and students be created.
7. No central workshop functioning.
8. Pharmacy have not been upgraded.
9. The laundry be mechanized.
10. Incinerator is not functional.
11. In the department of Pathology, post of Professor be filed up.
12. Every unit in the hospital should have a side pathology laboratory.
13. In the deptt. of PSM, deficiency of 2 Asstt. Professors, 1-Epidemio-cum-Lect., 1-Statistician-cum-Lect. And 2-Tutors still persist.
14. The students go to Ranchi Instt. of Psychiatry and Allied Sciences, Kanke for training in Psychiatry.
15. The campus should have complete boundary wall.
16. Other deficiencies/remarks are in the report.

In view of the above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to issue a show cause notice to the concerned authorities as to why steps should not be initiated to recommend to the Central Government to derecognise the institution for the award of MBBS degree granted by Ranchi University. The Committee further decided to give one month's time to the institution to respond to the show cause notice. If no reply is received within the specified period, action be initiated as decided.

The Committee further decided to send a copy of the letter to the Chief Secretary, Health Secretary and Director Medical Education of the State Govt., Registrar of the concerned university, Health Secretary to Govt. of India and member of the Council representing the State Govt. for information and necessary action.

The Committee further decided to place this decision on the record of the Hon'ble High Court of Jharkhand by filing an affidavit through the Council Advocate. As the institution is also running postgraduate courses, it was also decided that the above mentioned deficiencies/remarks may be placed before the Postgraduate Committee for further action.

14. Establishment of new medical college at Arogayavaram by CSI Arogayavaram Medical Centre, Chittor, A.P. – consideration of compliance report.

Read: the compliance report received through the Central Govt. vide its letter dated 16th Oct., 2003 for establishment of new medical college at Arogayavaram.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to carry out inspection for establishment of new medical college at Arogayavaram by CSI Arogayavaram Medical Centre, Chittor for the academic session 2004-05.

15. Establishment of new medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad – consideration of compliance report.

Read: the compliance report received through the Central Govt. vide its letter dated 10th Oct., 2003 for establishment of new medical college at Vikarabad.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to carry out inspection for establishment of new medical college at Vikarabad by Bhagwan Mahavir Memorial Trust, Hyderabad for the academic session 2004-05.

16. Establishment of new medical college at Warangal by Medicare Educational Trust, Warangal - consideration of compliance report.

Read: the compliance report received through the Central Govt. 2003 for establishment of new medical college at Warangal by Medicare Educational Trust, Warangal.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to carry out inspection for establishment of new medical college at Warangal by Medicare Educational Trust, Warangal for the academic session 2004-05.

17. Medicity Instt. of Medical Sciences, Ghanpur – renewal of permission for admission of 2nd batch of students – consideration of compliance report.

Read: The compliance report received through the Central Govt. vide its letter dated 20/11/2003 for renewal of permission for admission of 2nd batch of students at Medicity Instt. of Medical Sciences, Ghanpur.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to carry out inspection for verification of the compliance submitted by the college for the academic session 2004-05 for the admission of the 2nd Batch.

18. Govt. Kilpauk Medical College, Chennai – Increase of seats in Ist MBBS course from 100 to 150 – consideration of compliance report.

Read: the compliance report received through the Central Govt. vide its letter dated 14th Nov., 2003 for increase of seats in Ist MBBS course from 100 to 150 at Kilpauk Medical College, Kilpauk.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to verify the compliance by way of an inspection for the academic session 2004-05.

19. **Kempegowda Instt. of Medical Sciences, Bangalore – consideration of compliance verification inspection report (24th & 25th Nov., 2003) for continuance of recognition of MBBS degree.**

Read: the compliance verification inspection report (24th & 25th Nov., 2003) carried out on receipt of compliance on rectification of the deficiencies pointed out in the inspection reports (Sept., 1998) and Feb., 2001.

The members of the Ad-hoc Committee and of the Executive Committee of the Council compliance verification inspection report (24th & 25th Nov., 2003) carried out on receipt of compliance on rectification of the deficiencies pointed out in the inspection reports (Sept., 1998) and Feb., 2001 and noted as under:

- 1.a) **Preclinical** departments are located in a building complex at BSK IInd stage, situated at a distance of 5 KMs from the Main Hospital. The complex consists of Ground floor, 1st floor and 2nd floor are located to the Kempegowda Institute of Medical Sciences Pre-clinical complex where as the 3rd, 4th & 5th are with the Pharmacy college.
 - b) **Paraclinical** departments are located in a separate six storied building adjacent to hospital are called as North wing. (1st floor- Mirco, 2nd Floor – Pharma, 3rd Floor – Community Medicine, 4th floor – Pathology, 5th Floor –Forensic Medicine, 6th Floor – Examination hall). The ground floor houses Principal's office and Administrative office. The basement houses Library. The other three wings of this rectangular building are with the Engineering college managed by the same Sangha Management.
 - c) **Clinical** - The clinical department (OPDs & Indoor wards) are located in two different buildings adjacent to each other.
All OPDs except Psychiatry are located in the ground floor of a six storied Dental College Building where floors from No. 2 to 6 are utilised by the Dental College. The 6th floor has lecture theatre and common room for the KIMS Medical College. They are separated from the Dental college complex by a sealed door. The Psychiatry OPD is located in the ground floor of hospital building. The entire hospital building houses the Administrative block on the ground floor and the various wards on rest of the floors. The O.T. complex and the intensive care complex are in the 4th floor of the building.
2. Shortage of teaching staff is as under:
- (a) Shortage of teaching faculty is 11.3% (i.e. 20 out of 117)
 - (i) Assoc. Prof. – 6 (Forensic Medicine-1, Biochemistry-1, Pathology-1, Radio-Diagnosis-1, Anaesthesia-2)
 - (ii) Asstt. Prof. –4 (Anatomy-1, Microbiology-1, TB Chest-1, Radio-Diagn.-1)
 - (iii) Tutors –8(Physio-4, TB Chest-1, Anaesthesia-3)
 - (iv) Others – Lecturer Biophysics-1, Pharma Chemist-1
3. Distribution of clinical units in different specialties is not as per Council recommendations. In medicine, there are nine faculty members in five units.
 4. Space for teaching area is not available in the OPDs of major departments like Medicine, Surgery, Pediatrics, Obstetrics & Gynaecology and Orthopaedics.
 5. Average daily OPD attendance is 330 against the required norms of 960.
 6. The bed occupancy is approx. 50 per cent. Thus, the clinical material is grossly inadequate.
 7. The number of X-Ray investigations and laboratory investigations is also grossly inadequate and not commensurate with the outdoor attendance and the bed occupancy claimed by the college.
 8. Central kitchen is not available. There is no provision of providing food to patients.
 9. Incinerator is not available.

10. Staff quarters for medical staff are not available in the campus and outside campus.
11. There is no central library.
12. The lecture theatres are of level type and not of gallery type as required in the norms.
13. There are no hostels for interns and residence.
14. The hostels for boys and girls are located outside the campus at a distance of 4.5 Kms.
15. The RHTC, Kemgeri is managed by the State Government and the college has no Administrative or financial control over the RHTC.
16. No staff quarters are available for non-teaching staff.
17. Other deficiencies/remarks are in the report.

In view of the above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to issue a show cause notice to the concerned authorities as to why steps should not be initiated to recommend to the Central Government to derecognise the institution for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences. The Committee further decided to give one month's time to the institution to respond to the show cause notice. If no reply is received within the specified period, action be initiated as decided.

The Committee further decided to send a copy of the letter to the Chief Secretary, Health Secretary and Director Medical Education of the State Govt., Registrar of the concerned university, Health Secretary to Govt. of India and member of the Council representing the State Govt. for information and necessary action.

The Committee further decided to place the above mentioned deficiencies/remarks before the Postgraduate Committee as the institution is also running postgraduate course.

20. **Inspection reports of the Private Medical Colleges in the State of Maharashtra.**

Read: the inspection report of the private medical colleges in Maharashtra conducted by the Govt. of Maharashtra.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to refer the matter to the Govt. of India for further advice and opinion. It was also decided to verify the facts by way of physical inspections by the Council.

21. **Continuance of recognition of MBBS degree granted by Dibrugarh University in respect of students being trained at Assam Medical College, Dibrugarh – consideration of compliance report.**

Read: the latest list of the teaching staff received from the authorities of Assam Medical College, Dibrugarh for continuance of recognition of MBBS degree granted by Dibrugarh University.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to verify the compliance by way of an inspection.

22. **Continuation of recognition of MBBS degree granted by Guwahati University in respect of students being trained at Guwahati Medical College, Guwahati.**

Read: the compliance report received from the authorities of Guwahati Medical College, Guwahati on the deficiencies pointed out in periodical inspection report carried out in (Nov., 2001)

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to grant 3 months extension to the institute to comply with the deficiencies pointed out in the inspection report. The Committee further decided that this decision may also be communicated to the Health Secretary of the State of Assam by writing a D.O. letter to him.

23. **Proposal for consideration of recommendation for the acceptance of e-journal subscription on par with print journals under RGUHS Library consortium – consideration of the minutes of the Study Group at its meeting held on 14th July, 2003 at Rajiv Gandhi University of Health Sciences, Bangalore.**

Read: proceedings of the meeting of the study group for making observations and recommendations for the acceptance of e journals as a substitute for print journals by MCI held on 14th July, 2003 at Rajiv Gandhi University of Health Sciences, Bangalore.

The members of the Ad-hoc Committee and of the Executive Committee of the Council accepted the proceedings of the meeting of the Study Group for making observations and recommendations for the acceptance of e-journals as a substitute for print journals by MCI held on 14th July, 2003 at Rajiv Gandhi University of Health Sciences, Bangalore.

24. **Permission to hold special University Examination of MBBS Phase I for Batch 2002, MBBS Phase II for Batch 2000 and MBBS Phase III (Part-I) for batch 1999 in order to regularise academic session – request received from the Principal, Patna Medical College, Patna.**

Read: the request received from Principal, Patna Medical College, Patna for permission to hold special University Examination of MBBS Phase I for Batch 2002, MBBS Phase II for Batch 2000 and MBBS Phase III (Part-I) for batch 1999 in order to regularise academic session.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to approve the schedule of examination as proposed by the Principal of Patna Medical College as a one time measure with a view to regularize the delay in the schedule of examination and for allowing the college to conform with the directions issued by the Hon'ble High Court at Patna. The Committee further decided that this should not be used as a precedent and the college/institution be directed to ensure that examinations should be held well within time.

25. **Status of Court case filed by Dr. Malavika Kapur & Ors. – vs. – Rehabilitation Council of India, New Delhi & Ors. before the Hon'ble High court of Karnataka vide W.P. No.32526/2002 (GM-RES-PIL).**

The members of the Adhoc Committee and of the Executive Committee of the Council noted the court case filed by Dr. Malavika Kapur & Ors. vs Rehabilitation Council of India, New Delhi & Ors. before the Hon'ble High court of Karnataka vide W.P. No.32526/2002 (GM-RES-PIL).

26. **PUC – letter dated 4/11/2003 from Sardar Patel University, Vallabh Vidyanagar, Gujarat seeking clarification upon additional attempts for clearing 1st MBBS.**

Read: the matter with regard to grant of additional attempt for clearing the Ist MBBS examination.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to grant additional attempt for clearing the Ist MBBS examination to all these students.

27. **Status of Court case filed by Share Medical Care Medical Care Society to extend time for completing admission in MBBS course for the academic year 2003-2004 for establishment of Medicity Institute of Medical Sciences.**

Read: the matter with regard to court case filed by Share Medical Care Medical Care Society to extend time for completing admission in MBBS course for the academic year 2003-2004 for establishment of Medicity Institute of Medical Sciences.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted as under :

The petition before the Hon'ble Supreme Court of India WP No. 478/2003 filed by the petitioner society was dismissed by the Hon'ble Supreme Court.

The petitioner society has filed another petition in Hon'ble High Court in A.P. W.P. No. 20966/2003 in which the Hon'ble High Court of A.P. had passed the following order on 14th November 2003:-

“Having regard to the fact that compliance report submitted by the petition institute on 29.9.2003 which was not available to the Adhoc Committee which met on 29.9.2003 and considered earlier compliance submitted dated 22.9.2003, it is always open for the petitioners to re-submit the compliance report said to have been submitted on 29.9.2003 and on submitting such report, it is imperative on the part of the Medical Council of India to have an inspection of the Institute and if all the deficiencies pointed out in the inspection report dated 13.6.2003 have been complied with it is for the Medical Council of India to pass appropriate orders for renewal of permission granted in favour of the petitioners for future academic year 2004-05.

With the above observations, the writ petition is disposed of.”

Subsequently, the Hon'ble High Court of A.P. revised its order so as to change the order for academic year 2003-04 in place of the academic year 2004-05 as in the original order.

In view of the above, the members of the Adhoc Committee and of the Executive Committee decided to obtain the legal opinion in the matter and carry out the inspection in accordance with the legal opinion so received.

28. **Appointment of Retainer Advocate in the Council office.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council approved the appointment of Retainer Advocate Shri Kirtiman Singh in the Council office.

29. **Renaming of the Medical Institutes to (I) Kazakh National Medical University & (ii) Higher Institute of Medicine, Pleven, Bulgaria – reg.**

Read: the matter with regard to renaming of the Medical Institutes (I) Kazakh National Medical University & (II) Higher Institute of medicine, Pleven, Bulgaria.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the matter with regard to renaming of the Medical Institutes (I) Kazakh National Medical University & (ii) Higher Institute of Medicine, Pleven, Bulgaria

30. **Removal of name of deceased person from Indian Medical Register.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the letter received from the Registrar, Rajasthan Medical Council , Jaipur intimating that Dr. Manoranjan Majumdar has expired on 16/9/2003 as per the news published in the Daily Rajashtan Patrika dated 18/9/2003 and his name has been erased from the register of Registered Medical Practitioners. The Committee decided to remove the name of above mentioned doctor from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.

31. **Nomination of members of the Council on DPC for confirmation of the officials of the MCI.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council authorized the President to nominate the members of the Council on DPC for confirmation of the officials of the MCI.

32. **Proposal for reimbursement in respect of newspapers purchased by the officers of the Council at their residence.**

Read: proposal for reimbursement of newspapers purchased by the officers of the Council at their residence.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided that the proposal for reimbursement in respect of newspapers purchased by the officers of the Council at their residence may be approved in accordance with the Government of India Rules prevailing in this regard.

33. **Proposal for reimbursement of local conveyance charges to the officials of Council for attending the official duties on holidays.**

Read: proposal for reimbursement of local conveyance charges to the officials of the Council for attending official duties on holidays

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided that the proposal for reimbursement of local conveyance charges to the officials of Council for attending the official duties on holidays may be approved in accordance with the Government of India Rules prevailing in this regard.

34. **Order passed by the Hon'ble High Court of Andhra Pradesh on 10.11.2003 in the W.P. No.21823 of 2003 in the matter of Arihant Educational Society, Hyderabad.**

Read: the Council Inspectors report (27th Nov. 2003) carried out in pursuance of the order passed by the Hon'ble High Court of Andhra Pradesh on 10/11/2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of 27th November, 2003 and decided that from the report, it was observed that the institution continues to fulfill the minimum requirement for 150 admissions annually.

35. Order passed by the Hon'ble High Court of Andhra Pradesh on 10.11.2003 in the W.P. No.21504 of 2003 in the matter of NRI Academy of Medical Sciences, Chinakakani, Guntur.

Read: the Council Inspectors report (28th Nov. 2003) carried out in pursuance of the order passed by the Hon'ble High Court of Andhra Pradesh on 10/11/2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of 28th November, 2003 and decided that from the report, it was observed that the institution continues to fulfill the minimum requirement for 150 admissions annually.

36. Establishment of National Institute of Medical Sciences, Jaipur by Indian Medical Trust, Jaipur .

Read: the Council Inspectors report (16th & 17th Dec. 2003) for establishment of National Institute of Medical Sciences, Jaipur by Indian Medical Trust, Jaipur.

The members of the Ad-hoc Committee and of the Executive Committee considered the Council Inspectors report (16th and 17th December, 2003) and decided to recommend to the Central Government to issue Letter of Permission for establishment of National Instt. of Medical Sciences, Jaipur by Indian Medical Trust, Jaipur u/s 10A of the IMC Act, 1956 with an annual intake of 100 students for the academic session 2004-05.

37. Establishment of a new medical college at Jadavpur, Kolkatta by KPC Medical College & Hospital, Jadhavpur, Kolkatta

Read: the Council Inspectors report (22nd & 23rd December, 2003) for establishment of new medical college at Jadavpur, Kolkatta by KPC Medical College & Hospital, Jadhavpur, Kolkatta.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of Medical College at Jadhavpur carried out on 22nd and 23rd December, 2003 and noted as under:-

1. Affiliated teaching hospital has at present 700 beds, which are exclusively used for the Tuberculosis patients. No segregation of beds has been done to cater to different specialties in the hospital for the proposed Medical College as required by the norms. So far the evacuation of Tuberculosis patients at presently admitted in the hospital to make way for the proposed teaching medical hospital has not been initiated. Thus, there is no earmarked bed available for different specialties and, therefore, there is a deficiency of 300 beds required at the time of LOI as under :-

a) Medicine	- 80
b) Pediatrics	- 30
c) Surgery	- 90
d) Orthopedics	- 30
e) Ophthalmology	- 10

- f) ENT - 10
- g) Obst. & Gynae. - 50

Thus, the application u/s 10A, on verification, does not prove the fulfilment of the essential condition of owning and managing of a functional hospital of not less than 300 beds required to be fulfilled by the applicant for making application itself u/s 10A of the Act. Thus, the applicant does not fulfil the statutory precondition of the availability criteria stipulating the condition of owning and managing a functional hospital of not less than 300 beds.

2. The available clinical material is only for Tuberculosis and chest diseases as no other patients are admitted in the existing hospital.
3. The O.P.D services are run exclusively for Tuberculosis patients.
4. Only one operation theatre is available.
5. There is no incinerator available in the campus.
6. No other infrastructure facilities for the College and the Hospital are available.
7. Intensive Care areas not available.
8. Labour room not available and no deliveries are conducted in this hospital so far.
9. Central Sterilization Department is not available.
10. Intercom facilities are not available.
11. Pharmacy is not available.
12. Clinical laboratories in the existing hospital only cater to the laboratory work to the Tuberculosis patients.
13. No other investigative facilities are available.
14. Radiological facilities are available only in relation to Tuberculosis patients and no other radiological facilities are available.
15. Accommodation of Principal's office complex in other sections of the College is non-existent on the date of inspection.
16. Central library is not available.
17. No faculty or staff including the Principal and Medical Superintendent have been appointed. At the time of the conclusion of the inspection i.e. on the second day of the inspection at about 4:30 p.m., two faculty members were presented to the inspection team with bio-data forms. However, no proper declaration forms have been provided.
 - a) Dr. Krishna Bhattacharya shown as Professor of Physiology was not physically present at the time of inspection. She has given a declaration that she would be able to join the College only after 30th October 2004 as she is at present the member of the Public Service Commission. Hence, she has not been considered as faculty.
 - b) Dr. Prikriti Pal shown as Professor of Pathology and Dr. A.K. Sarkar shown as Professor of Surgery had not submitted proper joining letters. Thus, there is a 100 per cent deficiency of staff as under :-
 - a) Dean - 1
 - b) Medical Superintendent - 1
 - c) Associate Professor - 3 (Anatomy - 1, Physiology - 1, Biochemistry - 1)
 - d) Tutors - 6 (Anatomy - 2, Physiology - 2, Biochemistry - 2)
18. Other deficiencies/remarks are in the report.

The plan for the new buildings have been made but sanction has not yet been accorded to this plan so far. The present structure has to undergo complete restructuring, renovation and revamping which has still not started.

In view of the above, whereby it has been found that the applicant has failed to fulfil the mandatory and statutory preconditions laid down in the Establishment of Medical College Regulations, 1999, the said application of KPC Medical College at Jadavpur in light of the Hon'ble Supreme Court in case of UoI Vs. All India Children

Care & Education Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application u/s 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself.

It is therefore recommended that the application of KPC Medical College at Jadavpur be returned/disapproved.

38. Establishment of a new medical college at Bangalore by Moogambigai Charitable & Educational Trust, Bangalore.

Read: the Council Inspectors report (23rd & 24th December, 2003) for Establishment of a new medical college at Bangalore by Moogambigai Charitable & Educational Trust, Bangalore.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of Medical College at Bangalore carried out on 23rd & 24th December, 2003 and noted as under:-

1. Rajarajeswari Hospital, affiliated to proposed college, has 300 beds, which are housed in a make shift arrangement in big halls in the hospital building, which is under construction.

Thus, the application u/s 10A, on verification, does not prove the fulfilment of the essential condition of owning and managing of a functional hospital of not less than 300 beds required to be fulfilled by the applicant for making application itself u/s 10A of the Act. Thus, the applicant does not fulfil the statutory precondition of the availability criteria stipulating the condition of owning and managing a functional hospital of not less than 300 beds.

2. The applicant is in possession of 25 acres of land in a unitary plot of land. However, the land use conversion to N. A. is not submitted. The Bangalore Development Authority has asked the college to prepare the development plan to establish the hospital in Survery No. 202 to 206 and resubmit the same to that office.
3. Dr. Basavaraj, who is shown as Medical Superintendent, has only three and a half years of administrative experience which is less than required as per norms and he cannot be considered as Medical Superintendent.
4. Teaching beds are adequate in number but they are not demarcated specialty wise. The beds are not numbered. No distribution of beds for different specialties has been made.
5. Toilets are not functional in any of the wards.
6. Necessary infrastructure like side tables, cub-boards, nursing stations and necessary nursing staff are not available in any of the wards.
7. The hospital has been functional only since 16th December 2003.
8. The daily average OPD attendance is only 65 and the bed occupancy is around 30 per cent. However, the number of daily admissions are only averaging around 2. The discrepancy in the admission and the bed occupancy is due to 86 admissions on 16.12.2003 i.e. opening day of the hospital.
9. Operation theatres are not functional. No major or minor operations are carried out.
10. Labour rooms and delivery facilities are not available.
11. Radiological facilities are not available. One old x-ray machine of 100 MA is available but it is not commissioned and non-functional.
12. Laboratory facilities are not available.
13. In the OPD, there is only one registration counter for male and female patients.

14. Specialty wise registration is not maintained. No waiting area is available near the counter.
15. Each specialty is provided with only one room for examination of patients and accommodation for the doctors.
16. Teaching facilities like patient couch, stools, x-ray, view box, examination tray, torch light, gloves, wash basin etc are not provided in any of the rooms. Ophthalmology, Obst. & Gynae. OPD are in the same room. There is no privacy for the examination of the patients. Teaching area for OPD, injection room, dressing room, plaster room, plaster cutting room and E.C.G. room are not available. Clinical laboratory is housed in one small room. There is no area for collection of blood sample. Audiometry room, immunization room and other minor OT etc. are not available. Two operation tables and operation lights are available but not commissioned.
17. ICCU facilities are not available.
18. Clinical laboratory is housed only in one single room. Necessary equipments for carrying out various investigations are not available. No investigations, routine or specialized are carried out.
19. CSSD is not available.
20. Intercom is not available.
21. Central Laundry is not available.
22. Kitchen and canteen are not available.
23. Incinerator is not available.
24. Blood Bank is not available.
25. Medical Record Section is not available.
26. In the para-medical staff, there are only 5 laboratory technicians and 2 x-ray technicians available and are grossly inadequate.
27. In the nursing staff, only one Nursing Superintendent and 20 Nurses are available, which is grossly inadequate for a 300 bedded teaching hospital.
28. The shortage of teaching staff, as required for LOI, is 10% i.e. one Professor / Asst. Professor in Anatomy.
29. Other deficiencies/remarks are in the report.

In view of the above, whereby it has been found that the applicant has failed to fulfil the mandatory and statutory preconditions laid down in the Establishment of Medical College Regulations, 1999, the said application of Moogambigai Charitable & Educational Trust, Bangalore in light of the Hon'ble Supreme Court in case of UoI Vs. All India Children Care & Education Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application u/s 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself.

It is therefore recommended that the application of Moogambigai Charitable & Educational Trust, Bangalore be returned/disapproved.

39. Establishment of a new medical college at Joginapally by B.R. Educational Society, Hyderabad.

Read: the Council Inspectors report (26th & 27th December, 2003) for Establishment of a new medical college at Joginapally by B.R. Educational Society, Hyderabad.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of Medical College at Joginapally carried out on 26th and 27th December, 2003 and noted as under:-

1. Bhaskar General Hospital, which is affiliated to the proposed college, has only 232 teaching beds. There is deficiency of 68 teaching beds which is as under:-

- a. Medicine - 09
- b. Surgery - 32
- c. Orthopedics - 03
- d. Ophthalmology - 05
- e. ENT - 01
- f. OG - 18

Thus, the application u/s 10A, on verification, does not prove the fulfilment of the essential condition of owning and managing of a functional hospital of not less than 300 beds required to be fulfilled by the applicant for making application itself u/s 10A of the Act. Thus, the applicant does not fulfil the statutory precondition of the availability criteria stipulating the condition of owning and managing a functional hospital of not less than 300 beds.

2. The shortage of teaching faculty is more than 15% i.e. 14 out of 77 as under:-
 - i)
 - a) Professor – 2 (Physiology 1, Bio-chemistry –1)
 - b) Reader-5 (Anatomy2, Physiology 2, Biochemistry-1)
 - c) Asstt Professor-4 (Bio physics –1, Anatomy-2, Physiology-2)
 - d) Tutors – 3 (Anatomy-2, Anaesthesia-1)
 - ii) Relieving Orders of the following staff members have not yet been obtained even though they were shown present at the time of inspection, hence, they are not considered as staff members:-
 - i) Asstt. Professor of Anatomy
 - ii) One Professor and one Asst. Professor of Physiology
 - iii) One Professor and one Asst. Professor of Biochemistry.
 - iv) One Asso. Professor of Pharmacology.
 - v) One Professor of Orthopedic.
 - vi) One Asso. Professor and One Lecturer of Anesthesia.
3. OPD is temporarily functioning in the make shift location at the ground and 1st floor of the proposed Medical College building. The ECG room does not have any doors provided. Clinical teaching areas are not provided. Couch for X-ray view box is not provided. Washing facility is not available cubical of Surgery OPD. Student Demonstration Room does not have X-ray View Box. Audiometry room is not provided. The minor procedure room is not functional. Windows and doors are yet to be fitted to the Ophthalmic OPD. OG OPD does not have washing facilities, couch or X-ray View Box. The Staircase, leading to 1st floor, does not have handrails.
4. Teaching areas or ward laboratories are not provided on 1st floor of the hospital consisting of Surgical and Medical wards. 3rd Floor, which is partly under construction, does not have doors and windows. OG ward does not have Nursing Station, teaching area or ward laboratories.
5. Daily average OPD attendance is only 90. The bed occupancy is 50%. The clinical material available is grossly inadequate. Very few deliveries are being conducted. The number of X-ray investigations and laboratory investigations are also grossly inadequate.
6. Casualty is located in a make shift location on the ground floor where there has been an examination room. There is no Pulse Oxymeter, no Defibulator and no ventilator in the area.
7. The labour rooms are inadequate furnished and there are toilet facilities available for the patients near the labour ward.
8. The Intensive Care Area is not air-conditioned.
9. The Radio Diagnosis Department does not follow BARC recommendations for safety.

10. CSSD is not available.
11. Intercom is provided only for OT. ICCU and ICU wards are not provided with intercom facility.
12. Incinerator is not available.
13. Canteen and kitchen are not available.
14. Blood bank is not available.
15. Teaching department of Anatomy, Physiology, Biochemistry and Community Medicine are yet to be established as the College building is in various stages of construction. Lecture Theatres are not available. The Clinical Demonstration Rooms are inadequate furnished in OPD. No teaching areas are provided in the wards.
16. The staff quarters for medical staff and nurses hospitals are not available.
17. Hostels for boys, girls, residents and nurses are not available.
18. Other deficiencies/remarks are in the report.

In view of the above, whereby it has been found that the applicant has failed to fulfil the mandatory and statutory preconditions laid down in the Establishment of Medical College Regulations, 1999, the said application of B.R. Educational Society at Hyderabad for establishment of medical college at Joginapally in light of the Hon'ble Supreme Court in case of UoI Vs. All India Children Care & Education Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application u/s 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself.

It is therefore, recommended that the application of B. R. Educational Society, Hyderabad for establishment of medical college at Joginapally be returned/disapproved.

40. Establishment of a new medical college at Asaripallam by Government of Tamilnadu.

Read: the Council Inspectors report (26th & 27th December, 2003) for Establishment of a new medical college at Asaripallam by Government of Tamilnadu.

The members of the Ad-hoc Committee and of the Executive Committee decided to recommend to the Central Government to issue Letter of Intent for establishment of medical college at Asaripallam (Govt. Kanyakumari Medical College) by Govt. of Tamilnadu u/s 10A of the IMC Act, 1956 with an annual intake of 100 students for the academic session 2004-05.

41. Establishment of a new medical college at Munshiganj by Sanjay Gandhi Memorial Trust, New Delhi.

Read: the Council Inspectors report (26th & 27th December, 2003) for Establishment of a new medical college at Munshiganj by Sanjay Gandhi Memorial Trust, New Delhi.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report of Medical College at Munshiganj carried out on 26th and 27th December, 2003 and noted as under:-

1. Form No. 7/12 shows that the applicant is in possession of 32 acres of land, however, the Lease Deed produced during inspection showed that the land is given to the Trust for a 30 years Lease only.

Thus, the application u/s 10A, the documents enclosed therewith and the documents furnished at the time of inspection do not prove the fulfilment of the

essential condition of owning and possession of 25 acres of land required to be fulfilled by the applicant at the time of making application itself under Section 10A of the Act. Form No. 7/112 attached with the application shows that applicant is in possession of 32 acres of land however the lease deed produced during the inspection shows that land is given to the Trust for a 30 years only. In view of this, the applicant does not fulfill the statutory pre-condition of the qualifying criteria stipulating the conditions of either owning and possessing or having the registered lease of not less than 99 years of 25 acres of land.

2. Sanjay Gandhi Hospital has 302 teaching beds, which are numerically adequate. However, the existing department wise allocation is not as per the Council norms and the teaching beds are deficient to the following extent :-

- a) Medicine - 26 beds
- b) Surgery - 30 beds
- c) Orthopaedics-9 beds

Thus, the application u/s 10A, on verification, does not prove the fulfilment of the essential condition of owning and managing of a functional hospital of not less than 300 beds required to be fulfilled by the applicant for making application itself u/s 10A of the Act. Thus, the applicant does not fulfil the statutory precondition of the availability criteria stipulating the condition of owning and managing a functional hospital of not less than 300 beds.

3. Dr. V. K. Malhotra, who is shown as Acting Dean, is holding the post of Professor and given the additional charge of the post of Dean. Thus, regular Dean is not available. Dr. Malhotra has no administrative experience and does not possess the requisite experience of 5 years as Professor. Thus, he is not eligible to hold the post of Dean.

- 4 The shortage of teaching staff is more than 50 per cent as under :-

a) Faculty

- (i) Professor - 2 (Physiology - 1, Biochemistry-1)
- (ii) Associate Professor - 11 (Anatomy -2, Physiology - 2, Pathology - 1, General Medicine - 1, Pediatrics -1, Surgery - 1, Obst. & Gynae. - 1, Anaesthesia - 1, Radiology - 1)
- (iii) Assistant Professor - 19 (Anatomy - 3, Physiology - 1, Biophysics - 1, Biochemistry - 1, Pathology - 1, Microbiology-1, FMT-1, Community Medicine - 1, Gen. Medicine - 3, Surgery - 2, Obst. & Gynae. -1, Anaesthesia -2, Radiology -1)
- (iv) Tutor - 11 (Anatomy - 2, Physiology - 2, Pharmacology - 1, Forensic Medicine - 1, Microbiology - 1, Community Medicine - 1, Anaesthesia - 2, Radiology - 1)

b) Resident

- (i) Sr. Resident -13 (Gen. Medicine - 4, Surgery-4, Orthopaedics - 1, Ophthalmology - 1, ENT-1, Obst. & Gynae - 2.)
- (ii) Jr. Resident - 24 (Medicine-8, Paediatrics - 2, Surgery-8, Orthopaedics-2, Ophthalmology - 1, ENT-1, Obst. & Gynae - 2.)

5. No teaching area is earmarked in the OPD.
6. Daily average OPD attendance is only 118 and bed occupancy is less than 40 per cent. The clinical material is grossly inadequate.
7. The number of major and minor operations performed daily is only 5.

8. The radiological investigations and laboratory investigations are also grossly inadequate.
9. The registration in OPD and indoor is not computerized.
10. In the Records Department, only old case papers and registers are stored and no further processing is carried out.
11. There is only one operation theatre having 2 tables.
12. Facilities for pre-anaesthetic and post-anaesthetic care are not available.
13. Post operative recovery room is not available.
14. Intensive care facilities are not available.
15. Separate facilities for clean and septic patients are not available in the labour room, as there is only one labour room with one bed and one table.
16. Protective measures as per BARC specifications are not provided.
17. Central laundry is manual.
18. Incinerator is not available.
19. Para-clinical staff is grossly inadequate as there are only four Laboratory Technicians available.
20. There are only 18 staff nurses available, which is grossly inadequate for a 300 bedded hospital.
21. The pre-clinical department is not yet established.
22. Other deficiencies/remarks are in the report.

In view of the above, whereby it has been found that the applicant has failed to fulfil the mandatory and statutory preconditions laid down in the Establishment of Medical College Regulations, 1999, the said application of Sanjay Gandhi Memorial Trust, New Delhi for establishment of medical college at Munshiganj, Amethi in light of the Hon'ble Supreme Court in case of UoI Vs. All India Children Care & Education Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application u/s 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself.

It is therefore, recommended that the applicaton of Sanjay Gandhi Memorial Trust, New Delhi for establishment of medical college at Munshiganj, Amethi be returned/disapproved.

42. **Establishment of new medical college at Amlapuram by Mother Theresa Educational Society.**

Read: the letter received from the authorities of Mother Theresa Educational Society requesting to conduct the Inspection in February 2004 for Establishment of new medical college at Amlapuram by Mother Theresa Educational Society.

The members of the Adhoc Committee and of the Executive Committee considered the request received from Mother Theresa Educational Society, Amalapuram and noted the request of the college authorities to conduct the inspection in February 2004. Moreover, the Committee also noted that the Council has sent repeated reminders for payment of the new fees. However, the institute has failed to submit the requisite fee till date. The Committee decided to return the file pertaining to establishment of medical college at Amalapuram by Mother Theresa Educational Society, Amalapuram received under Section 10A of the IMC Act, 1956 recommending disapproval of the scheme.

43. **Establishment of new medical college at Mala by Imam Razi Muslim Educational Charitable Trust, Palakkad.**

Read: The matter with regard to establishment of new medical college at Mala by Imam Razi Muslim Educational Charitable Trust, Palakkad along with legal opinion obtained from the Council Advocate.

The members of the Adhoc Committee and of the Executive Committee, on going through the Inspection Report and the documents supplied by the applicant noted as under :-

1. The land i.e. 24.78 acres possessed by the applicant is not in a single piece of land as required under the qualifying criteria. It is divided by a canal with running water across its length belonging to the local Panchayat.
2. The land has been acquired on 99 years lease, however, there is a clause that in the event of default of non-payment of the rent, it shall be lawful for the lessor to eject the lessee from the land and building and structures and to take possession as full and absolute owner after issuing a notice in writing within 7 days.
3. Registered lease deed is still awaited.

The members of the Adhoc Committee and of the Executive Committee decided that the application under Section 10A in the documents enclosed therewith and supplied afterwards do not prove the fulfillment of the essential condition of owning and possessing 25 acres of land required to be fulfilled by the applicant at the time of making the application itself under Section 10A of the Act. As the applicant has failed to fulfil the mandatory and statutory pre-conditions laid down in the establishment of Medical College Regulations, 1999, the said application of Imam Razi Muslim Educational Charitable Trust, Palakkad for establishment of medical college at Mala in light of the judgement of the Hon'ble Supreme Court in the case of UOI vs. All India Children Care & Educational Development Society, Azamgarh & Anr.-(2002) 3 SCC 649, is not an application under Section 10A as it fails to fulfil the qualifying criteria on the date of submitting the application itself. In view of the above, the Member of the Adhoc Committee and of the Executive Committee decided to return the file pertaining to establishment of medical college at Mala by Imam Razi Muslim Educational Charitable Trust, Palakkad, Kerala to the Central Govt. recommending disapproval of the scheme.

44. **Establishment of new medical college at Cheran Nagar by Kanchi Kamkoti Peetham Charitable Trust, Kanchipuram.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the application received for establishment of medical college at Cheran Nagar by Kanchi Kamkoti Peetham Charitable Trust, Kanchipuram through the Central Govt. along with the interim order passed by the Hon'ble High Court of Tamilnadu.

45. **Coimbatore Medical College, Coimbatore – Increase of seats in 1st MBBS course from 110 to 150.**

Read: the compliance report submitted by the Directorate of Medical Education, Govt. of Tamilnadu through the Central Government vide letter dt. 15/12/2003 for increase of MBBS seats at Coimbatore Medical College, Coimbatore from 110 to 150 request of which was received u/s 10A of the IMC Act, 1956.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to verify the compliance by way of an inspection for the academic session 2004-05.

46. **Chengalpattu Medical College, Chengalpattu – Increase of seats in 1st MBBS course from 50 to 150.**

Read: the compliance report submitted by the Directorate of Medical Education, Govt. of Tamilnadu through the Central Government vide letter dt. 15/12/2003 for

increase of MBBS seats at Chengalpattu Medical College, Chengalpattu from 50 to 150 request of which was received u/s 10A of the IMC Act, 1956.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to verify the compliance by way of an inspection for the academic session 2004-05.

47. Government Mohan Kumarmangalam Medical College, Salem – Increase of seats in 1st MBBS course from 75 to 150.

Read: the compliance report submitted by the Directorate of Medical Education, Govt. of Tamilnadu through the Central Government vide letter dt. 15/12/2003 for increase of MBBS seats at Government Mohan Kumarmangalam Medical College, Salem from 75 to 150 request of which was received u/s 10A of the IMC Act, 1956.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to verify the compliance by way of an inspection for the academic session 2004-05.

48. Continuance of recognition of MBBS degree granted by The Tamilnadu Dr. MGR Medical University, Chennai in respect of students being trained at Madurai Medical College, Madurai.

Read: the Compliance report received from the Dean, Madurai Medical College, Madurai on the deficiencies pointed out in the Council Inspectors report November, 2000.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided to verify the compliance by way of an inspection.

49. Admission of Mr. Raval Devarsh Sachin in the Ist MBBS course at Rural Medical College, Loni for the academic year 2003-2004 (after 30/9/2003) – Submission of penalty of Rs.50,000/- by the college.

Read: the matter with regard to admission of Mr. Raval Devarsh Sachin in the Ist MBBS course at Rural Medical College, Loni for the academic year 2003-2004 (after 30/9/2003).

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the recommendations made by the Council have not yet been approved by the Central Govt. As such, at present, there is not provision under which such a request can be accepted. It was, therefore, decided that the request made by the Principal cannot be accepted as it is in violation of the judgement of Hon'ble Supreme Court of India in Madhu Singh's case. The Committee further decided that the amount sent by the Principal by way of Demand Draft of Rs. 50,000/- being the defaulting fine be returned to the college.

50. Judgement dated 11/09/2002 in the case of MCI vs. Madhu Singh & Others passed in SLP No.1491/2000-(2002) 7 SSC 258.

Read: the matter with regard to admission of students in the medical colleges after the cut off date of 30/9/2003 along with the legal opinion obtained in the matter.

The members of the Ad-hoc Committee and of the Executive Committee of the Council decided that the clarification from the respective colleges/universities be obtained as regards to the date of counselling/admission of such students. The Committee further decided that in the event of the students in whose case the counselling/admissions falls after 30th September, 2003, a show cause notice to the defaulting colleges/universities be issued after obtaining the legal opinion in the matter.

51. Undertaking given by a medical teacher for working in more than one medical college at the same point of time - Action to be taken in view of Code of Medical Ethics.

Read: the matter with regard to undertaking given by a medical teacher for working in more than one medical college at the same point of time and action to be taken in view of the Code of Medical Ethics.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the whole matter at length and decided to request the Chairman, Ethics Committee to issue show cause notices to all the concerned teachers in the light of the recommendations made by the Council Advocate and take necessary action thereafter.

52. Consideration of the minutes of the Building Committee meeting held on 16.12.2003 & 29/12/2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council approved the minutes of the Building Committee meeting held on 16.12.2003 & 29/12/2003.

53. To note the change of name of Govt. Medical College, Rajkot.

Read: letters received from Pandit Deen Daal Upadhyay Medical College, Rajkot.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the change of name of Govt. Medical College, Rajkot to Pandit Deendayal Upadhyay Medical College, Rajkot.

54. **Admission of in service doctors in MD/MS/PG diploma courses in the Medical Colleges of the State of Rajasthan.**

Read: the matter with regard to admission of in-service doctors in MD/MS/PG diploma courses in the Medical Colleges of the State of Rajasthan

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted the contents of the letter of the State Government of Rajasthan. The Members of the Adhoc Committee and of the Executive Committee also noted that the Hon'ble Supreme Court in its judgement has clearly held that these admissions of in-service candidates who were admitted with less than 50% marks being violative of regulation 9 of MCI and should be cancelled. It is clearly held by the Apex Court that the decision of cancellation of these PG seats and subsequent afresh counselling to the extent necessary might delay the commencement of studies in PG seats of 2002 and 2003 batches but it is inevitable as the successful candidates of the year 2002 and 2003 cannot be made to suffer for no fault of theirs. As regards the amendment in Regulation 9 of the PGME 2000 suggested by the State Govt. so as to specifically regularise these illegal PG admissions made in 2002 and 2003 would be against the spirit of Regulation 9 and also the various pronouncements of the Hon'ble Supreme Court holding the regulations of MCI to be statutory, mandatory and binding in character.

In view of the above, the Members of the Adhoc Committee and of the Executive Committee decided that the request of the State Govt. for considering the amendment of Regulation 9 so as to regularise the batches of in-service candidates and creation of 160 supernumerary PG seats for 2002-03 in the State of Rajasthan cannot be accepted and therefore, it was decided to reject the request of the State Government of Rajasthan.

55. **Establishment of a new medical college at Peerancheru, R.R. District by Shadan Educational Society, Hyderabad.**

Read: the Council Inspectors report 26th and 27th December, 2003 for establishment of a new medical college at Peerancheru, R.R. District by Shadan Educational Society, Hyderabad.

The members of the Ad-hoc Committee and of the Executive Committee considered the inspection report (26th and 27th December, 2003) and noted the following:

1. Shortage of teaching staff is 10% as under:
 - (a) Professor/Assoc.Prof. -1 (Biochemistry-1)
 - (b) Dean, Prof. of Anatomy and Prof. of Physiology have reported only on 2nd day of inspection and they were absent on the first day of inspection.
2. The OPD attendance is 430 and the bed occupancy claimed is 72%. However, the number of major and minor surgical operations performed are only 6 which is inadequate. The daily OPD attendance is also inadequate for a medical college proposed for 150 students.
3. The number of radiological investigations is grossly inadequate and not commensurate with the number of OPD attendance and indoor admissions claimed by the college.

4. The number of laboratory investigations is also grossly inadequate and not commensurate with the OPD attendance and indoor admissions claimed by the college.
5. Blood Bank is not available.
6. CSSD is not available.
7. Laundry is not available.
8. Incinerator is not available.
9. Staff quarters are not available for any cadre.
10. Hostels for boys, residents and nurses are not available.
11. There is only one big table in the Dean's office and there is no other furniture either in the Dean's office or in the administrative block.
12. Protective measures as per BARC specifications are not provided.
13. No infrastructure for pre-clinical departments is available.
14. Other deficiencies/remarks in the report.

In view of above, the members of Adhoc Committee and of the Executive Committee decided to recommend to the Central Govt. not to issue Letter of Intent for establishment of medical college at Peerancheru, R.R. District by Shadan Educational Society, Hyderabad u/s 10A of the IMC Act,1956.

56. **Confirmation of employees of Medical Council of India.**

The members of the Ad-hoc Committee and of the Executive Committee of the Council approved the recommendations of the Departmental Promotion Committee for confirmation of the following employees of the Council in their entry grade with retrospective effect – i.e from the date of completion of their probation period /extended probation period as mentioned against each :-

S. N.	Name of employee with Designation	Date of Birth	Date of Joining	Completion of Probationary period
1.	Mrs. Maheshwari, Hindi Translator	28.07.1967	10.10.1997	09/10/1999
2.	Sh. Kundan Singh, Junior Stenographer	10.06.1977	12.06.2000	11/06/2002
3.	Sh. Ajay Kumar Dubey, Computer Operator	29.09.1970	04.11.1996	03/11/2000
4.	Sh. Kadam Singh, Messenger	11.01.1966	03.10.1989	02/10/1991
5.	Mrs. Pushpa Rai, LDC	25.08.1971	25.10.1994	24/10/1996
6.	Sh. Sanjay Kumar, L.D.C	02.08.1972	01.12.1995	30/11/1997
7.	Ms. Anjana, L.D.C.	16.07.1974	22.12.1995	21/12/1997

8.	Mrs. Alka Lajpal, L.D.C.	22.06.1970	22.12.1995	21/12/1997
9.	Mrs Madhu Rawat, L.D.C	28.07.1973	12.01.1996	11/01/1998
10.	Sh. Sanjeev Puri, L.D.C.	09.07.1975	30.09.1997	29/09/1999
11.	Sh Gajender Kumar, L.D.C.	15.07.1974	07.10.1997	06/10/1999
12.	Sh. Vinod Kumar Meena, L.D.C.	09.09.1975	13.04.1998	12/04/2000
13.	Mrs. Rinki Bhateja, L.D.C.	11.09.1975	15.04.1998	14/04/2000
14.	Mrs. Poonam, L.D.C.	22.09.1977	10.09.1999	09/09/2002
15.	Ms. Seema Bansal, L.D.C.	27.02.1976	10.09.1999	09/09/2001
16.	Sh Amarjeet Singh, L.D.C.	06.03.1975	10.09.1999	09/09/2002
17.	Sh. Santosh Kumar, L.D.C.	21.09.1977	14.09.1999	13/09/2002
18.	Mrs. Manju Gosain, L.D.C.	02.10.1975	15.09.1999	14/09/2001
19.	Mrs. Valarmathi Manimaran, L.D.C.	04.12.1973	16.09.1999	15/09/2002
20.	Mrs. Rajeshwari Kukreja, L.D.C.	18.01.1972	20.09.1999	19/09/2002

57. **Establishment of new medical college at Ahmedabad by Adarsh Foundation, Ahmedabad.**

Read: the application received through the Central Government for establishment of new medical college at Ahmedabad by Adarsh Foundation, Ahmedabad.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the application with regard to establishment of medical college at Ahmedabad by Adarsh Foundation, Ahmedabad alongwith the information received from the Central Government vide letter dated 30th December, 2003 and decided to carry out physical inspection to verify the information supplied by the applicant and authorized President (Acting) to take the decision.

58. **Appointment of Inspectors for carrying out the various inspections-Amount of honorarium to be paid for the days spent in transit.**

Read: proposal for payment of honorarium to Council Inspectors for the days spent in transit.

The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that General Body of the Council at its meeting held on 24th March, 2003 decided as under:-

“It was also decided that the honorarium of Rs.500/- presently being paid to the Council Inspectors for carrying out inspections be immediately raised to Rs.1500/- per day and the inspectors be advised to make their own arrangements for stay at place of inspection. It was further decided that the names of the other two members of the inspection team accompanying the Whole Time Inspectors will be communicated to the institutional authorities only a week before”.

The members of the Adhoc Committee and of the Executive Committee noted that the General Body of the Council has not prescribed specifically that this honorarium of Rs. 1500/- per day should be paid only for the days of inspection. In view of the fact that the inspectors have to reach the place of inspection a day prior and have to leave the place of inspection a day after, as the inspections have to be carried out for the whole day

beginning at 9 a.m. and ending at 6.30 p.m., the members of the Adhoc Committee and of the Executive Committee further clarified that this amount of Rs.1500/- per day is to be paid for all the days including the days of transit spent by the inspectors.

**[Lt. Col. (Retd.) DR. A.R.N. SETALVAD]
SECRETARY**

**New Delhi, dated the
30th December, 2003**

A P P R O V E D

**(Dr. P.C. Kesvankutty Nayar)
President (Actg.)**